

## **SICKNESS ABSENCE**

## **POLICY AND PROCEDURE**

## Contents

1. Introduction.....	1
2. The Public Sector Equality Duty.....	1
3. Aims.....	1
4. Scope.....	1
5. Employee Assistance Programme (EAP).....	2
6. Time off for Health-Related Appointments.....	2
7. Disability Related Sickness Absence.....	2
8. Pregnancy Related Sickness Absence.....	3
9. Sickness Absence Reporting Procedure.....	3
9.1. First Day of Absence.....	3
9.2. Subsequent Absence Days.....	4
9.3. Scheduled Sickness Absence.....	4
9.4. Evidence of Sickness Absence.....	4
9.5. Recording Absence.....	5
9.6. Sickness Absence During Holidays.....	5
9.7. Annual Leave Accrued During Sickness Absence.....	6
9.8. Taking Annual Leave During Sickness Absence.....	6
9.9. Unauthorised Absence.....	6
9.10. Keeping in Contact During Sickness Absence.....	7
10. Returning to Work from Sickness Absence.....	7
11. Occupational Sick Pay (OSP) and Statutory Sick Pay (SSP).....	7
12. Occupational Health Referrals.....	8
13. Returning to Work from Long Term Sickness Absence.....	9
14. Reasonable Adjustments.....	9
15. Redeployment.....	10
16. Suspension from Work for Medical Reasons.....	10
17. Ill-Health Retirement.....	10
18. Managing Sickness Absence Triggers.....	11
19. Guidance for Managers on Sickness Absence Triggers.....	11
20. Formal Sickness Absence Meetings Procedure.....	13
21. Stage 1: First Sickness Absence Meeting.....	15
22. Stage 2: Further Sickness Absence Meeting(s).....	15
23. Stage 3: Final Sickness Absence Meeting.....	16
24. Appeals.....	17
25. Other Policies.....	18
26. Appendix A.....	19

## **1. Introduction**

- 1.1. The university takes the health and wellbeing of its employees seriously and recognises the importance of mental health as well as physical health.
- 1.2. Sickness absence can vary from short term to longer term periods of ill-health and have several different causes. This policy and its procedures will ensure the reasons for sickness absence are understood so that staff can be supported in the right way.
- 1.3. This policy and its procedures uphold the university's commitment to supporting its investment in people and fostering an environment where staff and students feel safe and accepted. By demonstrating its commitment to inclusivity, the university aims to create a workplace which promotes dignity and respect, where the mental and physical wellbeing of staff are supported whilst balancing the university's pursuit of academic, research, teaching and business needs.

## **2. The Public Sector Equality Duty**

- 2.1. The Equality Act (2010) requires public bodies such as the University of Greenwich to consider how their decisions and policies affect people with different protected characteristics.
- 2.2. The university is committed to promoting equality of access and outcome for all, celebrating diversity, and providing an inclusive learning and work environment for all students, staff, and visitors. The university will ensure they pay 'due regard', to:
  - a) the need to eliminate discrimination, harassment, and victimisation.
  - b) advance equality of opportunity.
  - c) foster good relations between people, irrespective of their age, disability, gender re-assignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief and sexual orientation'.
- 2.3. Paying 'due regard' means the university will consciously consider or think about the need to do the above.

## **3. Aims**

- 3.1. This policy and procedure seek to:
  - a) Provide a framework for managing sickness absence in a fair and consistent way.
  - b) Provide clearly defined steps for staff and managers to follow when reporting, recording, and managing short term and long-term sickness absence.
  - c) Provide managers with the necessary tools to support staff wellbeing and work proactively and effectively in managing their team members sickness absence.
  - d) Support staff by providing access to health and wellbeing support and to encourage staff to take responsibility for their own health and attendance.

## **4. Scope**

- 4.1. This policy and its procedures apply to all university employees, and students who are also employees; any actions will relate to their employment and not their status as a

student. This policy and its procedures do not apply to agency workers or self-employed contractors.

## **5. Employee Assistance Programme (EAP)**

- 5.1. The university provides a free and confidential Employee Assistance Programme (EAP), which is available to employees and their family members. Further information can be found [university staff portal](#). Managers should ensure their staff are aware of the Employee Assistance Programme and how to access it.

## **6. Time off for Health-Related Appointments**

- 6.1. Whenever it is possible to do so, employees (both full time and part time) should arrange such appointments in their own time or, if this is not possible, then at times that will cause the minimum amount of absence from work or inconvenience to the organisation. However, it is accepted this is not always possible and it is the University's policy to permit reasonable time off work for such appointments.
- 6.2. Employees must notify their line manager they have a forthcoming appointment and seek approval where they require time off during working hours. The line manager may require an employee to reschedule an appointment if its timing would cause disruption to the university's business. The line manager may also, at their discretion, ask the employee to produce evidence of their appointment.
- 6.3. Managers should treat requests for time off for all health-related appointments fairly, reasonably, and consistently; this includes all physical health and mental health related appointments, such as counselling and psychotherapy treatment, and all pregnancy and disability related appointments.
- 6.4. Where an employee gives their line manager reasonable notice of the date and time of an appointment, time off with pay will be granted. However, where time off for appointments becomes frequent or regular, or starts to cause operational difficulties for the University, the line manager has the discretion either to require the employee to make up for the time off by working extra time on another occasion, or to grant any further time off without pay.
- 6.5. Pregnant employees are entitled to reasonable time off with full pay for pregnancy related appointments and will not be required to make up time lost or take annual leave for such appointments.
- 6.6. Employees with a disability are entitled to reasonable time off with full pay for disability related appointments and will not be required to make up time lost or take annual leave for such appointments.
- 6.7. An employee whose partner is pregnant, can take unpaid time off to attend up to two pregnancy-related ('antenatal') appointments with their partner. The employee should provide as much notice as possible and the employee may be asked for evidence of the appointment.

## **7. Disability Related Sickness Absence**

- 7.1. If an employee has a disability that means they require specific support to carry out their role, the university will ensure that every opportunity is explored, and appropriate

support put in place. The university has a duty under the Equality Act 2010 to make reasonable adjustments where required to ensure that employees with a disability are treated no less favourably than their non-disabled colleagues.

- 7.2. Where there are concerns about levels of absence which include disability related absence, managers should contact their People Directorate representative for advice. Where sickness absence results from a disability under the Equality Act 2010, it also may be appropriate to adjust procedures such as absence triggers; for example, discounting absence for the purpose of monitoring sickness absence may be a reasonable adjustment. Where line managers of staff require more advice on reasonable adjustments, they should contact their local People Directorate representative in the first instance.

### **7.3. The Equality Act 2010**

A disability is defined under the Equality Act 2010 as a physical or mental impairment that has 'substantial' and 'long term' negative effect on an individual's ability to do normal daily activities. This includes progressive conditions, which is a condition which gets worse over time.

## **8. Pregnancy Related Sickness Absence**

- 8.1. Pregnancy related sickness absence must be recorded as such and should not be considered when assessing absence triggers.
- 8.2. If an employee is absent from work due to a pregnancy-related reason, within 4 weeks of the expected week of childbirth, their maternity leave will commence automatically. See the Maternity Leave and Pay Policy for further information.

## **9. Sickness Absence Reporting Procedure**

A clear reporting procedure will clarify roles and responsibilities when reporting absence, ensure the right level of support is provided to employees and minimise impact on the university and its students.

### **9.1. First Day of Absence**

#### **On-Campus Working**

- 9.1.1. If an employee is taken ill whilst working on campus, they should notify their manager (or nominated person), before leaving work (the nominated person may not necessarily be the employee's line manager, but they may for example set tasks or provide some level of support or intervention on a day-to-day basis). The manager (or nominated person) should ensure the employee is able to return home safely.
- 9.1.2. If an employee is unwell or injured and cannot attend their usual place of work on campus, it is important that they notify their line manager, or where this is not possible, another appropriate member of staff within the faculty or directorate that they are absent due to sickness. Reporting absence safeguards the health, safety and wellbeing of our staff and will allow the continuation of service delivery to our students and stakeholders. The employee should contact their line manager (or other nominated person) at the soonest opportunity and prior to the start of

their working day or shift. Employees should exhaust all means of communication to ensure their manager is notified of their absence in a timely manner. The employee should provide the following details:

- a) The nature of their illness.
- b) The expected length of absence from work.
- c) Contact details.
- d) Any outstanding or urgent work that requires attention.

9.1.3. Whilst employees are encouraged to disclose the nature of their illness to their line manager, if in exceptional circumstances and for personal reasons, they do not wish to, they must inform their line manager of their absence from work in the first instance, but they may then disclose the reason for the absence confidentially to the People Directorate (see also Evidence of Sickness Absence in this policy).

### **Off-Campus Working**

9.1.4. If an employee is working off-campus and they are unwell (meaning they are unable to work), they should report their absence following the same procedure as an employee working on-campus, as above.

9.1.5. The health and wellbeing of employee's should always remain a priority regardless that the employee is working off-campus. For example, working from home whilst unwell should not be regarded as an alternative to working on campus, and when an employee reports they are unwell this should be treated as such. Working at home whilst unwell should not be encouraged.

## **9.2. Subsequent Absence Days**

9.2.1. If sickness continues beyond the first day, employees should follow the same procedure above and inform their manager. If absence is likely to continue, employees must maintain appropriate contact with their manager for the remaining period.

## **9.3. Scheduled Sickness Absence**

9.3.1. If an employee is aware in advance of the likely period of their absence, for example because of pre-planned surgery, they should notify their line manager in advance and as soon as is reasonably practicable.

## **9.4. Evidence of Sickness Absence**

9.4.1. For absences up to 7 calendar days (inclusive of weekends and non-working days), employees are required to complete a Self-Certification Form, which can be located on the university staff portal. Employees must complete this on their return to work and send to their manager. Managers see Returning to Work from Sickness Absence.

9.4.2. For absences lasting 8 or more calendar days (inclusive of weekends), employees must obtain a Fit Note from their GP or healthcare professional covering the period of absence and stating the reasons for absence.

- 9.4.3. If an employee's absence continues beyond the certified period, further Fit Notes must be obtained and submitted to cover the whole period.
- 9.4.4. If the Fit Note does not state that the GP needs to reassess the employee's fitness to return to work again, the employee may return on or before the expiry date of the Fit Note; employees are not required to return to their GP to be 'signed back to work'.
- 9.4.5. Where possible employees should send an electronic copy of their Fit Note to their manager's university email address and retain the original copy for their own records. On receipt of the Fit Note, the manager should forward this on to the People Directorate who will update the employee's absence on the staff portal. In the exceptional circumstance where an employee has elected to withhold the reason for their absence from their line manager, they should send an electronic copy of their Fit Note directly to the People Directorate.
- 9.4.6. Fit notes should be provided promptly (normally no later than a week after the start of the certifiable absence) and at regular intervals thereafter. If Fit Notes covering the required dates are not received by the university, absence may be unpaid.
- 9.4.7. In cases of suspected abuse or where there is a concern about the level of or reason for absence, employees may be required to provide a Fit Note for each absence regardless of duration. The employee will be advised in advance if this is required, and the university will cover any costs incurred in obtaining such certificates when a GP's invoice is provided. The Sickness Absence Meetings Procedure may also be applied.

## **9.5. Recording Absence**

9.5.1. Managers should ensure they:

- a) Email [peopleoperationsadmin@greenwich.ac.uk](mailto:peopleoperationsadmin@greenwich.ac.uk) with the dates of absence and their staff member's self-certification form for absence days 1 to 7.
- b) Obtain an electronic copy of their staff member's Fit Note for absence from the 8<sup>th</sup> day onwards and forward to the People Directorate at [peopleoperationsadmin@greenwich.ac.uk](mailto:peopleoperationsadmin@greenwich.ac.uk).
- c) Delete electronic copies of Fit Notes once the People Directorate have confirmed receipt.
- d) Arrange, where necessary, to cover work and to inform colleagues where appropriate (while maintaining confidentiality).

9.5.2. The university will maintain the confidentiality and dignity of employees who report sickness absence and records will be stored according to the General Data Protection Regulations (GDPR) requirements. Normally sensitive personal data relating to sickness absence will not be shared with colleagues without prior discussion with the employee.

## **9.6. Sickness Absence During Holidays**

9.6.1. If an employee falls ill or illness continues over a pre-booked annual leave period and wishes the period to be treated as sickness absence and not annual leave, the employee must follow the normal sickness reporting rules. Employees should also



follow the same sickness reporting rules when they are on holiday outside of the UK, and equivalent medical certification should be provided.

- 9.6.2. When an illness straddles or occurs during a non-teaching period employees should still provide Fit Notes in the same way that they would for an illness during term-time.

## **9.7. Annual Leave Accrued During Sickness Absence**

- 9.7.1. If an employee has been on long term (four weeks or more) sickness absence and this has prevented them from taking their annual leave in the usual annual leave year, they may carry forward up to 4 weeks (20 days) of their annual leave to the next annual leave year. Any contractual untaken annual leave over and above 4 weeks (20 days) will be lost. Any annual leave that is carried forward must be taken within 18 months of the start of the new annual leave period. This procedure is applicable to both part time (pro-rated) and full time staff.

## **9.8. Taking Annual Leave During Sickness Absence**

- 9.8.1. An employee who is on long-term sickness absence may request to take a period of annual leave while on sickness absence in order to receive full pay for that period. They might do this if they have exhausted their entitlement to sick pay. Taking annual leave in these circumstances does not 'break' the period of sickness absence (i.e., the employee will continue to be recorded as being on sickness absence)

- 9.8.2. An employee who wishes to take a period of annual leave while on sickness absence should request it from their line manager. Where a request is approved, the manager should notify the People Operations Team at [peopleoperationsadmin@greenwich.ac.uk](mailto:peopleoperationsadmin@greenwich.ac.uk). The employee's annual leave entitlement will be reduced by the amount of leave booked and they will receive full pay for the period.

- 9.8.3. Example:

A full-time employee is on long-term sickness and has exhausted their entitlement to contractual and statutory sick pay (i.e., they have dropped to nil pay). They request 35 hours (one week) annual leave which is approved by their manager. The manager notifies the People Operations Team and the employee's annual leave entitlement on Horizon is reduced by 35 hours.

The employee takes 35 hours (one week) annual leave and receives full pay for the period. Following the period of annual leave, the employee is still unable to return to work - they revert to nil pay.

The period of annual leave is recorded as sickness absence on Horizon (i.e., it is considered a period of continuous sickness absence).

## **9.9. Unauthorised Absence**

- 9.9.1. Absence that has not been notified according to the sickness absence reporting procedure will be treated as unauthorised absence and dealt with under the university's Disciplinary Policy and Procedure.



9.9.2. If an employee does not report for work and has not contacted their manager to explain the reason for their absence, the manager will make every reasonable effort to contact their employee, exhausting all means of communication. This should not be treated as a substitute for reporting sickness absence.

## **9.10. Keeping in Contact During Sickness Absence**

9.10.1. Employees should expect to be contacted from time to time by their manager during their sickness absence. 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. Such contact is intended to provide reassurance and will be kept to a minimum in view of the needs of the university.

9.10.2. Managers should discuss with their team member an appropriate arrangement for keeping in touch and agree the following:

- a) How often the contact should be.
- b) How contact is made and by who.
- c) The correct contact details.

9.10.3. Employees should feel free to contact their manager during their absence at any time if they have any concerns about the reason for their absence or their ability to return to work.

9.10.4. Discussions during longer term absence may also include, provision of Fit Notes, making an Occupational Health referral, a phased return to work, temporary adjustments, or any other support. Phased returns should normally be discussed before the return date. (See Returning to Work from Longer Term Sickness Absence)

## **10. Returning to Work from Sickness Absence**

10.1 It is expected that managers keep in regular contact with their staff and should be aware of their absences. Managers should always hold a return-to-work discussion with their employee who is returning from long term sickness absence of four weeks or more. However, whilst it is not mandatory to hold a return-to-work discussion for shorter term absences, the manager should use their discretion and hold a return-to-work discussion when it is appropriate to do so.

10.2 Where managers are concerned about their employee's level of absence, they can also refer to Sickness Absence triggers which provides a framework for appropriate discussions regarding an employee's sickness absence. Line managers can locate the Return-to-Work form on the university staff portal.

## **11. Occupational Sick Pay (OSP) and Statutory Sick Pay (SSP)**

11.1 If employees are absent from work for reasons relating to sickness or injury they will, subject to any terms relating to the payment of sick pay set out in individual contracts of employment, normally receive OSP calculated in accordance with the tables below.

--

Professional Services Occupational Sick Pay		
Year of Service	Period of Occupational Sick Pay expressed in months	
	Full Pay	Half Pay
1 <sup>st</sup> Year	1 month	2 months*
2 <sup>nd</sup> Year	2 months	2 months
3 <sup>rd</sup> Year	4 months	4 months
4 <sup>th</sup> and 5 <sup>th</sup> Years	5 months	5 months
5 + Years	6 months	6 months

Research and Scientists Occupational Sick Pay		
Year of Service	Period of Occupational Sick Pay expressed in months	
	Full Pay	Half Pay
1 <sup>st</sup> Year	1 month	2 months*
2 <sup>nd</sup> Year	3 months	3 months
3 <sup>rd</sup> Year	4 months	4 months
5 + Years	6 months	6 months

\* After completing 4 months' service

11.2 **Lecturing Staff:** Details of the Occupational Sick Pay scheme for lecturing staff can be found in the [Agreed National Text - Sick Leave and Sick Pay](#)

11.3 **Professorial Staff:** Occupational Sick Pay scheme for professorial staff is in line with the nationally agreed terms for Lecturing Staff.

## 12. Occupational Health Referrals

12.1 Whilst operating this policy, managers may refer an employee to occupational health. In cases such as long-term absence of four calendar weeks or more, or repeated short absences, occupational health will provide specific advice regarding the management of ill health conditions in relation to work. If an employee has a long-term health condition, but they are neither absent nor approaching an absence trigger, there may be times when a referral to occupational health would still be beneficial to support their health and wellbeing in work. Line managers should refer to the Occupational Health Referrals guidance on the university staff portal.

12.2 Occupational health will advise on fitness to work and the impact of any disability or health problem on an employee's ability to perform their role, including any reasonable adjustments that should be considered. Early referral to Occupational Health should be considered for mental health related conditions such as anxiety and stress (regardless of the cause) as this may reduce the risk of long-term absence by early intervention.

12.3 Managers should ensure that they:

- a) Seek guidance on making an occupational health referral from the Occupational Health Referrals guidance on the staff portal and seek further advice from their People Directorate representative where needed.
- b) Discuss the reasons and benefits of seeking a medical assessment with their employee.
- c) Ensure the employee is made aware that if they wish to obtain a copy of the referral, this must be requested by the employee directly from the Occupational Health provider.

12.4 Following an occupational health assessment, the employee will have an opportunity to view the report before it is issued to the referring manager. If an employee does not consent to a referral or repeatedly declines/fails to attend an agreed appointment or withholds consent to release a report, it may be necessary for the manager to make a decision based on the information they have available.

12.5 Employees can visit the Occupational Health Referrals guidance on the staff portal for staff information about the service how to register for an account to enable them to access their appointments and any activity relating to their case online.

12.6 If an employee is close to triggering the formal Sickness Absence Meetings Procedure because of unsatisfactory levels of absence, managers should proactively discuss this with them and may take the opportunity during a one-to-one meeting or a return-to-work discussion if it is timely, to inform their staff member and seek to offer support.

### 13. Returning to Work from Long Term Sickness Absence

13.1 Sickness absence of four calendar weeks or more is likely to be considered long term sickness absence. If an employee is aware in advance of the likely period of their absence, for example because of pre-planned surgery, they should notify their line manager as soon as is reasonably practicable.

13.2 The university is committed to helping employees return to work from long-term sickness absence. An employee's return to work may be supported in one of the following ways, where appropriate and possible:

- a) **Obtaining Medical Advice** - See *Occupational Health*
- b) **Phased Return** - Agreeing a phased return to work.
  - An initial, temporary adjustment to hours of work, duties, or environment, immediately following a period of (usually long term) sickness absence, to help the employee back to their normal work role or an amended work role (if it is an agreed reasonable adjustment).
  - A phased return should typically be for a period of no more than four weeks, and during this period the employee would be paid their normal contractual pay.
  - Appropriate support should be provided to facilitate the employee's return to normal hours and duties following this period.
  - Where medical advice recommends a longer phased return than four weeks, the line manager will discuss this with the employee. Line managers should seek advice from their People Directorate representative.
- c) **Making Reasonable Adjustments** or considering redeployment (See *reasonable adjustments and Redeployment*).

### 14. Reasonable Adjustments

- 14.1 A reasonable adjustment is a change to make sure a disabled employee with a physical or mental impairment, is not placed at a substantial disadvantage when doing their job, compared to a non-disabled employee.
- 14.2 Although there is no exhaustive list of reasonable adjustments, examples could include agreed flexible working hours, a phased return, minor adjustments to duties, a reduction in working hours, and/or the provision of new equipment, adaptations, and services. Managers are advised to refer to the *Reasonable Adjustments Policy and Procedure* and the occupational health referral guidance in this policy in the first instance and must ensure all reasonable adjustments have been implemented and effectiveness assessed before proceeding with the formal sickness absence meetings procedure.
- 14.3 Where flexible working may assist, the employee may make a flexible working request, subject to the requirements set out in the university's *Flexible Working policy and procedure*.

## 15. Redeployment

- 15.1 If the implementation of reasonable adjustments will not enable an employee to return to their previous post, an occupational health assessment may indicate the employee would benefit from moving to a less demanding role within the university. A discussion should take place as part of the Formal Sickness Absence Meetings Procedure. However, the option of redeployment is not a statutory right and suitability will be considered on a case-by-case basis between manager and employee taking into consideration recommendations made by Occupational Health. Equally an employee cannot be forced to move to another position.
- 15.2 Where redeployment is a genuinely viable option, the manager should support the employee to look for suitable vacancies at the university which match their skills, knowledge, experience, and competencies. The employee will be advised of how long they will be placed on the redeployment list; however, this process will be time limited during which the employee is supported appropriately to look for vacancies at the university which match their skills, knowledge, experience and competencies.

## 16. Suspension from Work for Medical Reasons

- 16.1 The university has a duty to ensure the health and safety of its employees. There may be occasions when it is recommended by Occupational Health that an employee is unfit to work with a particular hazard. If the hazard cannot immediately be removed, consideration will be given to a temporary adjustment to working conditions or suitable alternative work. If it is not feasible to make adjustments, it may be necessary to suspend an employee until it is safe to return to work.
- 16.2 All reasonable steps will be taken to remove, reduce or control risks to employees who are pregnant, who have given birth within the last six months or who are breastfeeding.
- 16.3 In all instances of suspension on medical grounds, employees will receive full pay and details of the suspension will be confirmed to the employee in writing. Any decision to suspend an employee must be approved by the Vice Chancellor or Nominee.

## 17. Ill-Health Retirement

17.1 If an employee becomes unable to carry out the duties of their post, because of permanent ill health or incapacity, and they are a member of a pension scheme provided by the University of Greenwich, they may be able to retire due to ill health. In all cases this would be subject to meeting the eligibility criteria of the pension scheme. The employee and their manager should seek advice on making an application from their local People Directorate representative.

## **18. Managing Sickness Absence Triggers**

18.1 Managers should ensure they are aware of their staff members absence levels and where this is a concern, or, where they are approaching a sickness absence trigger, proactively discuss this with their staff member. Managers can request sickness absence reports from their local People Directorate representative.

18.2 The *Sickness Absence Meetings procedure* will normally be applied when it is considered necessary to manage unsatisfactory absence levels, for example when the following trigger points have been reached:

- a) seven episodes of sickness absence in any rolling 12-month period **or**
- b) four episodes of sickness absence of 3 working days or more in any rolling 12-month period **or**
- c) four weeks' or more total sickness absence in any rolling 12 month period **or**
- d) where sickness absence repeatedly falls in a pattern, such as immediately before or after a weekend or holiday **or**
- e) when absences are of short duration but frequent.

## **19. Guidance for Managers on Sickness Absence Triggers**

19.1 Managers should note that an absence trigger is an indication for intervention, providing a start point to begin a conversation with their employee that is enquiring but supportive with the emphasis on finding out what the employee needs. This conversation may or may not lead to a formal meeting process.

19.2 Before a trigger has been reached, the line manager should provide an informal indication to the employee that they are approaching a trigger point. For example, where an employee is in work, but repeated patterns or frequent and short absences are a concern, the line manager should meet with the employee confidentially and one-to-one to discuss this. If the employee is already off sick and not in work and they are approaching a trigger of four weeks or more (long term sickness absence), the line manager should already be maintaining a level of contact with their employee during their sickness absence, as agreed between line manager and employee (see *Keeping in Contact During Sickness Absence*). Dependent upon the nature of the employee's absence the line manager may have already discussed support for the employee e.g., reasonable adjustments that assist with a physical disability or injury. Regardless of the arrangements and conversations that have taken place during the absence period, the line manager should ensure that they speak to their employee and make sure they are aware they are reaching a trigger point.

## **Mental Health**

19.3 Line Managers should approach all conversations regarding absence with open mindedness, sensitivity, compassion and without assumption or bias. Where the reason

for absence is related to mental health, whether diagnosed or undiagnosed, line managers should direct the employee to the following support options available at the university, which can be found in 'Wellbeing Support for Staff' on the university staff portal:

- a) Employee Assistance Programme
- b) Access to Work Mental Health Support Service for Staff

### **Perimenopause and Menopause**

19.4 Every woman will experience the perimenopause and the menopause at some point in their lives and its associated physical and psychological symptoms can have a significant impact on an employee's ability to do their job, affecting every individual differently and in some cases, it may cause sickness absence.

19.5 The menopause is defined as the point in life when a woman's periods have stopped, and they have not had a period for 12 months, typically around the age of 51 but this can be sooner. The perimenopause is a transitional life stage leading up to the menopause, when symptoms can start to appear around the early to mid 40's. The university is committed to supporting all staff affected by the associated symptoms of the menopause, including trans and non-binary individuals who do not identify as a woman but who will still experience the menopause.

19.6 All staff should refer to the university menopause webpage and the Menopause Information and Guidance which provides information, support, and resources as well as guidance for managers on how to support someone experiencing menopausal symptoms and adjustments that can be made to an employee's working conditions to support them.

### **Disability**

19.7 If, as part of this process, matters come to light which indicate that an employee has or may have a disability, or where the employee directly discloses that they have a disability, the manager should refer to Disability Related Sickness Absence and Occupational Health Referral Guidance in this policy, before discussing sickness absence triggers with the employee and before proceeding with the Formal Sickness Absence Meetings Procedure. Line Managers should seek advice from their local People Directorate representative.

### **Pregnancy**

19.8 Pregnancy related sickness absence must be recorded as such and should not be considered when assessing absence triggers.

### **Terminal Illness**

19.9 Where an employee has informed the university that they are suffering from terminal illness and they are absent from work, the line manager should ensure they maintain regular contact with them and seek advice from their People Directorate representative.

19.10 The employee may wish to seek counselling support from the Employee Assistance Programme and the Access to Work Mental Health Support Service may also be



appropriate where the employee's illness is impacting on their mental health. Line Managers should direct the employee to both support options, which can be found on the university staff portal.

- 19.11 If an employee wishes to continue working with a terminal illness they will be supported by the university, however there may come a time when their illness will prevent them from continuing to work and if this should happen, the line manager should discuss the options with the employee, with support from their People Directorate representative. Where it is possible, the university will endeavour to accommodate the employee's wishes and will seek to provide the most financially advantageous option for the employee. This may include discussion about ill health retirement where it is applicable (see also Ill Health Retirement in this policy).

## **20. Formal Sickness Absence Meetings Procedure**

- 20.1. A three-stage Formal Sickness Absence Meetings Procedure is outlined below. It should be noted that each case will be treated individually and therefore some flexibility within the procedure may be required. For example, where an employee has reached a sickness absence trigger as a result of a single period of long-term absence following scheduled surgery, the manager would be expected to have maintained regular one to one contact with their member of staff and a return to work should be supported appropriately with GP or Occupational Health report and without the need for formal procedures.
- 20.2. Unless it is impractical to do so, employees will be given no less than 7 calendar days written notice of the date, time and place of a sickness absence meeting and the concerns and the basis for those concerns will be provided.
- 20.3. The stage 1 and stage 2 meetings will be conducted by the employee's line manager and a People Directorate representative. A note taker may also attend. The stage 3 Final Sickness Absence meeting will be conducted by the relevant decision maker (see appendix A) and a People Directorate representative. A note taker may also attend. The employee may bring a companion to the meeting (See 20.10 *Right to be Accompanied at Meetings*).
- 20.4. The employee must take all reasonable steps to attend a meeting. Failure to attend without notification or good reason, may be treated as misconduct.
- 20.5. A meeting may be adjourned whilst waiting for receipt of new information. The employee will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.
- 20.6. Confirmation of any decision made at a meeting, the reasons for it, and in the case of dismissal following a final sickness absence meeting, the right of appeal, will be provided in writing within 7 calendar days of a sickness absence meeting (unless this time scale is not practicable, in which case it will be provided as soon as is practicable).
- 20.7. If, at any time, it is considered that the employee has taken or is taking sickness absence when they are not unwell, the matter may be dealt with under the university's Disciplinary Policy and Procedure.



20.8. At every stage, the university will aim to provide as much support to the employee as is necessary for them to achieve and maintain a satisfactory level of attendance at work.

### **20.9. Covert Recording of Meetings**

20.9.1. The employee and anyone accompanying the employee, are prohibited from making covert electronic recordings of any meetings conducted under this policy and procedure. The covert recording of meetings will be regarded as misconduct and dealt with according to the Disciplinary Policy and Procedure.

20.9.2. Except where the recording of a meeting is requested as a reasonable adjustment by the employee, the university will not record any meetings conducted under this procedure.

### **20.10. Right to be Accompanied at Meetings**

20.10.1. An employee may be accompanied at any meeting or appeal meeting under the Sickness Absence Meetings Procedure by a workplace colleague, a trade union representative or an official employed by the trade union. The employee must inform their manager and the People Directorate representative conducting the meeting who their chosen companion is, in good time before it takes place.

20.10.2. If the companion is not available at the time proposed for the meeting, the meeting will be postponed and rearranged at a date and time proposed by the employee that is both reasonable and no more than 7 calendar days after the date originally proposed.

20.10.3. Acting as a companion is voluntary and colleagues are under no obligation to do so. Workers are allowed reasonable time off from duties without loss of pay to act as a companion.

20.10.4. A companion should not answer questions on behalf of the employee but may make representations and ask questions and sum up. The employee and companion may talk privately at any time during the meeting.

20.10.5. Typically, an employee would not be accompanied by a relative or partner, however at the university's discretion, the employee may be allowed to bring a companion who is not an employee or union representative (for example, a family member) where this will help overcome a disability, or where the employee has difficulty understanding English.

### **20.11. Guidance for Setting Targets**

20.11.1. Managers should set minimum targets for improved attendance with guidance from their People Directorate representative, considering the individual circumstances of the case, occupational health advice, the impact of any underlying disability, and any reasonable workplace adjustments that need to be put in place to enable the employee to improve their attendance.

20.11.2. When a target is set, the employee's level of sickness absence will be monitored over an appropriate, specified period, for example, 'no more than 2 episodes within the next 6 months'.

20.11.3. The outcome of any Sickness Absence Review meeting must be confirmed to the individual in writing, by the manager who held the meeting, within 7 calendar days where it is reasonably practicable to do so.

## **20.12. Guidance for Review Meetings**

20.12.1. If an attendance target set has been met at the end of the monitoring period, a review meeting should be held as planned and the employee informed that their attendance has improved, but that it is expected their improved attendance will continue. They should also be informed that if another sickness absence meeting is triggered, further action will be taken and if the trigger occurs within the next 6 months, action could be taken at the next stage of the procedure.

20.12.2. If the absence target set is exceeded during the review period, the procedure can move to the next stage and the review meeting can be arranged before the end of the monitoring period.

## **21. Stage 1: First Sickness Absence Meeting**

21.1. This will follow the procedure set out in the Formal Sickness Absence Meetings Procedure on the arrangements for and right to be accompanied at sickness absence meetings.

21.2. The purpose of the meeting will be:

- a) To review the employee's attendance record in the relevant period and discuss expectations of levels of attendance.
- b) To give the employee opportunity to discuss any problems or raise concerns.
- c) Where the employee is on long-term sickness absence, to determine how long the absence is likely to last.
- d) Where the employee has been absent on a several occasions, to determine the likelihood of further absences.
- e) Consider what, if any, measures might improve the employee's health and/or attendance.
- f) To set a target for improved attendance over a specified monitoring period with a review date at the end of the period.
- g) Issuing a notification to the employee, explaining the further stages of the policy and potential consequences if attendance does not reach a satisfactory level with support.
- h) Informing the employee that if the target set is exceeded, a stage 2 sickness absence review meeting will be held, and this may be arranged before the end of the monitoring period.

## **22. Stage 2: Further Sickness Absence Meeting(s)**

22.1. Depending on the matters discussed at the first stage of the sickness absence procedure, a further meeting (or meetings) may be necessary. Arrangements for meetings under the second stage of the sickness absence procedure will follow the procedure set out in the Sickness Absence Meetings Procedure on the arrangements for and right to be accompanied at sickness absence meetings.

22.2. The purposes of further meeting(s) may include:

- a) Discussing the reasons for and impact of the ongoing absence(s).
- b) Reviewing steps which have already been taken to support the employee in achieving required level of attendance.
- c) Where the employee is on long-term sickness absence, to determine how long the absence is likely to last.
- d) Where the employee has been absent on several occasions, to determine the likelihood of further absences.
- e) If it has not been obtained already, considering whether medical advice is required. If it has been obtained, considering the advice that has been given and whether further advice is required.
- f) Considering the ability of the employee to return to/remain in their job in view of their capabilities and the university's business needs and any adjustments that can reasonably be made to enable them to do so.
- g) Exploring possible redeployment opportunities if this is considered appropriate.
- h) Where the employee is able to return from long-term sick leave, whether to their job or a redeployed job, agreeing a return-to-work programme. Where a return-to-work arrangement is agreed whereby hours worked are less than normal contractual hours, either in the short or long term, the employee may be paid a pro-rata sum (relative to their normal working hours) in respect of the hours/time worked. Pay arrangements will be discussed.
- i) Setting a target for improved attendance over a specified monitoring period with a review date at the end of the period.
- j) Issuing a notification to the employee, explaining that they are at risk of dismissal if their attendance levels do not improve.
- k) Informing the employee that if the target set is exceeded, a stage 3 sickness absence review meeting will be held, and this may be arranged before the end of the monitoring period.

## **23. Stage 3: Final Sickness Absence Meeting**

23.1. Where the employee has had notification that they may be at risk of dismissal, they may be invited to a meeting under the third stage of the Formal Sickness Absence Procedure.

23.2. It may be necessary for the university to terminate the employment of an employee because of sickness before the expiry of their sick pay if the university believes there is no reasonable prospect that the employee will return to work before the sick pay expires, when that belief is based on the medical advice available. In the circumstances where the employee is suffering from a terminal illness, the university will endeavour to accommodate the employee's wishes and will seek to provide the most financially advantageous option for the employee. This may include discussion about ill health retirement where it is applicable (see also [Guidance for Managers on Sickness Absence Triggers](#) and [Ill Health Retirement](#) in this policy).

23.3. Arrangements for this meeting will follow the procedure set out in the Formal Sickness Absence Meetings Procedure on the arrangements for and right to be accompanied at sickness absence meetings.

#### 23.4. The purposes of the meeting will be:

- a) To review the meetings that have taken place and the matters already discussed with the employee.
- b) To review steps which have already been taken to support the employee in achieving the required level of attendance.
- c) Where the employee remains on long-term sickness absence to consider whether there have been any changes since the last meeting under stage two of the procedure; either as regards to their possible return to work or opportunities for redeployment.
- d) To give the employee the opportunity to highlight any mitigating circumstances that they wish to be considered.
- e) To consider whether there is a reasonable likelihood of a return to work or achieving the desired level of attendance in a reasonable time.
- f) To inform the employee that either
  - the monitoring period will be extended to allow further time for sustained improvement, or
  - they will be dismissed on the grounds of capability.
- g) If the monitoring period is extended to set a target for improvement, a review period and review date.
- h) If the employee is dismissed, to provide details of the Appeals Procedure.

## 24. Appeals

- 24.1. The employee has the right to appeal against a dismissal and the employee may bring a companion to an appeal meeting (set out in the *Sickness Absence Meetings Procedure*).
- 24.2. An appeal should be made in writing within 7 calendar days of the employees' receipt of the outcome letter, stating the grounds for appeal (why the employee thinks the outcome was wrong or unfair). The employee must be specific about the grounds for appeal as these will form the agenda for the hearing.
- 24.3. The appeal should be addressed to the person who has issued the outcome letter and copied to the relevant People Directorate representative. Formal action taken will remain in force unless and until it is modified as a result of the appeal. The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity of service or pay.
- 24.4. The appeal will be heard without unreasonable delay, and the employee notified in writing of the time, date and place of the appeal hearing. An appeal against a dismissal will be heard by the relevant decision maker (See appendix A). A People Directorate representative will be present at the appeal meeting and a note taker may also attend.
- 24.5. Following an appeal, the original decision may be confirmed, revoked, or replaced with a different decision. The final decision will be confirmed in writing without undue delay, within 7 calendar days of the appeal meeting. The appeal decision will be conclusive and there will be no further right of appeal.

## **25. Other Policies**

### **25.1. Probation Policy and Procedure**

Concerns regarding an employee's sickness absence during the probation period should be addressed under the university's Probation Policy and Procedure, found on the university's staff portal.

### **25.2. Overlapping Grievances**

If an employee raises a Grievance during the course of this procedure, which is not linked to the Formal Sickness Absence Meetings Procedure, it will typically be heard separately and without delaying the Formal Sickness Absence Meetings Procedure.

If an employee raises a Grievance during the course of this procedure, which is linked to the Formal Sickness Absence Meetings Procedure, it will typically be heard as a relevant issue in the course of the Formal Sickness Absence Meetings Procedure.

### **25.3. Disciplinary Policy and Procedure**

The university's Disciplinary Policy and Procedure can be found on the university staff portal.

### **25.4. Reasonable Adjustments Guidance**

Guidance on Reasonable Adjustments can be found on the university's staff portal.

### **25.5. Menopause Information and Guidance**

Information and Guidance on the Menopause for staff and line managers can be found on the university's staff portal.

### **25.6. Flexible Working**

The Flexible Working Policy and Procedure can be found on the university's staff portal.

### **25.7. Infection Control Guidance**

Guidance on Infection Control can be found on the university's staff portal.

*This policy will be reviewed regularly.*

## 26. Appendix A

### Decision Making Authority Sickness Absence

The tables below set out who is responsible for conducting meetings and appeals at the formal stages of this policy and procedure, dependent upon where the employee works within the university.

#### Professional Services Directorates, Vice-Chancellors Office, Secretariat and Greenwich Research and Enterprise (GRE)

<b>Stage 1 - First Sickness Absence Meeting –</b> Conducted by and Notification Issued by	Employee's Line Manager
<b>Stage 2 – Further Sickness Absence Meeting -</b> Conducted by and Notification Issued by	Employee's Line Manager
<b>Stage 3 Final Sickness Absence Meeting –</b> Heard by and Dismissal Issued by	Director or Nominee
<b>Appeal Heard by</b>	Vice-Chancellor or Nominee

#### Faculties

<b>Stage 1 - First Sickness Absence Meeting –</b> Conducted by and Notification Issued by	Employee's Line Manager
<b>Stage 2 – Further Sickness Absence Meeting -</b> Conducted by and Notification Issued by	Employee's Line Manager
<b>Stage 3 Final Sickness Absence Meeting –</b> Heard by and Dismissal Issued by	PVC or Nominee
<b>Appeal Heard by</b>	Vice-Chancellor or Nominee

#### Member of Vice Chancellor Group (VCG)

<b>Stage 1 - First Sickness Absence Meeting –</b> Conducted by and Notification Issued by	Employee's Line Manager
<b>Stage 2 – Further Sickness Absence Meeting -</b> Conducted by and Notification Issued by	Employee's Line Manager
<b>Stage 3 Final Sickness Absence Meeting –</b> Heard by and Dismissal Issued by	Vice Chancellor or Nominee
<b>Appeal Heard by</b>	Governor

*N.B. for some employees on senior management contracts, certain employment procedures have been incorporated into the contract of employment.*

<b>Version No.</b>	<b>Purpose/Change</b>	<b>Author</b>	<b>Approved By</b>	<b>Date</b>
1.0	First Draft	Vanessa Roots Senior Workforce Policy Officer	JNC	08/03/2023