

# Formal Sickness Absence Management Procedure

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## 1. Introduction

In this procedure you'll find details of the steps we'll take to manage sickness absence at the University, as well as the support available both during your absence and on your return to work. It should be read alongside our [Sickness Absence Policy](#) and our [Capability \(Ill-Health\) Procedure](#).

Long-term sickness absence is any absence that lasts longer than four continuous weeks. Frequent short-term absence is repeated absences due to one or more diagnosed cause and/or due to minor unrelated illnesses.

Whilst this procedure sets out the steps we would normally follow, we recognise that, from time-to-time, we may need to adjust our approach, to take account of individual circumstances.

Please note, if this policy refers to additional guidance, FAQs, online forms, or training, these are accessible to University colleagues on our [People Hub](#).

## 2. Who is Covered by this Procedure?

This procedure applies to all employees of the University.

## 3. Before Starting the Formal Procedure

Before we begin any formal sickness absence management procedures, your manager will always have informal discussions with you about your absence(s) and what support we can provide to assist you to return to work and/or maximise your attendance at work. If you are currently at work this may be part of informal return-to-work discussions. If you're absent on long-term sick leave this will be part of routine keeping in touch discussions.

In addition, depending on the circumstances of the case, your manager may also:

- request an Occupational Health (OH) Assessment.
- advise you that your level of absence is a cause for concern and of the expected attendance level.

## 4. Disability and Reasonable Adjustments

If you have a disability, we have a duty to make reasonable adjustments, to help you return to work and/or to undertake your job more effectively. If we know about your disability, reasonable adjustments or other workplace support will always be considered before implementing any formal absence management procedures.

Some examples of reasonable adjustments may include:

- provision of specialist equipment or changes to the physical environment.
- reviewing ways of working or the working environment.
- light/ restricted duties.
- temporary or permanent reduction in hours, flexible or agile working.
- time off for medical or rehabilitation appointments.
- a phased or gradual return to normal duties and working hours following a long-term absence.

Even if you're not disabled, we'll still explore with you the possibility of providing workplace support to help you to return to work as soon as possible and/or to maintain a regular pattern of attendance.

Managers and staff can find further information in our [Guidance on Workplace Support and Adjustments](#) (staff login required). Where appropriate, managers may also consider making a referral to the [Staff Disability Adviser](#) (staff login required). Our Staff Disability Adviser can provide advice on the type of support which could help and whether funding may be available.

## 5. The Formal Absence Management Process

### 5.1. Commencing the Formal Absence Management Process

Our Formal Absence Management Process consists of the following stages:

- Stage 1 – 1<sup>st</sup> formal Health Review Meeting.
- Stage 2 – 2<sup>nd</sup> formal Health Review Meeting.
- Stage 3 – final Capability Review Hearing.

If we have concerns about your health, wellbeing, or level of sickness absence, we may commence this procedure. This is likely to happen when, for example:

- a) your absence continues beyond four continuous weeks, particularly where there is uncertainty around progress or prognosis.
- b) you have been absent from work on a number of occasions and/or where absence review points continue to be met.

Every case is different, so the need for, timing, and number of formal meetings may vary and will be assessed on a case-by-case basis, with advice sought from [Human Resources](#).

In deciding whether it's appropriate to commence the formal procedure, and when to progress to the next stage, your manager will consider whether your absence(s) are due to:

- Minor unrelated illnesses (for example, colds, bugs, and viruses)
- A long-term or chronic illness or injury
- Disability, pregnancy, or maternity/ adoption
- A workplace accident or injury
- A one-off absence (for example, a minor operation)

They will also look at the impact your absence(s) are having on day-to-day operations, including the workload of other colleagues.

Please be assured, we'll always take account of individual circumstances and give a reasonable amount of time for investigations/ tests, treatment, recovery and, if appropriate, for support measures to be put in place, before progressing to the next stage in the procedure. There will also always be a minimum of two formal health review meetings prior to progression to a final stage capability review hearing.

## **5.2. Notice of Formal Meetings**

We'll give you at least 5 working days' written notice of any formal meeting under this procedure. We'll send you a letter which will explain the reason for the meeting, outline what we wish to discuss with you during the meeting and, where appropriate, advise you of any concerns about your sickness absence and the basis for those concerns.

You'll also be provided with a copy of any information to be used during the discussion (for example, your sickness absence record, any OH reports, records of previous meetings, and return-to-work forms).

It's important that you do your best to attend these meetings. If you, or your companion (if you choose to bring one, there are further details below) can't make it, let your manager or the HR representative know straight away so they can try to rearrange it for a time that works for everyone. If you don't turn up for the meeting without good reason, this may be treated as misconduct and dealt with under our [Disciplinary Procedure](#).

Meetings held under stage 1 and stage 2 of the formal procedure will be conducted by your manager, with an HR representative also in attendance.

Meetings held under stage 3 will be conducted by a more senior manager and an HR representative, both of whom will not have had any previous involvement in your case.

And just so you know, meetings will usually take place at work. But if you're not well enough to come into work, you can ask for it to be held somewhere else, or for it to be held over Zoom/Teams.

### **5.3. Right to be Accompanied**

You can bring a work colleague or trade union representative along with you to any formal meetings. Just let your manager or Human Resources know in advance.

If you're bringing a companion to the meeting with you, it's your responsibility to arrange this and to share with them the relevant information in relation to your sickness absence.

You can find more information on the role of workplace or trade union representatives in our [Guidance on Workplace Representatives](#) (staff login required).

### **5.4. Stage 1 Health Review Meeting**

The purpose of the Stage 1 health review meeting will depend on your individual circumstances, but may include:

- a) The reason for your absence(s) and, where you have an underlying health issue, your treatment and progress towards recovery or management of the condition.

- b) Where you're on long-term sickness absence, how long the absence is likely to last.
- c) Where you've had frequent short-term absences, the likelihood of further absences.
- d) Whether there are any factors, personal or work-related, that may be contributing to your absence(s).
- e) Any report received from OH, or making a referral to OH, if medical advice is needed. If medical advice is needed, the meeting will be put on hold until an OH report is received.
- f) What type of support you may need to return to work or improve your attendance.
- g) A return-to-work plan including a phased (gradual) return to work and other temporary or long-term changes to your working arrangements.

At the meeting, we'll also agree a way forward, and inform you of any action that will be taken, including a timescale for review and/or further meetings under this procedure. This may, depending on your individual circumstances and the steps we have already taken, include warning you that your level of absence is a cause for concern, what level of attendance is expected, and that failure to achieve and maintain the expected attendance level may lead to matters being progressed to Stage 2 of the procedure. You'll be given the opportunity to make comments on this point and have these considered by your manager.

After the meeting, we'll always write to you to confirm what was discussed. We'll normally do this within 5 working days, or as soon as reasonably practical. The letter will include:

- A summary of your current health position and current OH opinion (where OH advice has been sought).
- Confirmation of any support or adjustments considered/ implemented.
- Confirmation of any decisions taken, the reasons for those decisions, what the next steps are and a timescale for review.

Following the Stage 1 meeting, your manager will meet with you/ keep in contact with you regularly to ensure things are kept under review. This may include getting up-to-date medical advice from OH and/ or reviewing the effectiveness of workplace support measures where appropriate. Your manager will record any decisions or actions agreed at these interim meetings/ discussions and share a copy with you.

There are no specific timescales for these meetings/ discussions or a set number of meetings that we'll hold – it'll depend on your individual circumstances. But your manager will arrange a meeting/ phone call at appropriate times. For example, if you have an underlying health issue, they may arrange a meeting or phone call after receiving an OH report or after you have met with a specialist and received test results.

## **5.5. Stage 2 Health Review Meeting**

If you remain absent from work or continue to have a high level of recurring short-term absence your manager will hold a Stage 2 health review meeting with you.

The purpose of the stage 2 health review meeting will depend on your individual circumstances, but may include:

- (a) Discussing the reasons for, and impact of, your ongoing absence(s).
- (b) Where you are on long-term sickness absence, discussing how long your absence is likely to last.
- (c) Where you have been absent on a number of occasions, discussing the likelihood of further absences.
- (d) Considering the medical advice that has been given so far and whether further advice is required. (The meeting will be put on hold if further medical advice is needed.)
- (e) Considering your ability to return to, or remain in, your job taking account of:
  - your capabilities
  - our business needs and any adjustments that could reasonably be made to your job.
- (f) Agreeing a return-to-work programme where you are able to return from long-term sick leave (whether to your job or a redeployed job).
- (g) If it is considered that you are unlikely to be able to return to or remain in your job, considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeploying you. Further information is available in our [Redeployment Policy](#).

- (h) If it is considered that you are unlikely to be able to return to work or remain in employment due to ill-health, discussing whether you wish to make an application for ill-health retirement (pension members only).

At the meeting, we'll also agree a way forward, and inform you of any action that will be taken, including a timescale for review and/or a further meeting(s). This may, depending on steps we have already taken, include warning you that your continued employment is now at risk, and that you may be dismissed on the grounds of capability (ill-health). You'll be given the opportunity to make comments on this point and have these considered by your manager.

There is no specific timescale for the Stage 2 meeting – it will depend on your individual circumstances. However, before we progress to Stage 2 of the procedure, we'll ensure we have up-to-date information and advice from OH and that reasonable time is provided:

- for any diagnostic tests, treatment and recuperation that might enable a return to work and/or a regular pattern of attendance in the near future.
- to allow for any support arrangements to be put in place, monitored, and reviewed (where you're at work).

Again, following the Stage 2 meeting, you and your manager should keep in regular contact and continue to meet, as appropriate. Your manager will record any decisions or actions agreed following these interim review meetings/ discussions and share a copy with you.

## **5.6. Stage 3 – Capability Review Hearing**

We may invite you to a formal Stage 3 Capability Review Hearing where you have been previously warned at Stage 2 of the procedure that your continued employment is at risk, and that you may be dismissed on the grounds of capability.

There's no specific timescale for progressing to a Stage 3 Capability Review Hearing – it will depend on your individual circumstances. However, we'll only progress to a Stage 3 Capability Review Hearing after:

- a reasonable period of time since the Stage 2 meeting, to allow for recovery/ improvement.



- alternative options to support or facilitate your return to work, or to support you to sustain a regular pattern of attendance, have been fully explored. This includes considering reasonable adjustments, redeployment, and ill-health retirement where appropriate.

A formal Capability Review Hearing represents the final stage of our formal Sickness Absence Management Procedures, where termination of employment on the grounds of capability (ill-health) is a possible outcome. So, managers will always seek advice from Human Resources before progressing to this stage.

Further information about what to expect at a capability review hearing can be found in our [Capability \(Ill-Health\) Procedure](#).

## 6. Right to Appeal

At any stage in the formal process, you have the right to appeal against a decision taken. Normally, you must lodge any appeal, in writing and within 10 working days of having the decision confirmed to you in writing. Appeals should be submitted to the appropriate Faculty/ Professional Services HR Manager, and you must state your grounds of appeal in reasonable detail.

If you've any difficulty in submitting your appeal in this format and/or within the 10-day period, contact either Human Resources or your trade union representative as soon as possible to discuss what support or alternative options are available.

We'll arrange to hear your appeal as soon as possible – normally within 10 working days - and you'll be invited to attend an appeal meeting. Appeals will normally be heard by a more senior manager and/or someone who has not previously been involved in your case.

Following the appeal meeting, the manager hearing the appeal will write to you as soon as they can, setting out their decision and their reasoning. The decision taken at appeal is final and there's no further right of appeal.

## 7. Terminal Illness

If you've been diagnosed with a terminal illness, we understand that this will be an incredibly difficult and distressing time for you and your family.

If you're a pension scheme member, ill-health retirement may be an option you want to consider based on medical opinion and potential pension benefits. Please be assured, we are here to support you during these difficult times.

## 8. Further Information and Support

If you have any queries about this procedure, please talk to your manager or contact [Human Resources](#). Both staff and managers can also find more detailed information, guidance, and support on our [Sickness Absence](#) (staff login required) pages on our People Hub.

And remember, our free and independent Employee Assistance Programme (EAP) provider, can also provide confidential support. Visit our [Wellbeing Hub](#) for more information.

## 9. Policy Review

This policy is reviewed by Human Resources on a regular basis. To see when the next review is due, please refer to our [Policy Review Schedule](#) (staff login required) on our People Hub.