

Sickness Absence Management Policy

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1 Policy Statement

The University of Strathclyde is committed to ensuring the health, safety and well-being of all staff to enable them to fulfil their potential and contribute to the achievement of the University's objectives.

To this end the University aims to encourage staff well-being through the provision of a safe and healthy working environment; well defined jobs with challenging but realistic targets; support and training to help staff achieve these targets; and conditions of service which allow staff to balance family and work life and attend work regularly.

2 Purpose of the Policy

It is recognised that illness resulting in absence from work not only has a significant effect on the member of staff but also has an impact on the operating capability of the University. This policy is therefore designed to promote good practice and provide a framework for the effective management of sickness absence in order to maximise staff capability and ensure the delivery of high quality, cost effective services whilst ensuring the wellbeing of staff.

The policy complements a range of positive well-being initiatives and facilities already available to staff via Human Resources, the Occupational Health Service, the Centre for Sport and Recreation, the [Employee Assistance Programme \(EAP\)](#) and through the University's Dignity and Respect Policy.

The policy has been developed in accordance with published guidance from the Chartered Institute of Personnel and Development (CIPD), the Health and Safety Executive (HSE), the Equality and Human Rights Commission (EHRC) and the Advisory, Conciliation and Arbitration Service (ACAS). The policy is supported by a computerised recording system for the recording of absence across the University, operated within the terms of relevant data protection legislation, and the University's Capability (Ill-Health) Procedure.

The policy applies to all staff and will be implemented in a fair, non-discriminatory, consistent and reasonable manner.

The purpose of the policy is to:

- Further demonstrate the commitment of the University to the health, safety and well-being of all staff.
- Encourage, guide and support members of staff to help them achieve and maintain acceptable standards of attendance as benchmarked against relevant comparators, e.g. HEI sector.
- Ensure that a fair, non-discriminatory, consistent, timely and confidential approach is taken to the management of sickness absence and that procedures in this regard are communicated clearly to staff and managers.
- Provide appropriate support at the earliest opportunity to members of staff experiencing ill health with the aim of securing their return to work or other resolution as appropriate.
- Identify members of staff who may require support to undertake their duties and identify any changes which may be necessary to their working environment or practices, in accordance with the University's obligations under the Equality Act 2010.

3 Roles and Responsibilities

3.1 Responsibility of Staff

In addition to maintaining an acceptable standard of attendance at work and bringing any work related health issues to the attention of the University at the earliest opportunity, staff have responsibilities in relation to the following:

3.1.1 Notification

Where a member of staff is absent due to ill health they should, wherever possible, contact their Head of Department/School (or designated nominee) personally on the first day of their absence before their usual start time or within the first hour of the working day. Telephone, rather than email or text message contact, should be made to allow a meaningful conversation to take place.

It is for Heads of Department/School to decide upon the appropriate reporting arrangements within their own departments and to advise staff accordingly. Members of staff should advise their identified contact when their illness began, the nature of their illness and the likely date of return to work, if known. Staff should make every effort to contact personally however it is appreciated that in some situations this may not be possible, for example because of the nature of the illness or the personal circumstances of the staff member. In such cases appropriate alternative arrangements, for example contact with a family member or contact via Occupational Health, may be agreed by the Head of Department/School. In exceptional cases, for example where particularly sensitive health issues are involved and staff are uncomfortable about discussing these with their identified contact, contact can be made with Human Resources.

Staff should continue to advise their identified contact of their absence at regular intervals. Normally staff will be expected to make contact on the fourth day of absence and thereafter at weekly intervals unless otherwise agreed. Failure to keep in touch without a reasonable explanation may be considered unacceptable conduct and may, after a full and fair investigation, result in disciplinary action. Where an absence exceeds five working days and personal contact has not taken place with the individual member of staff, managers are encouraged to contact staff to enquire as to their well-being and the progress of the illness. Any such contact should be handled sensitively. During periods of long-term absence, (20 working days or more) the University may need to contact staff at home in order to offer appropriate support. This discussion should be appropriate in the context of the reason for absence and the particular role. Staff should therefore ensure that their Head of Department/School has relevant contact details. Every effort will be made to keep contact regarding work-related matters to a minimum. Where the University does not hold staff telephone contact details, any such contact will be by letter.

Where absences continue for a period of four weeks or more, staff members should maintain contact with their Head of Department/School or identified contact to discuss their absence and explore ways in which they may feel able to return to work. At this stage, Heads of Department/School are encouraged to consult Human Resources for guidance and, where appropriate, Human Resources will arrange a referral to Occupational Health for the individual member of staff, which the member of staff is expected to attend. Human Resources will notify the member of staff of the arrangements although it is recommended that prior discussion takes place between the member of staff and the Head of Department/School with regard to the need for referral and the information being requested of Occupational Health. Staff members have the right to request a copy of the Occupational Health referral documentation. Where absences are long-term, managers are also encouraged, as a matter of good practice, to keep in touch with the member of staff.

In cases where the reason for sickness absence is notified as a work related condition, e.g. work related stress or depression or a musculoskeletal condition, Heads of Department/School should immediately notify Human Resources in order that a referral to Occupational Health can be arranged and appropriate action taken. In some cases, for example if it is alleged that a manager is causing the work related stress or depressive condition, it may be more appropriate for Human Resources or Occupational Health to act as the designated contact person for the member of staff. This will be discussed and agreed with the member of staff and Head of Department/School.

It is important that staff notify their Head of Department/School or identified contact of their absence, as unreported absences may be classed as unauthorised and appropriate action may be taken. It should be noted that staff who are sponsored by the University under Tier 2 or Tier 5 of the UK immigration system have additional obligations under the terms of their visa clearance to maintain regular contact with the University during a period of absence. Any unauthorised absences of more than 10 working days will result in the University formally reporting the matter to the UK Visas and Immigration, which could result in the withdrawal of the member of staff's visa permissions.

Staff are expected to attend sickness absence review meetings arranged by the University. Failure to attend without a reasonable explanation may lead to action being taken by the University in relation to the absence, based on the information available to it. The University's clear preference at all times is to obtain information which includes the perspective and views of the member of staff.

3.1.2 Certification

In the case of ill health lasting up to seven calendar days, staff should complete a Self-Certification Form, available at www.strath.ac.uk/media/ps/finance/forms/Self-Certification_Form.docx. This form should be completed on the first day back at work and passed to their Head of Department/School for authorisation and onward timely submission to the Finance Office, Salaries Section. In cases of ill health lasting more than seven calendar days, staff are required to obtain a Statement of Fitness for Work (Fit Note formerly known as medical certificate) from their General Practitioner (GP). Fit notes should be submitted timeously to Heads of Department/School who are responsible for ensuring that all fit notes are forwarded timeously to the Finance Office, Salaries Section. Any delay to the submission of a new fit note in respect of continued absence may result in a delay to the staff member receiving payment for the period of absence uncertified. Repeated delays or non-submission of fit notes may result in the matter being dealt with under the appropriate University procedure.

Where a fit note has been submitted which indicates that the GP does not require to assess the staff member again, the University will regard the staff member as returning to work at the end of the period indicated on the fit note.

Heads of Department/School must ensure that confidentiality is maintained and that information relating to health or sickness absence is only provided to relevant staff (e.g. to those involved in the administration of sickness absence returns) on a need to know basis in order that they can carry out their management or job responsibilities. It should be remembered that while the need to know principle may require the fact of the absence and its likely duration if known to be disclosed to certain colleagues, the medical reason for absence is sensitive personal data and particular care should be taken to avoid any unauthorised disclosure. It is good practice for Heads of Department/School to consult with staff, as part of normal keeping in touch discussions, regarding how the circumstances are communicated to colleagues. Information relating to a member of staff's health or sickness absence should under no circumstances be divulged to parties external to the University. Any breach of staff confidentiality or unauthorised disclosure will be treated as a serious disciplinary matter by the University.

Where staff experience ill health on non-working days (including weekends and public holidays), they should include these days when notifying the length of their absence.

Where a staff member is absent due to ill health for over twenty eight weeks, they will exceed their entitlement to Statutory Sick Pay (SSP). Staff should ensure that the University continues to receive original fit notes which will be remitted by the Finance Office, Salaries Section to Job Centre Plus.

Staff are expected to reside at their normal place of residence, unless otherwise notified to their Head of Department/School or identified contact, whilst absent due to sickness. If a member of staff is intending to travel abroad during a period of absence from work due to sickness this should be on the basis of appropriate medical advice and they should notify their Head of Department in writing. In the event of travel outside the EC, advice should be obtained regarding eligibility for Statutory Sick Pay or other benefits.

3.2 Responsibility of Heads of Department/School

Heads of Department/School (and designated nominees) have a central role in the effective management of sickness absence and its impact on work performance and service levels. They are responsible, in the interests of staff well-being and the efficient operation of the University, for continuously reviewing the sickness absence levels of staff and for taking appropriate action to avoid or reduce the incidence of sickness absence, in accordance with this policy. In so doing they are tasked with creating a working environment conducive to enhancing employee capability, by effective management and by reviewing issues such as job design, workload, levels of staff motivation, work relationships, communication and the management of change.

It is a Head of Department/School's responsibility to be personally knowledgeable, and ensure that anyone delegated by them to act on their behalf is equally so, of the University's sickness absence policy and procedures and relevant data protection legislation. They are expected to acquire the necessary skills through attendance at relevant training provided by the University to enable the effective management of sickness absence and to communicate to staff with regard to the need to maintain acceptable standards of attendance and comply with notification and certification procedures. Where Heads of Department delegate tasks under this policy to other senior members of staff they must similarly ensure that such staff are appropriately trained.

Heads of Department/School are also required to consider, in the light of information provided, to what extent absences may be work related and what steps the University could reasonably take to support the member of staff experiencing ill health.

In addition Heads of Departments/School are required to ensure that a monthly departmental sickness absence return is provided timeously to the Finance Office, Salaries Section and that all supporting sickness absence documentation is provided.

Heads of Department/School should discuss any cases of unauthorised absences with Human Resources. For staff members sponsored by the University under Tier 2 or Tier 5 of the UK immigration system, it is essential that Heads of Department/School highlight any cases of unauthorised absence, particularly where such absence exceeds 10 working days, to enable the University to report the matter to the UK Visas and Immigration.

3.3 Responsibility of Human Resources

Human Resources work with Heads of Department/School by acting in an advisory capacity and designing appropriate policy and procedural frameworks. It advises on best practice, provides information and support to staff and managers, arranges management referrals to Occupational Health, and provides training and support to ensure that managers have the knowledge and skills required to effectively manage sickness absence. Human Resources will also provide regular management reports analysing the levels and causes of sickness absence across the University, highlighting any significant trends.

3.4 The Role of Occupational Health

Occupational Health is concerned with the impact of work and the work environment on an employee's health and the impact of an employee's health on their work.

Occupational Health Advisers work in partnership with Safety Advisers to identify and prevent health risks at work. They provide key support to Human Resources and Heads of Department/School to develop workplace policies that promote safe and healthy environments.

The Occupational Health Service provides the following:

- Professional occupational health services to staff and managers.
- Medical and counselling referrals.
- Advice on health, stress and risk assessment.
- Health education programmes.
- Monitoring of the effectiveness of occupational health and stress policies.

The Occupational Health Service is required to work to the highest standards of professional behaviour and practice as directed by governing bodies. They provide direct support in the management of sickness absence by advising with regard to the following:

- Whether there is a medical condition affecting attendance or work performance.
- The potential impact of such a medical condition on the member of staff's ability to perform his/her duties.
- Advising on a likely date for return to work.
- Advising on what temporary or permanent adjustments to the job or work environment would assist a member of staff to perform the job safely and effectively in spite of the medical condition, e.g. where a member of staff has a disability.
- Advising on future capacity for an alternative role where a member of staff is unable to return to his/her job as a result of the medical condition.
- Advising on an appropriate process for rehabilitation back to work.
- Advising whether work has had an adverse effect on the health of the member of staff and how this can be prevented in future.

In so doing, the Occupational Health Service will where appropriate, and with the consent of the member of staff (under the terms of the Access to Medical Reports Act 1988 and Access to Health Records Act 1990), liaise with the GP/Clinician responsible for the medical care of the member of staff. If the Occupational Health report conflicts with the opinion of the member of staff's GP, the University will seek a further independent opinion prior to taking any further action. The provider to be sourced for this additional opinion will be agreed with the member of staff.

A member of staff may self-refer to Occupational Health. Where there are no relevant work-related issues the referral and any outcomes will remain confidential. Where there are relevant work related issues which are safety-critical the Occupational Health Adviser would require to disclose these to the Head of Department/School. Where issues are having an effect on health and well-being staff will be encouraged to discuss these with their manager. The member of staff will be made aware at the consultation of any intention to disclose and any report will be provided to the member of staff. The Head of Department/School will arrange to meet with the member of staff to discuss the issues.

3.5 The Employee Assistance Programme (EAP)

The University contracts on an annual basis the services of a fully independent and confidential counselling service which can be accessed by any member of staff on a self-referral basis or through Human Resources if preferred. Face-to-face counselling is available for a range of issues including stress, family or relationship problems, harassment at work, bereavement, anxiety and depression, post-traumatic stress, and alcohol and drug problems. A free confidential 24 hour helpline is available on 0800 882 4102. Appointments with counsellors can be made and [further details](#) are available via the University's website.

4 Occupational Sickness Allowance and Statutory Sick Pay

Occupational sickness allowance and the conditions under which it is paid are detailed below.

The payment of occupational sickness allowance is subject to all these conditions being met, including the requirement that staff should not engage in any activity prejudicial to their recovery from illness, for example, participation in high risk sports. Staff who are absent from work due to sickness should also not be undertaking any other form of paid employment. Failure to comply with these conditions may lead to loss of entitlement to occupational sickness allowance and could also result in disciplinary action.

The University will maintain its superannuation contributions on behalf of staff who are absent due to illness for the whole period during which occupational sick pay is paid.

In any case where absence from work is due to injury not arising from University employment and damages are obtained from a third party as a result of the accident, the member of staff should claim for loss of earnings. Salary payments made during such absence are on the understanding that the member of staff will reimburse the University when the claim is successful. Staff should advise the Finance Office, Salaries Section, when a claim is being progressed.

Entitlements to occupational sick pay are set out below:

Period of continuous employment at commencement of absence from work	Full Pay	Half Pay
Less than 1 year	1 month	1 month
1 year but less than 2 years	2 months	2 months
2 years but less than 3 years	4 months	4 months
3 years but less than 5 years	5 months	5 months
5 years or more	6 months	6 months

Full Pay Full pay is the sum equal to full contractual pay including any entitlement to statutory sick pay.

Half Pay Half pay is the sum equal to half contractual pay plus any entitlement to statutory sick pay.

Total payments during periods of sickness cannot exceed full contractual pay.

4.1 Calculation of Entitlement

The period for which payment shall be made in respect of any period of sickness absence, shall be ascertained by deducting from the period of payment appropriate to the member of staff's service on the first day of absence, the aggregate of the periods of sickness absence during the twelve months immediately preceding the first day of absence. The aggregate of previous periods of sick pay shall be deducted in the first instance from the full pay period and the balance from the half pay period to which the member of staff is entitled in respect of the latest absence.

4.2 Cessation of Allowance

Payment of occupational sick pay ceases when:

- A member of staff becomes fit for work.
- A member of staff fails to satisfy or to continue to satisfy the University's notification or certification requirements.
- A member of staff exhausts the entitlements detailed above.
- A member of staff's contract of employment is terminated.
- A member of staff is in legal custody.

The Finance Office, Salaries Section, will notify all staff a month beforehand of the point that entitlement to full pay expires and similarly when any entitlement to half pay ends. This notification will be copied to the Head of Department/School and Human Resources.

4.3 Statutory Sick Pay

The University is responsible as an employer for processing, on behalf of the State, sickness benefit known as Statutory Sick Pay (SSP) for any period of incapacity to work of 4 or more days, up to a maximum of 28 weeks. The weekly rate of SSP payable is published by the Department for Works and Pensions and changes normally at the beginning of each Tax Year. If absence extends beyond 28 weeks, or a member of staff does not qualify for Statutory Sick Pay the University will refer a member of staff to the Department of Works and Pensions, who will consider eligibility to receive Employment and Support Allowance (ESA). In cases where a member of staff's entitlement to SSP is, or is about to be, exhausted the Finance Office, Salaries Section, will issue the appropriate documentation to the member of staff to enable them to submit a claim for Employment and Support Allowance (ESA).

5 Ill Health and Leave Provisions

If a member of staff becomes ill during a period of annual leave or on a public holiday and submits a self-certificate or fit note by the earliest practicable date, the period of sickness absence will be treated as sickness absence and not as annual leave or public holiday. Staff returning to work after a period of sickness absence will be able to take accrued annual leave and/or public holiday entitlement at a time mutually agreed by them and their Head of Department/School.

Statutory holiday entitlements under Working Time Regulations (currently 28 days per annum) continue to accrue during periods of long-term sickness absence. Any statutory leave entitlement untaken at the end of the leave year will be carried forward into the new leave year. This will be subject to leave being taken at a time which is mutually agreeable to the Head of Department/School. A member of staff who has been absent due to long-term sickness and is unable to return to work, will be entitled to payment in lieu of statutory holiday entitlements untaken at the date of termination of employment.

6 Absence Monitoring and Confidentiality

The University will record all absences on a computerised system which is maintained by the Finance Office, Salaries Section. All information recorded is held, processed and managed in accordance with the Data Protection Act 2018 and the Information Commissioner's Guide to the Employment Practices Code. In order to ensure that the University continues to provide a safe and healthy working environment, and to enable the effective management of absence at both individual and University level, the absence records of all staff are actively monitored and a monthly return is provided by the Head of Department/School to the Finance Office, Salaries Section.

All information relating to a member of staff's illness is treated in strict confidence and only discussed with appropriate personnel, i.e. Heads of Department/School (or designated nominees), Human Resources and Occupational Health. Information relating to an individual's health (in particular the reason for absence) constitutes sensitive personal data and in line with legislative requirements under the Data Protection Act 2018 and the Information Commissioner's Guide to the Employment Practices Code, should not be disclosed to anyone who does not have a legitimate need to know it in order to carry out their job function or responsibilities. Further guidance if required on these matters can be obtained from Human Resources.

7 Short-Term Absence

Frequent short-term absences may be indicative of underlying health problems and the University wishes to supportively address such problems in order to effectively manage occupational health issues and to minimise the organisational implications.

The number and frequency of occasions of absence, the reasons for it and the number of days lost are important factors in the need for action. When considering a member of staff's sickness absence levels, Heads of Department/School will take into account each individual staff members' personal circumstances and the nature of the illness, and be sympathetic towards serious illness, including mental health, chronic conditions, and absence as a result of surgery.

7.1 Return to Work Interview

Heads of Department/School should, as soon as practicable, enquire about the welfare of staff following any period of absence due to ill health. Ideally this should take place on the first day back at work. However, should a member of staff's absence reach the following trigger points, Heads of Department/School or designated nominees should normally conduct a return to work interview. The trigger points are:

- 3 occasions of absence in the last 3 months;
- 6 occasions of absence in a 12 month rolling period;
- 10 working days in the last 3 months; or
- 15 working days in a 12 month rolling period.

The return to work interview is an opportunity to discuss any matters relating to the absence. Heads of Department/School must ensure that they are aware of the working patterns and absence history of their staff prior to conducting the interview.

The return to work interview will normally cover any or all of the following issues, and any others that either the Head of Department/School or the member of staff feel are appropriate:

- A review of the member of staff's attendance record over the previous year and reinforcement, where appropriate, of the importance of good attendance.
- Identification of any issues which may be affecting the member of staff's ability to attend work, e.g. underlying health problem, work related factors.
- Identification of support mechanisms that may be beneficial in assisting the member of staff to improve their attendance.
- Potential involvement of University services, i.e. the Occupational Health Service, or the external [Employee Assistance Programme \(EAP\)](#).
- Agreement on expected improvements, review mechanisms and timescales.

A return to work interview form should be completed by the Head of Department/School or designated nominee and kept confidentially within the Department.

Staff with absence records which reach trigger points should however be aware that this level of absence may be considered high and could be regarded by the University as unacceptable. In these circumstances and having investigated the absence through the prior return to work interview procedure, it may be appropriate for the Head of Department/School to meet more formally with the member of staff. It is likely that Human Resources will be involved at this stage. Heads of Department/School should explain that the level of absence is unacceptable, outline the necessary improvement required over what timescale and identify any support that is needed. The member of staff has the right to be accompanied at this meeting by a trade union representative or work colleague.

Where there is a high level of frequent self-certified absences, the member of staff will normally be referred to Occupational Health, if this has not already occurred, to establish whether there is an underlying medical condition affecting the member of staff's ability to attend work. Where underlying problems are linked to non-medical issues, Heads of Department/School will seek, where appropriate, to assist the member of staff by identifying, with the advice of Human Resources, sources of confidential and independent professional help.

In determining what action is appropriate in relation to frequent short-term absence the Head of Department/School should consider:

- The steps the member of staff has taken to improve their attendance and the likelihood of a change in the attendance record.
- Any work related or employment based factors which may be contributing to the member of staff's absence.
- The degree of disruption caused by the absence, the impact on service delivery and other staff.
- Any medical evidence available.
- The length of service and performance of the member of staff.

If following formal review (normally two formal review meetings will have taken place) the level of absence has not improved within the required timescales, the matter will normally be dealt with under the terms of the University's Disciplinary Procedure. In certain cases, for example where most of the absence is due to an underlying health problem, the University's Capability (Ill-Health) Procedure may be more appropriate. This will be confirmed in writing to the member of staff by Human Resources, the Head of Department/School or their designated nominee as appropriate. The member of staff has the right to be accompanied by a trade union representative or work colleague at any formal meeting convened under this policy or related procedures.

8 Long-Term Absence

The University defines absences for a continuous period of 20 working days or more as long-term. Regular communication is an important part of the University's approach to dealing with absence and particularly so in cases of long-term absence. It enables appropriate management decisions to be taken, in consultation with the member of staff, on the basis of up-to-date information, with the interests of the member of staff as well as the University in mind. Heads of Department/School will therefore maintain regular contact with members of staff who are absent due to long-term sickness. Where the University does not hold staff telephone contact details, any such contact will be by letter.

A member of staff who has been absent for a period of 20 working days or more will normally be referred thereafter by Human Resources, at the request of their Head of Department/School, to the Occupational Health Service. A referral may be initiated earlier dependent upon the circumstances of the absence. In some cases, for example where the reasons for absence are clear and the duration of absence known, a referral may not be necessary.

The referral will include details of:

- The length of absence.
- The reason(s) for absence.
- Any factors (work related or otherwise) that cause or aggravate the absence.
- Absences within the previous two years.
- Any action taken by the Head of Department/School to assist the member of staff.
- Details of the job, workplace and tasks undertaken.
- Details of any work related or other difficulties.

The referral is intended to obtain information on:

- The current medical condition and whether it is recognised as a disability under the terms of the Equality Act 2010.
- Its impact on the member of staff's ability to carry out the duties of their post.
- Whether there are any work related factors contributing to the medical condition.
- What support the University can provide to assist the member of staff to return to work and, in the case of a disabled member of staff, what reasonable adjustments should be considered.
- When the member of staff will be able to resume work.

- Whether or not there will be a residual disability, and if so, whether it is expected to be permanent or temporary.
- Whether there are any reasonable adjustments the University can consider to assist the member of staff.
- Whether the employee is permanently unfit to carry out the duties of their post and therefore qualifies for ill-health retirement.

The Head of Department/School should notify the member of staff of the intention to refer them to Occupational Health and the reasons for this. A copy of the resulting Occupational Health report will be provided to the member of staff and the Head of Department/School to be used as the basis for further discussion. A formal review meeting will be arranged with the member of staff to facilitate this discussion.

In determining what action to take and how long it is reasonable to wait before a member of staff is able to return to work the Head of Department/School should take into account:

- The member of staff's length of service and performance.
- The likelihood of a change in the attendance record.
- The availability of suitable alternative work.
- The degree of disruption caused by the absence, its impact on service delivery and other staff.
- Relevant medical information.

Depending on the outcome of the initial formal review meeting and the duration of absence, it may be necessary to arrange follow up review meetings with the member of staff to discuss the on-going health condition and options and reasonable adjustments around a possible return to work.

The University will endeavour to take all reasonable action to support staff experiencing significant health problems. However, on some occasions it is accepted that the nature of the illness itself or its effects will mean the member of staff is unable to continue in their employment with the University. In such cases, each individual member of staff's own circumstances will be considered and reviewed. Human Resources will work with the Head of Department/School and member of staff to identify all possible options, which will include wherever possible, making every effort to redeploy those staff that are unable to carry out their original duties/job role. Staff are required to participate in meetings set up to discuss such matters and to offer any possible solutions to allow them to return to work.

If the Head of Department/School considers however, in the light of all the relevant factors, that there is no prospect of a satisfactory improvement in the attendance level within a reasonable timescale or of redeployment to suitable alternative work and, where ill-health retirement is not a possibility, then the matter should be progressed under the terms of the University's Capability (Ill-Health) Procedure (normally two formal review meetings will have taken place by this stage.) This will be confirmed in writing to the member of staff by Human Resources. The member of staff has the right to be accompanied by a trade union representative or work colleague at any formal meeting convened under this policy or associated procedures.

9 Reasonable Adjustments in Cases of Disability

The Equality Act 2010 defines a disability as a physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day-to-day activities.

The University, in accordance with the Act and the Equality and Human Rights Commission's Employment Code of Practice, is committed to fully considering and exploring the possibilities of making reasonable adjustments to enable staff to continue in their employment with the University.

Reasonable adjustments to a post can take a variety of forms including:

- Reviewing the content of the job and possible re-allocation of duties.

- Reviewing the working hours of the staff member.
- Provision of specialist equipment – e.g. chairs, computer equipment.
- Alterations to the working environment.
- Paid and/or unpaid leave for rehabilitation, assessment or treatment.

Human Resources in consultation with the employing department and with the advice of Occupational Health will identify whether reasonable adjustments are appropriate and practicable. The options available will be discussed fully with the member of staff who has the right to be accompanied at any meeting by a trade union representative or work colleague.

In cases where adjustments are reasonable the employing department will ensure that the necessary adjustments are made. Where a department is unable to meet the cost of any adjustments required they can seek external assistance if available through the Disability Employment Adviser and in particular the Access to Work Scheme. Human Resources should be contacted for advice in such cases.

10 Recommendations Arising from Statement of Fitness for Work (Fit Note)

In April 2010 the Government introduced a new type of medical statement, the Statement of Fitness for Work (Fit Note). This moved the focus from what an individual with a health condition cannot do to what they can do, in recognition of the fact that many people with health conditions can, with support from their employer, work as they recover from their condition. The option is now therefore available for the GP to advise if a member of staff may be fit for work with some support, to provide information on how the member of staff's condition will affect what they do and to suggest common ways to help a return to work.

The University is committed to ensuring that staff are able to return to work as soon as possible following an illness or injury and will discuss fully with staff what support can be provided in this connection taking into account Fit Note recommendations and, where relevant, Occupational Health advice. Fit note recommendations can include:

- A phased return to work
- Amended duties
- Altered hours
- Workplace adaptations

If the University is unable to make the adaptations or adjustments recommended to help a return to work, the reasons will be explained to the member of staff and the medical statement will be used as if the GP had advised that the individual was not fit for work. The member of staff will not be required to provide a new fit note to confirm this.

10.1 Phased Return to Work

The purpose of a phased return to work is to support the member of staff to return to their full duties and gradually build back up to their normal working conditions within the earliest agreed timescale.

When a member of staff has been absent from work due to illness for a prolonged period of time, Occupational Health may recommend to the Head of Department that a phased return to work be put in place to allow the member of staff to re-adjust gradually to full attendance/performance at the workplace. Liaison with Human Resources should take place at this stage. A phased return to work will normally not exceed four weeks although reasonable consideration will be given to extending this where appropriate. During this period payment will be at full normal pay. In respect of any further agreed extension payment will be pro-rata to hours worked, unless a short extension of the phased return is envisaged. In this case agreement to continue full pay will be subject to agreement between the Head of Department and Human Resources.

Occupational Health will advise on the appropriate programme subject to line management agreement relative to the general timescale, duties and working arrangements. If restrictions on certain duties are being placed on a returning member of staff, Occupational Health will review and reassess these restrictions within an agreed timescale. Any alteration to the programme will be subject to agreement between Occupational Health, the member of staff and the Head of Department.

The member of staff's performance and response to the work programme should be regularly monitored, discussed and reviewed during the return to work period, normally on a weekly basis. If problems are encountered there should be a discussion on how best to resolve them involving the Head of Department, Occupational Health and the member of staff, with advice from Human Resources as appropriate.

11 Ill-Health Retirement

Superannuated employees who are considered by the University's Occupational Health Physician to be permanently unfit to perform their duties may be retired from employment under the terms of the relevant Superannuation Scheme. All applications for ill-health retirement will be co-ordinated by Human Resources in consultation with the Head of Department/School and the member of staff. Advice from Occupational Health on ill-health retirement will be requested in all relevant cases prior to any decision to terminate employment on capability grounds due to ill-health.

11.1 Terminal Illness

Heads of Department should be aware of the need to handle cases of terminal and potentially terminal illness with great sensitivity. Ill-health retirement where appropriate will be considered as an option by mutual agreement based on medical opinion and potential superannuation benefits. Advice in all cases should be obtained from Human Resources.