



University of Essex



# **Sickness Absence Management – Policy and Procedure**

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# **Sickness Absence Management – Policy and Procedure**

## **1. Purpose**

- 1.1. It is recognised that during a period of employment employees may be absent from work as a result of ill-health or injury. The University's aim is to ensure that sickness absence is managed in a consistent, sympathetic manner in accordance with the agreed standards, and with the intention of supporting employees back into work at the earliest opportunity. The University also acknowledges that such absence can have a direct impact on the quality of service provision and that it can also affect employee morale.

## **2. Principles**

- 2.1 The University is committed to the wellbeing of all employees.
- 2.2 Standards for attendance will be made clear and transparent in order that absence can be managed fairly and in a consistent manner.
- 2.3 Effective two-way communication is important in managing sickness absence, therefore regular, open and honest communication is encouraged at every opportunity.
- 2.4 Sickness absence across the University will be reviewed in order to highlight trends and identify any problems with absence. When an employee exceeds the absence 'trigger' laid out in this policy (see 7.3), the University will endeavour to support that individual to achieve and sustain the required level of attendance.
- 2.5 All information relating to the reason for an employee's sickness absence is sensitive personal information and will not be shared with others beyond those who need to have access to this information. In most instances this will include the Line Manager, Senior Manager, People & Culture /Payroll, and Occupational Health.
- 2.6 It is recognised that the causes of sickness absence are many and varied. Therefore, where an employee has not met the standards laid out in this policy, any support offered or action taken will be based on the facts in that particular case.
- 2.7 This policy complies with the ACAS guidelines for Managing Attendance and Employee Turnover.

- 2.8 For the purposes of this policy, 'Department' shall mean Department, Section, Faculty, Centre or School and 'Head of Department' shall mean 'Head of Department, Head of Section, Director of School or Director of a Centre/Institute or Pro Vice Chancellor.

### 3. Scope and exclusions

- 3.1 The Sickness Absence Management Policy and Procedure applies to all permanent and fixed-term employees at the University of Essex. Employees of the University of Essex Campus Services (UECS) or Wivenhoe House Hotel have their own specific policies and procedures.
- 3.2 Sickness absence during the probationary period will be managed as part of the probationary review process.
- 3.3 This procedure should be read in conjunction with the capability procedure (grades 1-6) and Ordinance 41 (grades 7-11 and Academic Staff).

### 4. Notification of absence

- 4.1 Regardless of the reason, employees are required to telephone their Line Manager if they are unable to attend work. Verbal communication is preferable as it promotes dialogue between the employee and the Line Manager. For that reason, notification by text message or e-mail is not usually acceptable. Equally, employees should not ask a friend or relative to telephone in on their behalf unless they are unable, for medical reasons, to phone personally.
- 4.2 On the **first day** of absence the employee should telephone their Line Manager or other nominated person in the Department within one hour of the usual start time to advise that they will not be attending for work and the reason. If possible, they should advise when they may be able to return to work. If it is not possible to predict a return date the employee should telephone in on each day of absence. Completion of a self-certificate will be required to cover all periods of sickness absence from the first day of absence on HR Organiser. In exceptional circumstances, the University reserves the right to withdraw the right of an individual to self- certificate and request a Healthcare Professional's certificate from the first day of absence.
- 4.3 After **seven calendar days** the employee is also required to provide a Statement of Fitness for Work (Fit Note) from a Healthcare Professional.

Healthcare professionals include:

- Doctors
- Nurses
- Occupational therapists
- Pharmacists

## ■ Physiotherapists

The Fit Note should be forwarded to People & Culture immediately and the Line Manager made aware. In cases where an employee is signed off work, they should contact their Line Manager prior to the expiry of the Fit Note to advise whether they are able to return to work or are likely to be signed off for a further period. For extended periods of absence, Fit Notes should run concurrently without gaps. The Fit Note will either confirm that the employee is 'unfit for work' or 'may be fit for work'.

- 4.4 If the Fit Note advises that an employee "may be fit for work" subject to adjustments to the role, they will be invited to attend a meeting to discuss these before they return or on the first day back to work. Healthcare Professionals may suggest or recommend adjustments and these will be given full consideration. However, due to practical or operational reasons it may not always be possible to implement the exact recommendations. It is therefore essential for the Line Manager to meet with the employee to agree what may or may not be possible. Input will be provided by People & Culture and/or Occupational Health as appropriate.
- 4.5 Should the employee wish to return to work before the expiry of a Fit Note that declares them unfit for work, they must either agree this with Occupational Health or return to the doctor for written confirmation that they are well enough to return.
- 4.6 If an employee fails to telephone in or report their absence, their Line Manager will attempt to contact the individual on their home or mobile contact number. Lack of communication by the employee could lead to the absence being documented as unauthorised and therefore unpaid.
- 4.7 A referral to Occupational Health should be made for absences of more than four weeks where a date of resumption is not indicated or if someone indicates they will be absent with stress/mental health/depression for more than two weeks. Referrals should be made prior to a return to work.

## **5. Absence payments**

### **5.1 Statutory Sick Pay (SSP)**

SSP is payable for up to 28 weeks of sickness in a rolling twelve month period. SSP is payable for sickness absences of four continuous days or more. Periods of sickness absence, which last for four days or more will link with each other if they are separated by less than eight weeks. Where an illness (or a series of linked illnesses within a three-year period) lasts for more than 28 weeks, eligibility for SSP ceases and the employee may become eligible for benefits payable directly through the Benefits Agency.

The current rates for SSP can be accessed on the Direct.Gov website: [www.direct.gov.uk/sickpay](http://www.direct.gov.uk/sickpay). If an employee is entitled to Occupational Sick Pay, Statutory Sick Pay will be offset against this.

## 5.2 Occupational Sick Pay (OSP)

Entitlements to Occupational Sick Pay are detailed in the Sick Leave and Sick Pay Arrangements document.

- 5.3 Payment of occupational sick pay and/or SSP for sickness absences is dependent on receipt of appropriate certification. This will normally be a completed self-certificate if the absence is less than seven days and Statement of Fitness for Work (Fit Note) if the sickness absence lasts for more than seven calendar days. If a Fit Note is provided from the first day of absence then a self- certificate is not required. Fit Notes should be sent to People & Culture at the earliest opportunity. If an employee prefers, they can forward the Fit Note via their Head of Department. Self- certificates should be sent to People & Culture via the Line Manager.
- 5.4 Time off to attend a doctor's appointment, hospital appointment or dental appointment should be recorded separately to sickness absence. Doctor or dental appointments should ideally be made for outside of work hours (if possible) or close to the beginning or end of the working day. For hospital appointments, an appointment confirmation letter should be shown to the Line Manager. Time off for such appointments will normally be paid. However, if the employee is attending a high number of appointments, depending on the individual circumstances, they may be asked to make up some of the time, take the time unpaid, pre-book annual leave or have the time classified as sick leave if appropriate (e.g. for chemotherapy).

## 6. Return to work discussions

- 6.1 The purpose of the return to work discussion is to confirm with the employee that they are well enough to return to work, welcome them back to work and establish the reason for the absence. Carrying out a return to work discussion also gives the opportunity to identify or address issues and concerns the employee may have.
- 6.2 Return to work discussions need not be time-consuming and in the majority of cases will involve a brief informal conversation with the employee.
- 6.3 Return to work discussions will normally be carried out on the first day back to work or as soon as possible following any absence of one day or more.
- 6.4 The immediate Line Manager is usually responsible for initiating the return to work discussion and checking whether the employee has provided the correct certification for their absence.
- 6.5 If the employee has been absent for an extended period of time or is absent on a regular basis, a more detailed conversation may be needed. In these circumstances the return to work discussion could also include conversation on:
- any 'reasonable adjustments' that may need to be made to accommodate a return to work and agreed timelines and review periods, if this has not been carried out prior to the return



- whether a risk assessment may be appropriate
- the outcome of an Occupational Health referral, if applicable
- the need to refer to Occupational Health for further advice/guidance to support a return to work
- work-related issues that may have caused or exacerbated the ill health and action to be taken to address them
- a review of the previous 12 months attendance and sickness periods
- an update of any changes in the work area

The Line Manager should keep a note of any agreed actions and confirm these by email or letter to the employee.

## **7. Managing short-term absence**

- 7.1 Having guidelines in place for managing absence ensures that problems are identified at an early stage. Absence standards and procedures also provide a framework to support line managers when dealing with absence, which, if excessive, can have a detrimental impact on colleagues, service levels and continuity.
- 7.2 When managing short-term absence, the integrity of the employee should not be called into question regarding the reasons for their absence. All sickness absences will be assumed to be genuine unless there is evidence to the contrary. If this is the case, it then becomes a conduct issue and advice should be sought from People & Culture.
- 7.3 It is the Line Manager's responsibility to review absence and take appropriate action in accordance with this policy. As a general guideline, if absence records show that over the previous 12 months there have been 10 working days or 4 occasions of absence or that there is a pattern of absence, the employee absence should be reviewed. This may lead to an initial informal meeting with the Line Manager. Pregnancy-related absences will not count towards these absence triggers.
- 7.4 The aim of the informal meeting will be to:
  - identify the frequency and reason for absences and ensure that the employee is aware that the absence record is giving cause for concern
  - advise the employee to seek proper medical attention if they indicate that there is a known underlying medical problem
  - discuss a possible referral to Occupational Health to establish if there is an underlying problem

- inform the employee that persistent short term absences cannot be sustained
- give consideration to any mitigating reasons that the employee may have and discuss possible ways to help the employee resolve them
- agree a reasonable time over which the employee's attendance can be reviewed and set an attendance target if necessary

The Line Manager should keep a note of the meeting and confirm the discussion in writing to the employee.

- 7.5 Should there be no demonstrable improvement in sickness absence during the review period or if this is not sustained following the review period, absence will continue to be managed in line with the formal stages of the Capability Procedure or Ordinance 41 as applicable.
- 7.6 Absences that are due to a disability will be managed in line with the requirements of the Equality Act 2010. Further information and a definition of Disability for this purpose can be found in sections 2.7.1 and B.7 of the Equality Policy and Strategy:

<https://www.essex.ac.uk/staff/diversity-and-inclusion/equality-and-diversity-policy-and-strategy>

## **8. Managing long-term absence**

- 8.1 An absence will be considered long-term when an employee has been or is likely to be absent from work due to ill-health for a period in excess of four weeks. Long-term sickness will be managed through a case management approach depending on the individual circumstances.
- 8.2 In cases of long-term sickness absence it is essential that regular dialogue is maintained. It is the responsibility of both the employee and the Line Manager to maintain contact and agree an appropriate form and frequency of contact. A level of continued contact is essential for the management of long-term absence. It enables the Line Manager to keep updated on the progress of the employee and ensures that the employee does not become isolated. The Line Manager may also wish to update the employee on activities occurring within the department.
- 8.3 The absence will need to be communicated to other colleagues and service users. The employee should agree with the Line Manager how they wish their absence to be communicated to colleagues and whether they wish the reason for their absence to be disclosed or to remain confidential.
- 8.4 If the employee is well enough, the Line Manager may wish to arrange to meet with the individual in the workplace in order that they can be updated of any changes and keep in touch with colleagues.
- 8.5 The Line Manager should make a referral to Occupational Health as soon as it is known that there is a prospect of long-term sickness, to determine whether any additional support can be provided to the employee and to seek guidance.



- 8.6 If adjustments are recommended the University will aim to implement the adjustments, where reasonable, for the employee in their current role.
- 8.7 After periods of long-term sickness, on some occasions a rehabilitation programme/phased return to work may be considered to help ease the individual back to work. This could take the form of reduced hours or workload for an initial period. The Line Manager should ensure that the employee is referred to Occupational Health prior to returning so that advice and recommendations can be sought. If appropriate, the need for a risk assessment can also be discussed.#
- 8.8 Where Occupational Health have recommended or approved a reduction in hours of work as part of a rehabilitation programme, this would normally be on full pay for a limited period of up to four weeks.

## **8.9 Long-term sickness procedure**

The timelines in this procedure are intended to be used as a guideline rather than a definitive process, as each case may merit a slightly different approach depending on the individual circumstances. Meetings will be arranged by the Line Manager in consultation with HR.

### **8.9.1 Informal meeting**

Where the employee has been unable to attend or is unlikely to be able to attend work due to sickness for a period of **three months**, they will be invited to attend an informal meeting with the Line Manager and the People & Culture Employee Relations Advisory Team. The purpose of the meeting will be to gain an update on the employee's condition / illness and discuss the future possibility of a return to work. The employee should be advised that they will be invited to attend a formal meeting if they continue to remain off work as a result of long-term sickness.

### **8.9.2 Formal meeting**

Should the absence continue or be likely to continue for a period of six months from the first day of sickness absence, the individual will be invited to attend a formal meeting with the Line Manager, the Head of Department or their deputy and the People & Culture Employee Relations Advisory Team . The purpose of the meeting will be to offer support to the employee and discuss their progress, prognosis and the possibility of a return to work. This is not a disciplinary meeting. The employee will be entitled to bring a colleague or trade union representative to the meeting. At this meeting the employee should be advised that if the medical advice (from a GP, consultant or Occupational Health) suggests there is no future prospect of the employee returning to work or that they will not be able to return to work within a reasonable timescale, then their continued employment may be at risk. This will be confirmed in writing.

Following the formal meeting a further referral will be made to Occupational Health to assess the individual's capability and determine whether a return to work is possible. Occupational Health will request medical reports from the GP and/or consultant as appropriate. Based on the medical evidence and facts, Occupational Health will conclude whether there is a prospect of the

individual returning and the likely timescale. The report should be clear where there is no prospect of returning to work or no prospect of returning to the current role. If the employee does not give permission for reports to be obtained or does not wish to attend an appointment with Occupational Health, decisions will be based on any medical evidence or facts available at that time.

### **8.9.3 Second formal meeting**

Upon receipt of the Occupational Health report the employee will be invited to attend a further (second) formal meeting with the Line Manager, the Head of Department or their deputy and the People & Culture Employee Relations Advisory Team . The employee will be entitled to bring a colleague or trade union representative to the meeting. If at this time, there is no immediate prospect of a employee returning to their contractual role, then on the basis of the medical advice available, their employment will be terminated on the grounds of capability (ill-health). Notice will be given in accordance with the contract and may run concurrently with Occupational Sick Pay (OSP) entitlement; it is not dependent on the exhaustion of OSP. The decision will be confirmed in writing.

In circumstances when the employee is too ill to attend a formal meeting as outlined above, there needs to be dialogue about the preferred approach to be taken. For example, a home visit may be appropriate. Alternatively, the views of the employee may be sought by telephone or in the form of a written statement before any decision is made.

Termination of employment on the grounds of capability (ill-health) is a form of dismissal. Therefore the employee has a right of appeal against this decision. The right of appeal should be exercised in writing to the Director of People & Culture within two weeks of receipt of the letter.

The option of ill-health retirement may be explored at any stage, if relevant and with the consent of the employee. Ill-health retirement can only be considered in accordance with the relevant pension scheme rules.

If medical advice concludes that it is not possible for the employee to return to their current role, [redeployment](#) can be considered, but only where a suitable opportunity exists at that time or within a given period. Guidance should be sought from Occupational Health about whether the employee is fit to undertake an alternative role.

## **9. Sickness and annual leave**

- 9.1 Under normal circumstances annual leave cannot be used retrospectively to cover absences. Annual leave must usually be planned and booked in advance and therefore it is not possible to use it for this purpose.
- 9.2 If an employee becomes ill whilst on annual leave and wishes for the period to be recorded as sickness they must provide evidence of incapacity, usually a doctor's statement (see notification of absence above). The individual must also contact their Line Manager as soon as they are

able. In these circumstances annual leave will be credited back so that it may be taken at another time within the holiday year.

- 9.3 Employees who are absent due to long term sickness continue to accrue annual leave. The terms and conditions of employment do not allow holiday to be carried into a new holiday year. Wherever possible, an employee who is prevented from attending work due to ill health for an extended period should be encouraged to take holiday during the current year. This may mean substituting a period of sickness absence (which may be unpaid) with a period of paid annual leave. In exceptional cases where this has not been possible a maximum of four weeks holiday may be carried forward by agreement with the line manager and People & Culture .

## **10. Responsibilities**

### **10.1 Employees**

It is the responsibility of the employee to:

- advise the University when they are unable to attend work in line with this policy and any local arrangements
- regularly keep in touch with their manager during their absence and keep them informed about changes to their health which could affect their return to work
- provide certification of absence when required
- participate in a return to work discussion following any period of sick leave
- inform their manager at the earliest opportunity if they believe their absence is due to an accident at work or if their ill health may have been caused by work
- make available a current telephone contact number, which will be kept confidentially by the Line Manager or other nominated person within the department
- attend Occupational Health appointments as requested

### **10.2 Heads of Department and/or Line Managers**

Heads of Department and Line Managers are responsible for:

- ensuring the absence policy is implemented consistently within their own department/section and making sure that employees follow the procedures accordingly
- keeping accurate records on sickness and absence and sending monthly absence returns, ensuring that any certificates received are forwarded to People & Culture

- reviewing sickness absence records on a regular basis to determine whether any action is needed in accordance with this policy
- seeking advice where necessary from the People & Culture Employee Relations Advisory Team link and/or Occupational Health
- providing employees, on their first day of employment, a work telephone contact number for reporting absence and obtaining a contact number for the employee
- maintaining contact with the employee as agreed
- reporting work-related accidents and illness on the University's Health and Safety Incident Form and investigating the causes;
- informing the Health and Safety Advisory Service (HSAS) as soon as possible if the employee is unfit for their normal work for more than seven consecutive days (including weekends) following an accident, or receive a Fit Note indicating that an employee has an occupational disease. This is necessary so that statutory reporting (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) can be carried out within legally required timescales.

### **10.3 Payroll and Pensions**

It is the responsibility of Payroll to:

- process fit notes and self certificates and pay SSP and/or OSP as appropriate
- record absences against individual records and monitor level of absence against sickness benefit entitlements, notifying employees and the People & Culture Employee Relations Advisory Team in advance when pay entitlements are to be reduced or exhausted

### **10.4 People & Culture**

It is the responsibility of the People & Culture Employee Relations Advisory Team to:

- support all departments in implementing this policy
- support managers and individual employee with issues relating to sickness and absence and work closely with the Occupational Health Service and Managers in order that employees can return to their contracted duties as soon as possible
- liaise with the Occupational Health to identify the type of work that could be undertaken by an employee who is unable to return to their substantive post
- participate in case conferences with Occupational Health and the Line Manager when required
- ensure that the employee is placed on the Redeployment Register if this is appropriate

## **10.5 Occupational Health**

Occupational Health will:

- liaise with Line Managers, employees and People & Culture Employee Relations Advisory Team to provide advice and guidance which will enable employees to return to work at the earliest opportunity
- advise managers and the People & Culture Employee Relations Advisory Team of any recommended workplace adjustments that may help to facilitate this process
- offer advice on a phased or progressive return to normal working arrangements;
- liaise with People & Culture to identify other types of work that could be undertaken if the employee is not able to return to their contracted role
- give advice regarding the possibility of ill health early retirements
- Advise the Line manager and the Health and Safety Advisory Service if there are work- related Health and Safety concerns that need to be addressed

## **10.6 Health and Safety Advisory Service**

The Health and Safety Advisory Service are responsible for:

- providing advice or assisting with the investigation of work-related accidents and any resulting ill health
- carrying out statutory reporting of accidents and certain 'occupational diseases' as required by the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations

## **11. Equality impact assessment**

11.1 The University has conducted an Equality Impact Assessment on this policy and is satisfied that its application should not result in a differential and negative impact on any groups of employees identified under the Equality Act 2010.

## **12. Monitoring**

The People, Culture and Inclusion Advisory Group (PCIAG) will monitor the impact of this policy.

## **13. Related university policies and procedures**

- [Capability Procedure](#)
- [Disciplinary Procedure](#)
- [Flexible Working Form](#)
- [Hybrid Principles](#)
- [Equality and Diversity Policy](#)
- [Family Leave Policy](#)
- [Special Leave Policy](#)
- [Stress Management Policy](#)
- [Ordinance 41](#)
- [Health and Safety Policy](#)
- [Redeployment Guidance](#)

## **14. University sources of information**

- [Health and Wellbeing](#)
- [Employee Assistance Programme](#)



## Document Control Panel

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