



Regionally Focused – Globally Engaged

Sickness Absence Management Policy and Procedures

October 2021

History of Changes

| Version | Description of Change | Authored by | Date |
|---------|--|-------------|--------------|
| 1.1 | Inclusion of support available when returning with adjustment required | Debbie Kerr | March 2015 |
| 1.2 | No changes | Debbie Kerr | March 2017 |
| 1.3 | Job title changes only | Debbie Kerr | October 2021 |
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1. Introduction

Borders College wishes to secure the attendance of all employees throughout the working week while recognising that a certain level of absence may be necessary due to sickness or domestic crisis.

2. Scope

This policy is applicable to all staff.

3. Key Principles

The aim of this policy is to support the Absence Management Procedure and to establish and maintain ways of monitoring and controlling absence which will ensure the fair and consistent treatment of the whole workforce.

The College recognises that there are occasions where absence due to ill health is unavoidable and for that reason there is a generous occupational sick pay scheme in operation. Details of this benefit is available within the terms and conditions of employment and is referred to within the contract of employment.

The College complies with the requirements and guidance with regard to “fit notes”.

4. Responsibilities

- 4.1 The SLT is responsible for overseeing compliance with the principles of this policy.
- 4.2 The Head of HR is responsible for the implementation of this policy.
- 4.3 Line Managers are responsible for ensuring compliance with this policy.
- 4.3 All staff are responsible for ensuring compliance with this policy.

5. Related Documents

- 5.1 Absence Management Procedure
- 5.2 Staff Handbook
- 5.3 Return to work checklist
- 5.4 Terms and Conditions of employment
- 5.5 Contract of Employment

6. Review

This policy will be reviewed every two years or more often if necessary.

7 Procedure

7.1 Notification

Members of staff who are absent due to sickness or accident must telephone their line manager or the HR Department by 9am on the first day of absence. If this is not possible because of an emergency, an explanation should be given at the first available opportunity.

Where absence is for a period of seven days or less a self-certification form must be completed on return to work. If the absence extends beyond seven days, a medical certificate must be submitted to the HR Department.

Subsequent medical certificates must be provided by the member of staff timeously to the HR Department, normally within two days of the expiry of the previous certificate.

7.2 Issue of Medical certificate

- (i) In the event that a medical certificate stating unfit for work is received, line managers should follow monitoring procedures outlined in this policy
- (ii) In the event that a member of staff receives a medical statement stating they "may be fit for work", they must contact the line manager or HR & Development Advisor to arrange a meeting prior to returning to work. In this circumstance the advice given as per the medical certificate will be discussed in an attempt to enable the employee to return to work.
- (iii) The outcome of this discussion may be
 - A The employee can come back to work
 - B The employee is still unable to return to work

7.3 Return to Work

For every absence the line manager will arrange to see his/her member of staff on the first day of their return to work or in exceptional circumstances as soon as possible thereafter. This meeting will be conducted sympathetically, take the format of an informal interview and will provide an opportunity for the line manager to

- (i) receive and complete the self-certification/return to work form or if applicable, confirm arrangements agreed if a “may be fit for work” medical statement had been previously received and discussed
- (ii) confirm the reason for absence, its duration and the member of staff’s fitness to resume work (the College reserves the right to send the member of staff to Occupational Health for confirmation of fitness)
- (iii) be given, where applicable, the reasons for any failure by the member of staff to comply with absence notification and/or certification procedures. Repeated non-compliance is not acceptable and could result in loss of sick pay

NB The line manager and staff member must both sign the return to work form after the return to work discussion

7.4 Monitoring

Where the record of absence of any individual member of staff is giving cause for concern, the following procedures will be followed.

A Short-term sickness absence

- (i) Where a pattern of persistent frequent absence is identified, the member of staff will be interviewed by his/her line manager to discuss the situation and ensure the member of staff is aware that his/her absence record is giving cause for concern. A pattern of absence can be defined as reoccurring absences of the same type (three or more periods with the same reason) or more than five periods of absence for different reasons within the previous twelve months or frequently absent on a particular day of the week (at least three times) or time of the year.

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- (ii) The member of staff will be given 5 working days' notice of the meeting, be made aware of the reasons for the meeting, be supplied with a copy of his/her sickness record in advance and be advised that he/she may be accompanied by a work colleague or trade union representative if he or she wishes.
- (ii) In order to establish whether there is an underlying health problem which is contributing to the high level of sickness absence, management reserves the right to refer the member of staff to Occupational Health.

Where it is established that an underlying health problem does exist, the member of staff will be encouraged to seek proper medical attention and the College will, where possible, act on any advice given by Occupational Health which could help resolve problems relating to the reasons for absence.

Where the report from Occupational Health establishes no underlying health problem and absences are, in their opinion, unrelated, a further meeting will be convened to establish any reason for the level and pattern of absences and to identify any possible actions on the part of the College which may assist the member of staff to improve his/her attendance.

- (iii) It will be emphasised to the member of staff at all times that while the reasons for sickness absence are not in dispute, high levels of persistent short-term absences are detrimental to the College and therefore unacceptable and could put continued employment at risk.
- (iv) The member of staff will be given a period of three months over which to achieve a significant and sustained improvement in his/her attendance level and a date set for a monitoring meeting at the end of the period. The significant improvement should be realistic and achievable. These arrangements will be confirmed in writing to the member of staff who will also be advised of the right of appeal.

- (v) At the end of the three months monitoring period a meeting will be arranged between the line manager and the member of staff together with his/her representative or colleague to review his/her health and attendance as follows: -

(a) Acceptable Level of Attendance Achieved

If an acceptable level has been achieved, the individual will be encouraged to maintain this and advised that his/her attendance will continue to be monitored on a monthly basis for a period of six months. If during this period his/her attendance level becomes unacceptable, he/she will return to the appropriate stage of the short-term absence procedure.

(b) Significant Improvement in Attendance

Where there has been a significant improvement but the attendance level is still not acceptable, the continuing instances of absence will be discussed and where appropriate the member of staff referred to Occupational Health for a review of progress. Attendance will be monitored for a further three months and a date set for another review meeting at the end of that period. The individual will be advised of the right of appeal against this decision. If an acceptable level of attendance has been achieved, the procedure in paragraph (a) above will apply.

(c) No Significant or Sustained Improvement

Where at the end of this or any period there has been no significant or sustained improvement, the continuing instances of absence will be discussed and the member of staff referred to Occupational Health for a review of progress. On receipt of the report from Occupational Health, the line manager will arrange a meeting with the member of staff together with his/her representative having first discussed the situation with the HR Department. Unless there are exceptional circumstances, the member of staff will be formally advised that his/her level of attendance is unacceptable, that it will continue to be monitored over the next three months following which a meeting will be held to review the situation. The requirements for improvement will be clearly set out and the member of staff offered any support identified which may assist him/her to achieve the required level of attendance. The individual will be advised that if at the end of this time there is no significant or sustained improvement action will be taken under the College's Disciplinary Procedure which could include termination of employment.

B Long term sickness absence

For the purpose of the following arrangements, long term sickness absence will normally be regarded as a continuous absence from work for ill health reasons of at least one calendar month.

- (i) The HR Department will contact the member of staff to arrange a meeting to discuss the reasons for the absence and its likely duration.

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- (ii) The member of staff will be requested to allow the College to contact his/her doctor in order to establish the likely length of absence and the long-term effect on capability in relation to job performance and attendance at work. In addition, he/she may be asked to see Occupational Health to enable a medical report to be prepared for the College. Where the member of staff refuses to cooperate in providing medical evidence or to undergo an independent medical examination, he/she will be advised in writing that a decision will be taken on the basis of information available and that it could result in dismissal. Where dismissal action is being considered, the member of staff will be invited to a meeting to discuss the situation together with his/her representative. Where the decision is taken to terminate, the employee will be given the period of notice to which he/she is entitled by contract and informed of the right of appeal.

The following procedures will apply depending on the medical adviser's report: -

(a) Member of Staff fit to return to work

Where the medical adviser's report states that the member of staff is fit to return to work immediately or within a very short-time, the member of staff will be advised of this. Normal monitoring of the member of staff's absence record will resume after he/she returns to work. Where appropriate a phased return to work will be considered.

(b) Member of Staff liable to be absent for a lengthy period but cannot be regarded as permanently unfit

The College will assess the likely impact of the member of staff being absent for a lengthy period, taking into account the operational problems being caused by the continued absence of the member of staff, the needs of the department, the availability of temporary staff to cover for the absent member of staff and the availability where appropriate of alternative employment for the member of staff.

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The member of staff will be informed that long-term absence due to ill health may put his continued employment at risk, bearing in mind the needs of the College at that time. Where possible a meeting will be arranged to discuss options available including phased return to work and/or where possible alternative employment. A date will be set at which point dismissal will be considered if the member of staff is still unable to return to work. Where dismissal action is being considered, the member of staff will be invited to a meeting to discuss the situation together with his/her representative. Where the decision is taken to terminate, the employee will be given the period of notice to which he/she is entitled by contract and informed of the right of appeal.

(iii) Member of Staff Declared Permanently Unfit

In the majority of cases where an employee is found to be permanently unfit to carry out the duties of their post, they will be aware before the medical examination that this is the likely outcome. The College will consider its position in light of the prognosis and other available information. Depending on such information the College will decide whether or not to terminate the member of staff's employment, with due regard to any entitlement under the relevant superannuation scheme. Where dismissal action is being considered, the member of staff will be invited to a meeting to discuss the situation together with his/her representative. Where the decision is taken to terminate, the employee will be given the period of notice to which he/she is entitled by contract and informed of the right of appeal.

(iv) Member of Staff Declared Fit to Return with Reasonable Adjustment

In the case of a staff member being declared fit to return to work with adjustments the staff member, line manager and Head of HR will meet to discuss requirements. The College will endeavour to meet any reasonable adjustment to support staff members returning to work.

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