

MANAGING ATTENDANCE AND WELLBEING POLICY AND PROCEDURE

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Managing Attendance and Wellbeing Policy and Procedure

1 Scope

1.1 This policy and associated procedures apply to all members of University staff. The policy and associated procedures apply to students who are also employees; any actions will relate to their employment and not their status as a student.

1.2 This policy does not apply to agency workers or self-employed contractors.

2 Aims

2.1 This policy and procedure seek to:

- ensure that employees are supported to return to work and remain in work wherever possible;
- encourage staff to take responsibility for their own health and attendance;
- support staff by providing appropriate advice and well-being initiatives;
- ensure that sickness absence is managed consistently and fairly and that the impact of sickness absence on the University and its students is minimised.

3 Policy

3.1 The University takes the health and well-being of staff seriously and aims to strike a reasonable balance between business needs and the need for employees to take time off work because of ill health.

3.2 The University will maintain the confidentiality and dignity of employees who report sickness absence. All parties who are involved in sickness absence management and administration must exercise due care to maintain confidentiality. Records must be stored in line with Data Protection requirements.

3.3 Employees are responsible for:

- complying with University procedures for sickness absence as set out in this policy.

3.4 Managers are responsible for:

- reporting absence of staff members promptly and accurately
- ensuring staff are aware of and comply with sickness absence reporting procedures and other local administrative arrangements
- holding return-to-work discussions

- monitoring and managing sickness absence of their staff
- taking action under the Capability and Poor Performance Policy where appropriate, if unsatisfactory levels of sickness absence occur
- carrying out any management responsibilities as required by the University's Health and Safety policy.

4 Procedure - Reporting an absence

4.1 The procedure to be followed by an employee if they fall sick is given at appendix 1. The employee must speak to their line manager (or the local nominated person) as soon as they know they are unable to attend work and no later than 9.00 am or at any other time as required by local arrangements (see appendix 1).

4.2 Where an employee falls ill at work and has to go home they should notify their manager (or a nominated person in line with local arrangements) before leaving work. The manager (or other nominated person) should ensure the safety of the employee in returning home (see appendix 1).

4.3 Self-certification forms and Fit Notes should be sent under confidential cover to their line manager or other nominated individual in line with local arrangements. If the employee does not wish to disclose the specific medical reasons for absence to the line manager or other nominated individual, this information can be submitted to Human Resources.

4.4 If an employee knows in advance they are likely to be absent eg for routine surgery and recovery they should inform their manager and provide any useful information such as anticipated length of their absence.

5 Return to work discussions

5.1 Managers are required to have a short "Return to Work" discussion with individuals on their return to work, regardless of the duration of the absence. Adopting this practice as standard, can help avoid inconsistent treatment and provides an early opportunity for staff to discuss any problems or concerns. For short term absences, the discussion may take place on the telephone if the line manager is not co-located with the member of staff.

6 Fit Notes

6.1 A self-certificate is required for all absences of up to 7 calendar days. A Fit Note is required for absences of 8 calendar days or longer. The Fit Note is advice from a GP or hospital to the employer. Options on the Fit Note are:

Not fit for work: this means the GP's assessment is that the employee has a health condition that prevents them from working for the stated period of time.

May be fit for work taking account of the following advice: this means the GP's assessment is that the employee's condition does not necessarily stop them from returning to work. For example, they could return but may not be able to complete all of their normal duties. Employers should consider any changes referred to in the Fit Note to enable the employee to attend work.

6.2 If it is not possible for the University to agree the changes suggested in the Fit Note, the Fit Note must be regarded as a statement that the employee is **not** fit for work. In those cases, the line manager must seek Occupational Health / Human Resources advice.

6.3 If the employee wants to return before the end of the Fit Note period they may do so. Where there are particular health and safety concerns for example if their duties involve operation of vehicles or equipment or the use of chemicals, the line manager should discuss this with Occupational Health or Human Resources. Sick absence returns should ensure the correct return to work date is recorded.

6.4 Where a GP opinion on fitness for work differs from Occupational Health advice, this will be reviewed on a case by case basis. However, the University reserves the right to prefer the University's OH advice and will explain why it does so if necessary. Where OH advises the employee is fit to return to work and the employee fails to do so, absence will normally be unpaid and may result in disciplinary proceedings.

6.5 The University reserves the right to require submission of Fit Notes for absences of less than 8 days. The employee will be advised in advance if this is required. In this case the cost of the Fit Notes will be met by the University.

6.6 If Fit Notes covering the required dates are not received by the University, absence will be unpaid. See paragraph 4.3.

7 Identifying Potential Problems

7.1 The University adopts the following "trigger" approach to highlight unsatisfactory levels of sickness absence:

- seven episodes of sickness absence in any rolling 12 month period
- four episodes of sickness absence of 3 working days or more in any rolling 12 month period
- three months or more total absence sickness in any rolling 12 month period

7.2 The above triggers apply to long and short term absence and are patterns which suggest potential concern which should be discussed with HR. Managers should also be alert to any other apparent pattern (for example particular days, or around holidays or weekends)

7.3 Where possible managers should proactively discuss with staff if these levels are being approached.

7.4 Where appropriate the manager should encourage the employee at a return to work discussion to advise if there are particular concerns impacting on their attendance, and assess each case according to the particular circumstances. The line manager may find it helpful to seek input from Human Resources, in order to provide support or signpost other sources of help. There may be a number of underlying reasons such as disability, problems in the workplace, personal problems, caring responsibilities, dependency issues or an underlying health concern.

7.5 If sickness trigger points have been reached and, despite discussions at return-to-work interviews or one to-one meetings, concerns continue, the line manager should discuss the case with Human Resources.

7.6 Reaching a sickness trigger does not automatically result in formal action under the Capability procedure. Line managers should discuss any appropriate action, which will vary from case to case, with Human Resources. Actions may include making a referral to Occupational Health, further monitoring, or holding an informal meeting under the Capability and Poor Performance Policy.

8 Special circumstances and sick absence triggers

8.1 Pregnancy-related sick absence does not count towards sickness absence triggers. See section 15 on Reasonable Adjustments for sickness absence which is disability-related. Line managers must seek guidance from Human Resources on injuries sustained at work which result in sickness absence.

9 Keeping in touch during absence

9.1 Keeping in touch should be designed to support the employee as well as get updates on prognosis and return to work. The manager and the employee should discuss appropriate and reasonable contact arrangements in terms of timing, frequency and method. The level of contact will normally depend on the anticipated duration of the absence

9.2 Keeping in touch discussions are likely to cover welfare: whether medical advice has been sought, anticipated return date, any outstanding work issues that the employee is concerned about or important updates. Discussions during longer term absence may also include; provision of Fit Notes, making an OH referral, phased return to work, temporary adjustments, or any other support. Phased returns should normally be discussed before the return date.

9.3 Maintaining appropriate contact plays a significant role in achieving a timely and successful return to work so that the employee feels supported but not pressured.

9.4 If there are employment concerns such as work-related stress or matters which require investigation or action under other employment policies, for example Restructures, Capability, Disciplinary or Grievance, the line manager is advised to seek guidance from Human Resources prior to contacting the employee. Where appropriate a stress risk assessment will be completed. Every effort will be made to provide the employee with an opportunity to participate in order to resolve matters in a timely manner. Please refer to the relevant employment policy for more information.

9.5 Contact will be reasonable and managed with sensitivity.

10 Occupational Health referral

10.1 Managers are responsible for making referrals to Occupational Health, with support from Human Resources. A copy of the Occupational Health referral must be shared with the employee before the appointment. Where there are health concerns which may be impacting on performance, up-to-date advice from Occupational Health should be requested. Occupational Health will help to identify if there is additional support that would help the employee to deliver improved performance or attendance levels as well as recommend lifestyle changes for the individual to improve their wellbeing. Managers are advised to discuss referral with Human Resources before submitting a referral form.

10.2 Where there are concerns about an employee's health a referral can be made to Occupational Health even if attendance levels are satisfactory. The line manager should raise this with Human Resources and the employee.

10.3 Employees are required to attend medical referrals if requested. Further information on the Occupational Health and Wellbeing Service is available. If an employee repeatedly declines/fails to attend an agreed appointment or withholds consent to release a report, Occupational Health will notify Human Resources accordingly. Management will be at liberty to proceed with any decision-making based on information that is available to them, without the benefit of an Occupational Health report.

10.4 Occupational Health will advise on any workplace adjustments which may be reasonable to support employees with a disability. Further guidance on reasonable adjustments is available from the Occupational Health and Wellbeing Service.

10.5 Formal meetings for addressing unsatisfactory levels of sickness absence (including long term and certificated absence) are held under the Capability and Poor Performance policy and procedure. However, it will often be helpful for the line manager to hold informal meetings or case conferences to discuss the outcomes of an OH referral and what assistance may be offered. The line manager should seek guidance from Human Resources accordingly.

11 Long term sick absence

11.1 Long term sickness absence is 20 working days' or four calendar weeks' duration or longer. Where absence is likely to be of 20 working days or four weeks or more a referral should normally be made to Occupational Health. If an employee is aware in advance of the likely period of their absence, for example because of an operation, they should notify their line manager.

11.2 Guidance is available at appendix 3 on managing absence that is likely to exceed 20 working days or four calendar weeks' duration.

12 Redeployment

12.1 Occupational Health may give an opinion that the employee's attendance and performance is likely to improve to a satisfactory level if they move to a less demanding role. Redeployment is not appropriate when there are attendance concerns which will not improve as a result of a job change.

12.2 Where flexible working may assist, the employee may make a flexible working request.

12.3 Where long term health or disability issues impact on performance and attendance and there is little evidence this will improve within a reasonable timeframe, it may be appropriate to consider termination of employment on capability grounds (see capability policy) or medical retirement, where available. Occupational Health advice will be sought in such cases.

13 Wellbeing provisions

13.1 The University has a wide range of provisions to support the wellbeing of its employees. A summary of these is provided at appendix 3.

14 Managing pressure

14.1 The University recognises the importance of mental as well as physical health. The OH and Wellbeing Service is available for further information and advice.

14.2 Early referral to the OH and Wellbeing Service should be considered for mental health and stress related conditions as this may reduce the risk of long term absence by early intervention.

15 Disability related absence

15.1 Sickness absence, including sickness absence which is disability-related is managed under this policy. However, it may be appropriate to adjust University procedures, including sickness absence triggers, where a particular absence is for a

disability related reason. Due regard must be made to the provisions in the Equality Act 2010.

15.2 Where there are concerns about levels of absence which include disability related absence, managers should seek advice from Occupational Health and Wellbeing Services and Human Resources. Occupational Health and Wellbeing will be able to provide advice on reasonable adjustments. Further information on reasonable adjustments is available on the Human Resources pages of the website.

16 Counselling

16.1 Managers are expected to grant time off with pay to staff undergoing drug, alcohol or other counselling or treatment in line with arrangements for time off for medical appointments. Managers should contact Human Resources to discuss arrangements particularly if these involve prolonged treatment programmes.

17 Health-related appointments

17.1 Appointments should be made outside working hours whenever possible. Where attendance at appointments during working time is unavoidable, they should be requested at times which will minimise absence from work.

17.2 Employees may be asked to provide evidence of appointments. Employees may also be required to make up hours lost, take annual leave to cover absence or alternatively full day absence may be treated as sick absence. Line managers should seek guidance from Human Resources in such cases.

17.3 Pregnant women are not required to make up hours lost or take annual leave to cover antenatal appointments or pregnancy-related appointments. They are however required to provide evidence of appointments when asked to do so.

17.4 Disabled employees are not required to make up hours lost or take annual leave to cover medical appointments which are disability-related although they should request appointment times which will minimise absence from work and provide evidence of appointments where requested to do so. Details of the appointments may be provided to Human Resources or Occupational Health and Wellbeing Services if the employee prefers.

18. Suspension on medical grounds

18.1 There may be occasions when it is necessary to suspend an employee from work on full pay on medical grounds where there are concerns about their health and safety at work or safety of others.

18.2 No suspension from work should take place without consultation with Human Resources and the prior authorisation of the Vice Chancellor or their nominee. Suspension will be for a stated period of time. Any extension or removal from suspension must also be approved by the Vice Chancellor (or their nominee). If the

employee is suspended for three weeks or more they can appeal to Court against the continuation of suspension.

18.3 Details of the suspension will be confirmed to the employee in writing.

19 Relationship with other policies

19.1 Management action in relation to absence levels which can no longer be tolerated are addressed under the Capability and Poor Performance Policy.

19.2 If an employee does not comply with University Managing Attendance procedures, absence may be treated as unauthorised (which is unpaid) and may also lead to disciplinary proceedings.

20 Review

20.1 The University will keep this policy and procedure under review with recognised trade unions.

Appendix 1

SICKNESS ABSENCE PROCEDURES – quick guide for employees

1 First day of absence

1.1 You should make every endeavour to telephone your manager or a nominated person in line with local arrangements as soon as you know you are unable to attend work and no later than 9.00 am or at any other time as required by local arrangements. However, where you know it won't be possible for you to speak to your manager at the appointed time, you should contact your manager by another means. In this case your manager may wish to telephone you at a more convenient time. Other than in exceptional circumstances you should telephone personally to report your absence. It is your responsibility to make and maintain personal contact with your line manager if you are absent from work so that they can plan and make suitable arrangements for cover if appropriate. In exceptional circumstances, for example hospital admission, you should endeavour to notify your absence as soon as possible.

1.2 You should advise the reason for absence, when you expect to return and any urgent work/actions. If exceptionally you would prefer to advise the absence type (ie the **reasons** for the absence) to Human Resources you may do so. However you should still report your absence to your line manager (or the nominated person in line with local arrangements).

1.3 If you don't comply with the University's sickness absence procedures, unauthorised absence will be unpaid and you may also be subject to disciplinary procedures.

2 Falling ill at work

2.1 If you fall ill at work you must advise your manager, or a nominated person in line with local arrangements, before leaving work. If you leave work before mid-day this will normally be treated as a full day's absence.

3 Second day of absence

3.1 If your sickness unexpectedly continues for a second day you should again let your manager know the position. If you are likely to continue to be absent, you must maintain appropriate contact, which your manager will discuss with you, for the remaining period of absence.

4 Evidence of sickness

4.1 For **all** absences of up to 7 calendar days (including where these begin on a working day but continue over Saturdays, Sundays and Public Holidays) you are required to complete a Self-Certification form (a copy is available on the University portal, Human Resources, Policies, Guidance and Forms). You should complete this

immediately upon your return to work and pass it to your manager or countersigning to sign. Your manager should forward this under confidential cover, without delay in line with local arrangements, for inputting for Payroll purposes.

5 Absences lasting 8 or more calendar days

5.1 You must submit a Doctor's or a Hospital Fit Note promptly from the eighth calendar day of absence to your line manager or a nominated person in line with local arrangements.

5.2 If you remain unfit at the end of the certificated period you must submit further Fit Notes covering all further absence dates. Fit Notes must be sent in a timely manner. Failure to submit Fit Notes on time can result in non-payment of sick pay.

5.3 If your Fit Note does not state that your GP needs to assess your fitness for work again, you may return on or before the expiry of your Fit Note; you do not have to return to your GP to get "signed back to work".

6 Illness during holidays

6.1 If you fall ill or illness continues over a pre-booked annual leave period and you wish the period to be treated as sickness absence and not annual leave, you must follow the normal sickness reporting rules; this includes if you are on holiday abroad. Equivalent medical certification must be provided.

6.2 When an illness straddles or occurs during a non-teaching period Fit Notes should be sent in on the same basis as for an illness during term-time.

7 A reminder of your sick pay position – Occupational Sick Pay and Statutory Sick Pay

7.1 If you are eligible for Occupational Sick Pay (OSP), this will include any Statutory Sick Pay (SSP) due to you.

7.2 If, however, you are receiving NI Sickness Benefit, you should pay to the Finance - Payroll Office the benefit you receive and the appropriate adjustment will be made to your salary.

7.3 If you are excluded from Statutory Sick Pay or have been off sick for more than twenty eight weeks you should send any Doctor's or Hospital Fit Note to the University. The Fit Note will be forwarded immediately to the Department of Work and Pensions to support any claim you make for Sickness Benefit.

7.4 If you are on reduced pay, SSP is paid in addition to your salary, and no deduction is made for any NI Sickness Benefit you receive.

7.5 If you are not entitled to paid occupational sick pay (OSP) you will be paid Statutory Sick Pay (SSP) by the University. If you are 'excluded' from SSP, you may apply for Employment and Support Allowance via your local JobCentre Plus.

Please keep a copy of this information for future reference - preferably at home. If you need further information please speak to your line manager or Human Resources.

Appendix 2

SICKNESS ABSENCE PROCEDURES – quick guide for managers

Line managers are required to take the lead in managing attendance issues and to make sure employees comply with University policy and procedure. The following provides a summary of your responsibilities referred to in the policy and other relevant documents. Please also see employee responsibilities at Appendix 1.

1 First day of employee absence

On receipt of a telephone call from a member of your staff regarding their absence you should report their absence according to the local arrangements.

If your member of staff is taken ill at work and needs to go home, you should ensure they do so safely. For example check they are fit to travel; enquire if someone can collect them; arrange for them to contact you or a nominee on arrival at home; where necessary arrange for them to be accompanied.

2 Second day of absence

If your member of staff is unexpectedly absent on the following day they should contact you again. If absence is likely to continue you should discuss appropriate keeping in touch arrangements, for example when the next contact will take place, whether you will contact the employee or if they would prefer to contact you; check that contact details are up to date.

3 Evidence of sickness

You must ensure your member of staff submits a Self-Certification sickness absence form for all absences up to 7 calendar days, or a Fit Note for absences of 8 calendar days or longer. These must be submitted promptly to the nominated individual in line with local arrangements.

4 Return to work discussions

When your member of staff returns to work, hold a brief “Return to Work” discussion with them, regardless of duration of the absence. The purpose of the discussion is to ensure the employee is fit for work and update them. Where absence related to stress, you should discuss with Human Resources whether it may be appropriate to conduct a stress risk assessment.

5 Fit Notes

If you don't understand advice contained in a Fit Note, check with Occupational Health and Wellbeing Services.

If your member of staff wants to return before the end of the period of the Fit Note, check with them they consider they are fit to do so. Seek advice from OH or HR if their role involves particular risks such as equipment, driving or chemicals. (See section 6.3 of the Managing Attendance policy.)

6 When absence levels become a concern

Make sure you are aware of your members of staff's absence levels. Where possible highlight to staff if they are likely to breach a sick absence trigger. Raise any concerns with them informally in the first instance. You can ask Human Resources for advice beforehand if you are concerned about doing this. You can give the employee a copy of their absence record to aid your discussion. If absence is disability related, seek advice from Occupational Health and Wellbeing and Human Resources. Due regard must be made to the provisions in the Equality Act 2010.

Trigger reports are generated by Human Resources and sent to managers to aid management discussion.

If sickness trigger points have been reached, and there are still concerns following discussions at return-to-work interviews and one to-one meetings, you should seek guidance from Human Resources. Next steps will be appropriate to the individual case, for example if advice on reasonable adjustments is needed, or if absence is the result of planned surgery.

However, where appropriate cases should be progressed under the Capability and Poor Performance policy.

7 Referral to Occupational Health

You are responsible for making referrals to Occupational Health, with support from Human Resources. The Occupational Health and Wellbeing Services guide sets out when it may be appropriate to make a referral. You must always request up-to-date advice from Occupational Health before commencing any formal stage of the Capability and Poor Performance procedure.

You may refer a member of staff to Occupational Health when there are health concerns, even if attendance levels are satisfactory. This may be appropriate if you have concerns that there may be health problems which are impacting on their job or if you are worried that their job is affecting their health.

You must inform your member of staff you are making a referral to Occupational Health and tell them why you are making the referral (see policy section 10.1).

8 Paid time off for appointments

It may be appropriate for you to ask the employee for evidence of medical, dental or other appointments and to try to make arrangements that minimise disruption to

work. See sections 16 and 17 of the Managing Attendance policy for further guidance. You should consult with Human Resources in such cases.

9 Managing pressure

If your member of staff has been absent because of anxiety or stress (even though work may not be the main cause), consider whether it may be helpful to conduct a risk assessment in conjunction with them to see if any adjustments can be made to support them in the workplace.

10 Reasonable Adjustments

You should seek advice from Occupational Health and Wellbeing Services and Human Resources to make sure that you consider any adjustments which may be reasonable if your member of staff has a disability. Reasonable adjustments can be made to policies, practices and procedures as well as the working environment. Information on Reasonable Adjustments is available on the HR pages of the website.

Where managers are asked to provide information on a member of staff for the purpose of medical/disability related assessment for example for an Access to Work application, they must provide a copy to the employee.

Appendix 3

1 Guidance on managing long term sick absence

1.1 Where an employee exceeds (or is likely to exceed) a sickness absence trigger because of long term sickness absence (20 working days or four weeks) the manager must contact Human Resources without delay to determine the appropriate action.

1.2 Appropriate actions are likely to include keeping in touch arrangements, referral to Occupational Health in a timely manner, an informal meeting and design of an appropriate phased return to work.

1.3 The University regards all reported absence as genuine (although breach or fraudulent use of the sick pay provisions are a disciplinary matter). However, high levels of sickness absence for whatever reason cannot be sustained because of the impact on the effective operation of University business, teaching and learning.

1.4 Management of long term sickness absence will be treated with sensitivity and on a case by case basis.

1.5 Human Resources will work closely with line managers to seek to ensure individual circumstances are considered and employees are treated with sensitivity, consistently and fairly and in compliance with the Equality Act.

2 Keeping in touch

2.1 The line manager and the member of staff must keep in touch during long term sickness absence. The line manager should discuss with the employee appropriate contact arrangements, ie who will initiate the call, frequency, dates, time etc. If there are particular concerns because there are work related issues guidance should be sought from Human Resources. (See section 9 of the Managing Attendance policy for further information.)

2.2 Keeping in touch arrangements should be reasonable. Reasonable keeping in touch arrangements can take the form of agreed times and days for phone contact for example following GP or hospital check-ups, home visit (where appropriate and accompanied), reading material, and updates from the manager, visit to the office before their return date etc. A balance is needed to ensure the employee continues to feel part of the workplace and up to date, but without impeding their recovery.

3 Phased return to work

3.1 It will usually be appropriate for an employee to return to work on a phased basis, either on “light duties” where this is a possibility, or reduced hours. Typically return to normal hours and duties will take place over no more than four weeks. During this period the employee will be regarded as “in work” and paid their normal contractual pay. If contractual sick pay has been exhausted, pay will be pro-rated

based on hours worked. Exceptionally a longer phased return period may be recommended. Where Occupational Health advice differs from the employee's medical adviser's advice, the University reserves the right to prefer Occupational Health advice but will give reasons for the decision.

3.2 When an employee is due to return from long term sickness, Occupational Health advice should be sought in advance. Advice can also be requested in other cases, for example following day surgery or anxiety related absence.

4 Formal stages under the Capability and Poor Performance procedure

4.1 The manager, supported by Human Resources will address long term absence with the aim of achieving a return to work within a reasonable timeframe. Where appropriate, formal stages of the Capability and Poor Performance procedure will be implemented, the ultimate outcome of which can result in termination of employment on grounds of capability.

Appendix 4

Well-Being

The University offers a wide range of support to promote the health of staff.

- An Occupational Health and Wellbeing Service.
- Counselling can be provided on a confidential basis.
- Support groups are available for networking with others in relation to issues such as disability or sexuality
- The Alcohol and Drugs Policy is available to support staff to overcome dependencies.
- Stress policy
- Bullying and harassment policy
- Wellness events are held promoting healthy eating and lifestyle changes, massage and reflexology
- A cycle to work scheme is available which allows staff to purchase a bicycle to promote exercise when commuting to work.
- Subsidised gym membership
- Flexible working options are available to help staff achieve a balance in their work and home life.
- Special leave for compassionate reasons
- Study Leave
- Access to affordable private healthcare through Secure Health [insert link to Portal]
- Signposting help for victims of domestic violence
- Signposting help for giving up smoking