

# Sickness Absence User Guide

## Introduction

This user guide is designed to give guidance to employees and to support managers when managing sickness absence. It provides practical guidance and support when applying the policy and helps understand the process.

All templates and supporting documents are available at Orb>HR Information>Absence and Leave>Sickness Absence/Sickness Absence

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# 1. Health and Wellbeing

## Medical appointments

If you need to attend hospital, your GP, and/or dental appointments, including emergency medical and dental treatment, we provide reasonable time off for this. Further information regarding available leave for medical appointments can be found in the Special Leave Policy. We also accept that some appointment times might be outside your control. However, wherever possible, you should try to arrange appointments for either before you start or after you finish work. If you can't do that, then you should try to arrange your appointment so that you cause as little disruption to your work and colleagues as possible. You need to notify your manager and provide evidence, if requested, of your appointment as soon as possible so that they can make any necessary arrangement to cover your work.

## Early intervention model

If you're absent with, or diagnosed with, stress or a musculoskeletal disorder (MSD) your manager will refer you to occupational health at the earliest opportunity. This is so that we can get early advice and try to support you in the workplace or when you return to work, make any reasonable adjustments, or enable you to access counselling or physiotherapy if required. You don't need to wait until you're off sick. If you notice that you're in pain or are worried about your health, speak with your manager about the services available and an early referral can be made.

## Disabilities

We are an equal opportunities employer and committed to supporting employees with disabilities. This may involve making reasonable adjustments to the role that is being undertaken. We recognise that a disability is not necessarily a physical limitation that can be addressed with additional equipment. It can also be a relapsing-remitting condition such as, but not limited to, Multiple Sclerosis, or a mental health condition, and we are committed to fully exploring all options available to ensure that employees feel supported in relation to how their attendance is being managed.

## Working in partnership with occupational health

In certain circumstances, we might ask you to attend our Occupational Health providers who are best placed to provide us with the specialist advice we may need to be able to support you. If your fit note or Occupational Health report mentions any reasonable adjustments that could potentially be made to support you at work, we will consider that advice with you. There is more information about reasonable adjustments in this guide.

If you're asked to attend Occupational Health, your manager will meet with you in advance to explain why we need to seek additional medical advice. This could be before, during, or after a period of absence.

We would strongly encourage you to attend Occupational Health if your manager feels it's necessary. You won't be referred without your consent, but if you decline your absence will continue to be managed based on the information available, which may then not include important medical advice.

## 2. You're sick on a day when you should be at work

If you can't come to work because you're sick you should phone your manager before the time you are due to start work.

### Employee guidance and responsibilities

Task	Guidance
<b>Call your manager</b>	<ul style="list-style-type: none"> <li>✓ Call as soon as you can but no later than when you're due to start work.</li> <li>✓ Let them know why you're off, how long you think you'll be off for and whether anything important your working on needs covered.</li> <li>✓ Only in exceptional circumstances when you aren't able to call yourself, agree with your manager how and when contact will be made and, if necessary, arrange for someone to make contact on your behalf.</li> <li>✓ You should only text/email to notify of sickness absence if a local arrangement is in place.</li> </ul>
<b>Up to the first seven calendar days of absence</b>	<ul style="list-style-type: none"> <li>✓ You must call your manager every day, unless agreed otherwise.</li> <li>✓ If you fail to contact your manager, they will try and contact you.</li> <li>✓ If your manager can't reach you, they'll investigate your absence.</li> <li>✓ You don't need to give your manager a fit note if you are off for seven days or less. You will meet with your manager on your return to work to discuss your absence and if there are any measures that can be put in place to support you at work.</li> </ul>
<b>After seven days</b>	<ul style="list-style-type: none"> <li>✓ Get fit note(s) from your GP and send it to your manager.</li> <li>✓ If fit note(s) are not received to cover the period your absent, this could result in your absence being recorded as unauthorised.</li> <li>✓ After seven days, contact your manager at least weekly, unless agreed otherwise.</li> </ul>
<b>Support for Stress or MSD absence</b>	<ul style="list-style-type: none"> <li>✓ Your manager will refer you to Occupational Health even if you haven't exceeded any absence thresholds. This is to get advice on how to support you at work and prevent more absence.</li> <li>✓ If you are suffering with stress, you must also remember to complete a stress risk assessment which is designed to help identify issues and enable adjustments to be made to reduce the impact of stress.</li> <li>✓ You can download guidance on completing stress risk assessments from the Stress management policy user guide.</li> </ul>

### Manager guidance and responsibilities

<b>Notification</b>	<ul style="list-style-type: none"> <li>✓ They should phone you or the named contact as per local arrangements before their start time.</li> </ul>
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	<ul style="list-style-type: none"> <li>✓ If you haven't heard, call them.</li> </ul>
<b>Find out the reasons for the absence</b>	<ul style="list-style-type: none"> <li>✓ Ask why they are off and if they need support.</li> <li>✓ Ask how long they think they will be off and whether they have work that needs covered.</li> <li>✓ Ask them how they're feeling.</li> <li>✓ Follow-up if contact is not maintained as agreed.</li> </ul>
<b>Keep in touch</b>	<ul style="list-style-type: none"> <li>✓ They should call you every day for the first seven days, unless otherwise agreed.</li> <li>✓ After seven calendar days of absence, they need to contact you at least weekly, unless otherwise agreed.</li> <li>✓ If they're going to be off for more than seven days, make sure they know that they need a fit note from their GP and should send it to you.</li> <li>✓ If they fail to make contact, try to contact them. If there is no response, start an investigation as described in the unauthorised absence section below.</li> </ul>
<b>Record absence</b>	<ul style="list-style-type: none"> <li>✓ Record their absence on myPeople.</li> <li>✓ Leave the absence open until they return to work.</li> <li>✓ Record fit note details if off for more than seven days on myPeople.</li> </ul>
<b>Offer support with stress or MSD absence</b>	<ul style="list-style-type: none"> <li>✓ Make a referral to occupational health in consultation with your team member and get immediate support and advice. Don't wait until a threshold is exceeded.</li> <li>✓ Once you get the report, give a copy to your team member and act on the advice quickly.</li> <li>✓ If the absence is stress related, ask the team member to carry out a stress risk assessment which you can then go through with them to identify possible actions.</li> <li>✓ You can download guidance on completing stress risk assessments from the Stress Management Policy user guide.</li> </ul>

## 3. Unauthorised Absence

If you don't contact your manager and, despite all reasonable attempts, they can't reach you, your absence is likely to be treated as unauthorised.

### Employee guidance and responsibilities

<b>If your manager has not heard from you by the time you were due to start work on your first day of absence</b>	<ul style="list-style-type: none"> <li>✓ They will try and contact you.</li> <li>✓ If they can't reach you by telephone, they'll review other possible means of contact.</li> <li>✓ We have a duty of care towards you and so will make all reasonable efforts to find out why you're not at work. This could include a home visit by a colleague or a Police welfare check could also be requested to make sure you are safe.</li> </ul>
<b>If your manager is</b>	<ul style="list-style-type: none"> <li>✓ Your absence is likely to be treated as unauthorised.</li> </ul>

<b>unable to contact you</b>	<ul style="list-style-type: none"> <li>✓ You won't get paid while your absence is unauthorised, and it may lead to disciplinary action being taken against you unless there are reasonable mitigating circumstances.</li> <li>✓ You will always be notified in writing before any action or deduction of pay takes place.</li> </ul>
<b>Examples</b>	<ul style="list-style-type: none"> <li>✓ We accept that there may be mitigating circumstances where either you or your emergency contact can't call in to advise of your absence. You should therefore make contact at the first opportunity and have robust reasons for the delay.</li> <li>✓ We also accept that there may be a few days before your fit note reaches your manager, but fit notes must cover the period or continuous period you are off for.</li> <li>✓ If you are off without contact or supporting fit note this may result in a deduction of wages and/or disciplinary action.</li> <li>✓ You should ensure your contact details in myHR are up to date and provide emergency contact details.</li> </ul>

## Manager guidance and responsibilities

<b>Immediate action</b>	<ul style="list-style-type: none"> <li>✓ Try to make contact throughout the day by all contact methods.</li> <li>✓ If you have emergency contact details, call them, explain that your team member hasn't attended work and request that they make contact. This should always be a last resort, so that your team members friends or relatives are not unnecessarily concerned.</li> <li>✓ As part of our duty of care, a home visit may be required to check nothing serious has happened, especially if the person lives alone.</li> <li>✓ If a home visit is necessary and you wish to take someone with you, ask a colleague to accompany you along. If you are unable to visit the home, then you can request a Police welfare check by calling 101 and informing them you are concerned about a colleague's wellbeing.</li> <li>✓ Pay should not be suspended until all attempts to make contact have been made and only when the team member has been notified in writing that pay will be stopped.</li> <li>✓ Template letters are available on the Orb for the unauthorised absence process which should always be sent by recorded delivery <u>and</u> first-class post.</li> </ul>
<b>Once contact is made</b>	<ul style="list-style-type: none"> <li>✓ Once contact is made, review the reason given for the delay in contact.</li> <li>✓ If everything is in order, continue to support your team member to get well and fit for work.</li> </ul>
<b>If the absence remains unauthorised</b>	<ul style="list-style-type: none"> <li>✓ You should only conclude that the absence is unauthorised once you have made reasonable efforts to make contact with the team member. Only at that point can you process this in iTrent as unauthorised absence.</li> <li>✓ Send unauthorised absence letter 1 to ask the team member to make contact and advise them that wages will be deducted.</li> <li>✓ If the absence remains unauthorised after sending letter 1, then unauthorised absence letter 2 should be issued.</li> <li>✓ Template letters for the unauthorised absence process are available on the Orb&gt;HR Information&gt;Absence and Leave&gt;Sickness Absence/Sickness Absence</li> <li>✓ If you make contact but there isn't an acceptable reason for the failure to notify you, or fit notes do not fully cover the absence period, then you should follow the disciplinary investigation process.</li> </ul>

## 4. If you're feeling stressed

If you're suffering with stress-related ill-health your manager will refer you to occupational health. You can also access free and confidential support from our Employee Assistance Programme.

If you're experiencing work-related stress, talk to your manager and they will help you complete a Stress Risk Assessment and action. It's important to identify the underlying cause and to try to put together steps to resolve this as quickly as possible.

Colleagues returning to work after a stress-related absence may require assistance to readjust to work routines. Managers should take a lead role in this.

Further information regarding managing stress is available in the Stress Management Policy.

### Employee guidance and responsibilities

#### Speak to someone at work

- ✓ Speak to your manager, colleague, or TU rep. You can also get advice from the Employee Assistance Programme (EAP).
- ✓ It's important to be as open as possible with your manager so they can consider what might reasonably be done to address the sources of stress and help you to remain at work.
- ✓ The NHS have stress support pages you can visit [www.nhs.uk](http://www.nhs.uk)
- ✓ Refer to the Stress Management Policy and User guide.

#### Call the EAP

- ✓ Call confidentially for immediate advice and support on 0800 882 4102. They'll offer one of the following:
  - Direct support, advice or information
  - Appointment for phone/face-to-face counselling
  - Signposting for other advice
  - Referral to another agency if required, for example occupational health, GP, or Social Services.
- ✓ Advice is also available online [www.pamassist.co.uk](http://www.pamassist.co.uk);
  - Username: CEC
  - Password: CEC1

### Manager guidance and responsibilities

#### Speak to the team member

- ✓ Let them know that you're concerned about their wellbeing and offer them support.
- ✓ Share information on the stress risk assessment and action plan.
- ✓ Guidance on completing stress risk assessments can be found in the Stress Management user guide.

**Use the stress risk assessment and action plan to consider the following measures**

- ✓ Reorganise their workload, if feasible and appropriate.
- ✓ Any temporary restrictions that can be placed on duties that may be causing difficulties.
- ✓ Make sure the pressures or demands previously identified have been properly controlled, reduced or eliminated.
- ✓ Provide training to help them cope better with the pressures or demands.
- ✓ Monitor the pressures or demands identified.
- ✓ Schedule regular meetings to discuss progress.
- ✓ Arrange a phased return to work, if required.
- ✓ Consider whether the issues raised apply more widely in your team. If so, you should carry out a team risk assessment and action plan. Guidance on the team risk assessment can be found in the stress management user guide.

**Recommend the EAP**

- ✓ Tell them about confidential advice and support they can receive, including counselling, from the EAP website or by calling 0800 882 4102.

**Review support for managers**

- ✓ The EAP can provide support to you on management issues, such as how to manage difficult conversations.

## 5. Sickness absence thresholds

Each time you are off work due to sickness, your manager will look at the number of instances and days you've been off sick in the past 12 months to check whether you've reached or exceeded any of the absence thresholds.

If your sickness absence reaches any of the threshold levels below, your manager will discuss this with you at a return to work conversation (or by other appropriate means if you are still off work) to make you aware you've reached a threshold and to explain what this means. If you exceed a threshold before your manager has an opportunity to discuss this with you (in a single absence for example), they may choose to proceed straight to a formal absence meeting.

If you exceed a threshold (i.e. more than 3 instances/8 days of short-term absence, or more than 4 weeks of continuous long-term absence in a 12-month period), in most cases your manager will arrange a formal absence meeting with you. Progression to a formal absence meeting will typically be automatic, although your manager will take into consideration the specific circumstances and may choose not to proceed to a formal meeting using managers discretion. It's vital that individual circumstances are considered so that sensible and contextual decisions can be reached.

Managers should take into consideration the reason for the absence and where appropriate can decide not to proceed into a formal stage. If you require any advice on whether you should or should not progress into a formal stage, speak to your line manager.



## Thresholds

Short-term absence thresholds	Employee should not exceed thresholds again within
3 instances of sickness absence in a 12-month period	12 months
<b>or</b>	
8 days of sickness absence in a 12-month period	12 months

Long-term absence threshold	Employee should not exceed threshold again within
4 weeks of continuous sickness absence in a 12-month period	12 months

## Patterns

If you haven't reached one of the threshold levels but there is a regular pattern to your absence, your manager will discuss this with you and may need to arrange a formal absence meeting if this is becoming problematic. Examples of pattern absences could be where you're frequently off after annual leave, after certain events, or on specific days (such as Friday / Monday).

## Disability and thresholds

If you have a disability that is affecting your attendance at work, serious consideration will be given to increasing the threshold levels as a reasonable adjustment where the absences relate to the disability.

There are examples of reasonable adjustments in section 7.

## 6. Disability related absence

### Employee guidance and responsibilities

#### Absence thresholds

- ✓ If you have a disability, we might agree to change the absence thresholds for you as a reasonable adjustment, if there's evidence that your absences are related to your disability.
- ✓ If you think we can make a reasonable adjustment to help you do your job, please talk to your line manager so this can be considered.

<b>Support available</b>	<ul style="list-style-type: none"> <li>✓ If you have a disability or you become disabled while you're employed by us, we may be able to help you stay in employment through our partnership with <b>Access to Work</b> (<a href="http://www.gov.uk/access-to-work/overview">www.gov.uk/access-to-work/overview</a>). It can provide practical and financial support if you need more adjustments at work than we would normally be able to provide.</li> <li>✓ We work with <b>Remploy</b> (<a href="http://www.remploy.co.uk/">www.remploy.co.uk/</a>), who provide various services to support employees to remain in their current employment, including in-work support, a workplace mental health support service, vocational rehabilitation services and job coaching.</li> <li>✓ Remember and use the support available – it's there to help.</li> </ul>
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## Manager guidance and responsibilities

<b>Explore during the sickness absence meeting</b>	<ul style="list-style-type: none"> <li>✓ The level of absence and reasons for absence and whether some or all the absences are because of a disability.</li> <li>✓ The specific impact (if any) of their absence, for example team impact.</li> <li>✓ If the absence is because of their disability, whether any reasonable adjustments can be considered to help them attend work.</li> <li>✓ Whether it would be reasonable to adjust the absence thresholds for the disabled team member. For example, you might agree to discount some of the absences or to adjust the threshold point for them considering the nature of their disability.</li> <li>✓ Seek advice from occupational health about the amount of absence that might reasonably be expected given their disability and consider this alongside any reasonable adjustments already in place or that could be put in place to support the team member at work. Also seek advice from occupational health about whether it would be appropriate to consider their case under the applicable procedure for capability on grounds of ill health.</li> <li>✓ If you're considering adjusting the sickness absence thresholds or discounting the absences, you can seek further advice from askHR.</li> </ul>
<b>Describe the support available</b>	<ul style="list-style-type: none"> <li>✓ If there is likely to be a significant cost to making adjustments, you should contact Access to Work who may be able to provide practical advice and financial assistance.</li> <li>✓ We also work with Remploy who offer support and advice on adjustments.</li> </ul>

## 7. Examples of Reasonable Adjustments

Topic	Scenario	Solution
<b>Making changes to premises</b>	A team member has an accident that results in them having to use a wheelchair. The door into the office is large and heavy.	The manager arranges for an automatic door to be installed and modifications to the shared kitchen so that the disabled team member can use the shared kitchen facilities.

<b>Redeploying the disabled person to another more suitable vacancy</b>	A van driver develops multiple sclerosis and is unable to continue in their job because they're unable to drive.	They are medically redeployed to an office-based job with appropriate support and retraining.
<b>Altering hours or place of work</b>	A team member has a mental health illness. They take medication that makes them drowsy in the mornings.	They're allowed to start later in the day.
<b>Allocating some of the team members duties to another person</b>	A team member has an artificial limb which causes difficulties with lifting. Their job involves carrying items on occasion but, otherwise, they can do their job.	The manager reallocates that requirement in the job to another team member.
<b>Acquiring or modifying equipment</b>	A team member has a visual impairment that has deteriorated over time and they can no longer read their computer screen.	The manager and team member try to access funding through Access to Work for software that reads the screen to them.

## 8. Exclusions

A manager should review the list of exclusions detailed in the sickness absence policy when a team member exceeds an absence threshold. If any of these exclusions cover the team member's absences, the manager isn't required to progress to a formal absence meeting but is required to keep records of return to works and support/adjustments.

There's a requirement for the team member to be offered support and to be kept updated. The level and means of contact can be agreed, taking into account the individual's specific circumstances. A manager may make referrals to occupational health in consultation with the team member to assist with their wellbeing and to support them to stay in their job.

Where there's reoccurrence of absences due to a critical illness (cancer for example) this should be managed supportively. Where it's no longer possible for the team member to return to work or continue in their job as a result of the number and frequency of absences then it may be appropriate to consider options such as medical redeployment, capability dismissal or ill health retirement. If you need further advice, please contact askHR.

## 9. When to make an Occupational Health referral

There are many reasons why an occupational health referral may be required. This could be following or during a period of absence or there may be instances where a referral is sought to support you while you are at work. You can also request to be referred. Your manager will have explained why they wish to refer you and will have worked with you to complete the referral and given you a copy of the referral form before you attend your appointment.

# General Guidance

<b>Early referral</b>	<ul style="list-style-type: none"><li>✓ If you're absent with, or diagnosed with, stress or a musculoskeletal disorder (MSD), your manager will refer you to occupational health as soon as they can. This is so that they can get early advice and try to support you in the workplace or when you return to work; or to make any reasonable adjustments.</li><li>✓ If you notice you're in pain or not feeling well, speak to your manager as an early referral can be made.</li></ul>
<b>Short-term absence referrals</b>	<ul style="list-style-type: none"><li>✓ If your sickness absence levels have exceeded an absence threshold, your manager will consider if a referral to occupational health is appropriate.</li><li>✓ This is not a requirement before attending formal absence meeting 1.</li><li>✓ If high levels of absence continue, and your absence exceeds the absence thresholds again, then a referral will be made.</li><li>✓ Occupational health advice must be received before formal absence meetings 2 and 3, so the right advice and support can be given.</li></ul>
<b>Long-term absence referrals</b>	<ul style="list-style-type: none"><li>✓ When a period of absence is 4 weeks or more, or where there's no indication of a return-to-work date, then you'll be referred.</li></ul>
<b>Other reasons to make a referral</b>	<ul style="list-style-type: none"><li>✓ A manager believes that a team member's health is being affected adversely by their work (for example, upper limb disorders or back pain).</li><li>✓ A team member about to be transferred to another job or is about to be promoted and a medical assessment is required.</li><li>✓ A team member's performance at work may be compromised because of ill health.</li><li>✓ A team member is diagnosed with a critical illness such as cancer or heart disease.</li><li>✓ A team member is thought to be suffering from alcohol, drug, or substance misuse.</li><li>✓ A team member has told their manager that they're concerned about their own ill health, particularly if they believe their health is being affected by work.</li><li>✓ Advice is required on rehabilitation programmes or reasonable adjustments.</li><li>✓ You require a report about a team member's fitness to attend a disciplinary or grievance hearing.</li><li>✓ A team member has had an accident at work and an accurate clinical record of their injuries is required to recommend any necessary adjustments.</li></ul>

# 10. If you're referred to Occupational health

## Employee guidance and responsibilities

### Meet your manager

- ✓ They'll advise that you'll be referred to occupational health, seek your consent, explain the reason for the referral, work with you to complete this and give you a copy of the referral.
- ✓ It is important that you check all the information on the referral is correct, including the contact number occupational health will use to get in touch with you.

### Attend occupational health appointment

- ✓ Occupational health will confirm your appointment time by text message.
- ✓ They will arrange a telephone assessment or an appointment with an occupational health clinician which will last 30-60 minutes.
- ✓ For appointments in Edinburgh, the address is: Gyleview House, 3 Redheughs Rigg, Edinburgh West Office Park, Edinburgh, EH12 9DQ.
- ✓ If something happens and you're running late for your consultation, or to change your appointment call PAM on 0141 428 3900.

### Check what to take with you

To get the best advice from the medical assessment we would recommend, where, possible you take the following:

- ✓ Details of any current prescription medication you take.
- ✓ Copies of any relevant health information, such as diabetic glucose monitoring diaries, peak flow diaries for asthmatics, mood diaries for psychological disorders etc.
- ✓ Names of any specialists you're under the care of and details of any upcoming outpatient appointments or operations.
- ✓ If you've had any recent reports or investigations, e.g., blood tests, x-rays, or scans.
- ✓ Details of how long your current medical certificate will run (if relevant).
- ✓ If you request to take someone with you, you must give PAM 3 working days' notice.

### Attend the medical assessment

- ✓ The occupational health clinician will first ask you for your consent verbally to release medical information to PAM and your manager. Without this, the appointment can't proceed.
- ✓ They'll have received details from your manager concerning your illness and reasons for the referral. They may well ask you questions about your job role and then they'll assess your specific health issues.
- ✓ The consultation will include only a relatively short medical assessment and will rarely require a full physical examination.

### Review next steps

- ✓ Following the consultation, a medical report will be sent to your manager (normally within five working days). It will answer the questions raised in the referral and usually contain a brief description of your illness, recommendations about the sort of work that you're fit for and any adjustments to your duties that may be needed to help you to return to work.
- ✓ When your manager receives the report, they'll give you a copy and arrange to meet with you.

# Manager guidance and responsibilities

## Arrange a meeting

- ✓ Meet the team member and advise them that you're going to make a referral to occupational health.
- ✓ If the team member is unable to meet with you in person talk through the referral over the phone with them.
- ✓ Ensure that the team member's contact details are up to date and check any dates they may be unable to attend (e.g. holidays).
- ✓ Check that they're in agreement with the content of the referral, see if they wish to add any information.
- ✓ Talk through the information you're looking for occupational health to provide.

## Arrange occupational health referral

- ✓ Log in to make the referral.
- ✓ Be clear what the reason for the referral is and give as much detail as possible around the condition and impacts at work and include any information about adjustments already made.
- ✓ Always check your team member's mobile and email address when making the referral.
- ✓ Include and refer to previous report/other medical documents and absence record.
- ✓ Do not make a referral if it's clear your team member will be unable to attend an appointment.
- ✓ If you would like a perspective about whether the team members condition is covered under the Equality Act, then ask this in the referral.
- ✓ Send a copy of the referral to the team member.

## Remind them of their appointment

- ✓ You'll receive notification of the appointment and should remind them when it is.
- ✓ The team member will receive their appointment by text message. If they don't have a mobile number, you should advise them of the date and time.
- ✓ If the appointment is a telephone appointment, you should arrange for your team member to have access to a private room for the consultation if they are currently at work.
- ✓ After the appointment, you'll receive a report within five working days.

## Review next steps

- ✓ Consider advice in the report and arrange to meet with the team member and discuss the content and next steps.
- ✓ You must give a copy of the report to the team member at least 48 hours prior to the arranged meeting so that they have time to read through it.

# 11. Returning to work after illness

## Employee guidance and responsibilities

<b>Review return to work conversation checklist</b>	<ul style="list-style-type: none"><li>✓ You should review this in advance of your return to work conversation.</li><li>✓ A copy of the checklist is available on the Orb&gt;HR Information&gt;Absence and Leave&gt;Sickness Absence/Sickness Absence</li><li>✓ If you do not have access to the Orb, ask your manager to send you a copy of this.</li></ul>
<b>Attend a return to work conversation meeting</b>	<ul style="list-style-type: none"><li>✓ You and your manager will meet in private to discuss your absence, how you're feeling and agree any additional support that may be required.</li><li>✓ You're encouraged to be open and honest. Raise any work or personal issues so that the appropriate support can be agreed.</li></ul>
<b>Provide an update</b>	<ul style="list-style-type: none"><li>✓ Bring details from any GP or specialist appointments you've attended.</li><li>✓ Be prepared to describe any support or treatment you've received.</li><li>✓ Think about whether any adjustments may be required to support your return. You should also discuss this with your GP if you think this might be necessary.</li></ul>
<b>Agree actions</b>	<ul style="list-style-type: none"><li>✓ At the end of the conversation you should both review what was discussed and agree any actions required.</li><li>✓ Your manager may also refer you to Occupational Health.</li></ul>

## Manager guidance and responsibilities

<b>Meet on the first day</b>	<ul style="list-style-type: none"><li>✓ Welcome your team member back and refer them to the 'return to work conversation checklist' before you have the return meeting.</li><li>✓ End the absence on myPeople.</li><li>✓ A copy of the checklist is available on the Orb&gt;HR Information&gt;Absence and Leave&gt;Sickness Absence/Sickness Absence</li><li>✓ Ideally, this conversation should be held on the day they return.</li></ul>
<b>Arrange a return to work conversation meeting</b>	<ul style="list-style-type: none"><li>✓ Prepare – review their absence record and note anything relevant from previous conversations, including any support that might already be in place.</li><li>✓ Book a private meeting room.</li></ul>
<b>Ask questions – use the checklist as a guide</b>	<ul style="list-style-type: none"><li>✓ How are they feeling?</li><li>✓ Do they feel fit enough to be at work?</li><li>✓ Do they have any personal or work concerns affecting their attendance?</li><li>✓ Do you need more information from Occupational Health to support their return?</li></ul>

- ✓ Consider if there are any disability issues or if a reasonable adjustment could help them in their job.
- ✓ This is an informal conversation: listen to them.

**Follow-up after the conversation**

- ✓ The information is confidential. If you make notes, remember to store them securely or destroy them.
- ✓ Record the absence details on the HR system.
- ✓ Put in place any actions or follow-up agreed.
- ✓ Be available to talk to your team member if they need any further support. Check-in proactively if updates don't need to be scheduled.

## 12. Returning to work on a phased return

### Employee guidance and responsibilities

**What is a phased return?**

- ✓ A phased return allows you to build up your duties and hours on a gradual basis, acknowledging that, although you're well enough to return to work, you may need some support over a few weeks to get up to full capacity.
- ✓ Phased returns are only usually given when your absence has lasted several months or when they've been recommended by your GP or occupational health.

**Your pay**

- ✓ You will be paid your normal rate of pay during phased returns.

**Annual leave**

- ✓ You can choose to take your annual leave after a phased return by requesting this in the normal way. You should not supplement your phased return with holidays, although this can be agreed where appropriate.

### Manager guidance and responsibilities

**Organise a phased return**

- ✓ Can be based on **time at work** – initially working shorter hours.
- ✓ Can be based on **tasks**, for example they do alternative duties and aim to return to their full job within an agreed period.
- ✓ Can be based on **workplace**, for example work at a different location for an agreed period.
- ✓ This is a short-term measure and should typically last no longer than 4 weeks, unless specialist advice states differently.
- ✓ Stop the absence on the myPeople.

**Things to consider**

- ✓ Length of absence in relation to length of phased return being considered.
- ✓ Is the team member fit for work?
- ✓ What is employee looking to change during phased return?



- ✓ Any recommendations from the occupational health report?

**Remember and review the advice**

- ✓ Fit notes or Occupational Health reports may suggest that you consider whether team members can be restricted to certain duties or alternative tasks. It may not be possible to accommodate them in every situation but consider what can be offered. Look outside your service area and seek further advice from askHR and/or occupational health.
- ✓ If you're unable to accommodate a phased return, you should explain this to your team member including the reasons why.
- ✓ Make sure that the working time steadily increases over the phased return, not counting any annual leave.
- ✓ Regularly check in with your team member to see how things are going and consider whether any further adjustments need to be made.

## 13. Medical Redeployment

### Employee guidance and responsibilities

**What medical redeployment means**

- ✓ Medical redeployment is about finding a suitable alternative job for employees who are no longer medically fit to do their current job.
- ✓ Redeployment can be considered as a reasonable adjustment if you have a medical condition. It can help you return to work and reach and maintain a satisfactory level of attendance.
- ✓ You and your manager should discuss medical redeployment if you think it would help you. If you both think it will help, then you should contact occupational health or askHR for more advice.
- ✓ Advice concerning potential medical redeployment will always be sought from occupational health.

**How it works**

- ✓ If medical redeployment is identified by occupational health as the best option, you'll be considered for any vacant posts that are suitable. You may also be considered for posts you might be able to do if you had a period of training.
- ✓ The medical redeployment search typically can last up to 3 months, however, in certain circumstances the search could take longer depending on a suitable alternative post being available.

### Manager guidance and responsibilities

**What medical redeployment means**

- ✓ Medical redeployment focuses on finding suitable alternative employment into existing, substantive, funded posts.

**Disability**

- ✓ Redeployment can be considered as a reasonable adjustment if a team member has a disability. If you think medical redeployment might help, you should discuss this with your team member.

- ✓ You should ask occupational health what tasks your team member could do if you believe they are no longer able to do the job they were employed to do. Occupational health can assess their health and recommend other tasks or roles they may be able to do.

## 14. Does annual leave reduce due to sickness?

### Employee guidance and responsibilities

#### If you're off sick for more than three months (91 days)

- ✓ You accrue annual leave when you're off sick.
- ✓ However, if you're off more than three months (91 days) in combined leave years, your leave will be reduced to an amount proportionate to the period you were at work during that time. We call this 'abatement'.
- ✓ A rolling 12-month period is used to calculate the abatement trigger, looking at the previous 12-month period from the return to work date.
- ✓ Your leave will never be abated below the statutory minimum of 28 days (201.6 hours) pro rata (this is inclusive of public holidays), for each leave year.

#### Annual leave year end

- ✓ If you're off sick when the annual leave year ends, and you haven't used all your leave, you can carry forward up to 20 days (144 hours) (pro rata for part time staff). You and your manager should agree when this leave is taken.
- ✓ Any leave not taken 18 months after the end of the current leave year will be lost.

### Manager guidance and responsibilities

#### If a member of your team is off sick for more than 90 days in a 12-month rolling period

- ✓ If a team member has been off more than three months (91 days) in combined leave years, their leave will be reduced to an amount proportionate to the period they were at work during that time. We call this 'abatement'.
- ✓ Annual leave should be abated to take into account the time they're off.
- ✓ Periods of pregnancy related absence (for example sickness absence caused by pregnancy) should be discounted when considering whether to abate leave.

#### Review statutory rights

- ✓ If the abated leave figure is below 201.6 hours pro rata for part time (28 days pro-rata for part time), then you need to make this up to 201.6 hours pro rata for part time (28 days pro rata for part time) to comply with the Working Time Regulations.
- ✓ askHR can provide advice on cases.

#### Carry forward annual leave

- ✓ If the leave year is due to end and there's annual leave remaining, they can carry forward 144 hours (20 days) (pro rata for part time), agreeing a suitable time to take this.
- ✓ Any leave not taken 18 months after the end of the current leave year will be lost.

# 15. If you're off sick but want to take annual leave

## Employee guidance and responsibilities

### Request Leave

- ✓ You accrue annual leave when you are off long-term sick and you can request to take that leave when you're off, if you want to.
- ✓ You should contact your manager and confirm leave dates with them.
- ✓ Annual leave will be paid at your normal rate of pay.
- ✓ You should continue to submit fit notes to cover your sickness absence.

## Manager guidance and responsibilities

### Authorise annual leave

- ✓ Team members who are off sick long-term still accrue leave and they can ask to take it when they're still off.
- ✓ They need to contact you to request this and confirm the dates.

### Submit request

- ✓ You need to contact askHR who will ensure that the system is updated and correct payment of sick pay is made.

### Review annual leave and abatement

- ✓ Where a team member on long-term sick uses annual leave during the period of sickness absence:
  - The number of days taken as annual leave should not be included when calculating the three-month abatement trigger,
  - Nor should they be included as sick days in the first part of the abatement calculation which looks at 365 days in the year minus the number of days off sick.
  - The days taken as annual leave during the period of sickness absence should be included when calculating how many days have been taken in the leave year.

## 16. If you're sick while on annual leave

### Employee guidance and responsibilities

#### Follow the absence notification procedure

- ✓ If you're sick when on holiday and want to claim the days back, you need to follow the normal process for reporting your absence as you would if you were at work.

#### Provide a fit note

- ✓ You'll have to give your manager a fit note covering your period of absence on your return from holiday. This applies to all cases of illness, regardless of the duration.
- ✓ You should be aware that your GP may charge you for the fit note if it is for fewer than seven days. We won't reimburse the cost of this.
- ✓ Any days of leave covered by a fit note will be added back to your annual leave entitlement.
- ✓ You won't be entitled to a day in lieu if you are off sick on a public holiday (except for Craft workers)

### Manager guidance and responsibilities

#### Check that the team member has reported sickness absence

- ✓ They need to report their absence as normal if they want to claim this back.

#### Record absence

- ✓ They need to give you a fit note covering the time they were off.
- ✓ You need to record this absence information and adjust holidays on the HR system.

# 17. Prolonged sickness absence and annual leave (teachers and other groups)

## General Guidance

### Teachers and Music Instructors

- ✓ Where a teacher or music instructor, owing to certified absence, has been incapacitated for a continuous period of 8 consecutive days or more, they'll accrue compensatory leave if the following conditions are met, for each certified absence;
  - They'll accrue compensatory leave of 2 days for every 5 days of designated annual leave which cannot be taken;
  - Subject to a maximum credit of 8 such days accruing in any one leave year.
- ✓ In agreement with us, this compensatory leave entitlement shall be taken by the team member following their return to work.
- ✓ The timing of the leave is subject to the overriding needs of the service and should normally be taken in the term in which the return to work takes place or within the following term.
- ✓ Where a teacher or music instructor (owing to certified sickness) has not taken, or will be unable to take, the statutory leave entitlement (28 days), within a leave year, they'll receive the appropriate balance of leave to bring their total leave to the statutory leave entitlement for that leave year.
  - Such leave will normally be carried forward into the following leave year.
  - Pro rata arrangements will apply to part time staff and those employed for any part of the leave year.

Where a teacher or music instructor is carrying forward a compensatory leave entitlement, and a statutory leave entitlement, the total of that leave will not exceed the maximum statutory leave entitlement.

### Other groups

- ✓ If the sickness absence exceeds three months during a leave year, we have the discretion either to grant the full period of annual leave or to limit it to a proportion of the annual leave due for the period worked (subject to the minimum statutory leave provisions).
- ✓ This applies to:
  - Educational Psychologists
  - Senior Educational Psychologists
  - Depute Principal Educational Psychologists
  - Principal Educational Psychologists
  - Education Support Officers
  - Quality Improvement Officers
  - Quality Improvement Managers.

## 18. If you're permanently unfit for work (Ill-Health Retirement)

If you are a member of a pension scheme (LGPS/STSS), below normal retirement age, and advice from Occupational Health is that you are permanently unfit to carry out the duties of your post, you may be dismissed on the grounds of capability due to ill-health with access to pension benefits. This is known as ill-health retirement.

If you are a Local Government Employee and have been in the Lothian Pension Fund for more than 2 years, you may be able to access certain pension benefits, depending on whether you're permanently unfit for any job up to your normal retirement age (Tier 1) or you're currently unfit for work but are likely to be able to take on some form of work before your normal retirement age (Tier 2). An ill health retiral referral must be sent to occupational health and you can only be released on this basis if they confirm this.

**For Teachers, all information relating to ill-health retirement including the eligibility criteria and application process can be found at <https://pensions.gov.scot/teachers>**

### Employee guidance and responsibilities

<b>Read the letter from your manager</b>	<ul style="list-style-type: none"> <li>✓ You'll get a letter asking you to attend at least seven calendar days before the meeting.</li> <li>✓ If occupational health advises that you're permanently unfit for work, you may be dismissed at the meeting on the grounds of capability due to permanent ill-health.</li> </ul>
<b>Read the outcome letter</b>	<ul style="list-style-type: none"> <li>✓ If the decision is to end your employment, you'll get a letter within seven calendar days confirming: your dismissal; what was discussed; any payments due; and right of appeal.</li> </ul>
<b>Consider if you want to appeal</b>	<ul style="list-style-type: none"> <li>✓ You have the right to appeal the decision to dismiss you. If you want to appeal, you should complete a notification of appeal form.</li> </ul>
<b>Pension benefits</b>	<ul style="list-style-type: none"> <li>✓ You'll get access to your Pension at Tier 1 or 2.</li> <li>✓ <b>Tier 1</b> – advice is that you're unlikely to work again before your normal retirement age. You'll receive full benefits.</li> <li>✓ <b>Tier 2</b> – advice is that you'll be able to do some form of work before normal retirement age. You'll get pension for accrued membership to date plus 25% of your projected pension benefits from the date of leaving up to your normal retirement age.</li> <li>✓ You have the right to appeal if you disagree with the Tier you have been allocated. Write to the Head of HR setting out the reasons why you feel the decision is incorrect within six months of receiving pension details.</li> </ul>
<b>Scottish Teachers' Superannuation Scheme members</b>	<ul style="list-style-type: none"> <li>✓ You'll get PIB (Partial Incapacity Benefit) or TIB (Total Incapacity Benefit) benefits applying as appropriate. <ul style="list-style-type: none"> <li>• TIB. - if the advice we get is that you're permanently incapable of teaching and permanently incapable of doing any other work, you'll get a pension based on your accrued service to date with no reduction, plus an enhancement of half of what your</li> </ul> </li> </ul>

service would have been between the day after the date of your ill health retirement and the day before your normal pension age.

- PIB. - If the advice we get is that you're permanently incapable of teaching but capable of other employment, you'll get a pension based on your accrued service to date with no reduction.

## Manager guidance and responsibilities

<b>Review advice from occupational health</b>	<ul style="list-style-type: none"><li>✓ Occupational health will advise if a team member meets the criteria for permanent ill-health in the medical report and send a certificate saying whether they meet the Tier 1 or Tier 2 criteria.</li><li>✓</li></ul>
<b>Send meeting invite letter</b>	<ul style="list-style-type: none"><li>✓ Invite the employee to a meeting, giving them seven calendar days' notice.</li><li>✓ Inform them that, given the occupational health advice, the outcome of the meeting is likely to be dismissal on the grounds of capability.</li><li>✓ The invite letter must be sent by a manager with authority to dismiss.</li><li>✓ Template letters are available on the Orb&gt;HR Information&gt;Absence and Leave&gt;Sickness Absence/Sickness Absence</li></ul>
<b>At the meeting</b>	<ul style="list-style-type: none"><li>✓ The meeting must be chaired by a manager with authority to dismiss.</li><li>✓ If the decision is to end employment, you should advise them of this, and discuss pay in lieu of notice due and outstanding annual leave.</li><li>✓ Let them know of their right to appeal the decision to dismiss.</li></ul>
<b>Send outcome letter</b>	<ul style="list-style-type: none"><li>✓ The outcome letter must be sent by the manager who chaired the meeting.</li><li>✓ The letter should be sent within seven calendar days of confirming dismissal, and should confirm what was discussed, any outstanding payments, and their right of appeal.</li><li>✓ A template letter is available on the Orb&gt;HR Information&gt;Absence and Leave&gt;Sickness Absence/Sickness Absence</li></ul>
<b>Send paperwork</b>	<ul style="list-style-type: none"><li>✓ Complete the leaver's form on askHR and also attached the pension benefit retiral form.</li><li>✓ Use the leavers checklist available on the Orb&gt;HR Information&gt;New starts, movers and leavers&gt;Leaver process</li></ul>

## 19. If you're permanently unfit for work (Capability Dismissal)

If it's decided following an Absence Meeting 3 that there's nothing more can be done to help you return to work, or that your short-term absence levels are no longer sustainable, then it's possible you will be dismissed on the grounds of capability due to ill-health. This decision would only be taken after all mitigating factors, reasonable adjustments and redeployment possibilities had been explored. Teachers cannot be dismissed until their sick pay entitlement has been exhausted.

## Employee guidance and responsibilities

<b>Read the letter from your manager</b>	<ul style="list-style-type: none"> <li>✓ You'll get a letter asking you to attend at least seven calendar days before the meeting.</li> <li>✓ If occupational health advises that you're permanently unfit for work, you may be dismissed on the grounds of capability due to ill-health.</li> </ul>
<b>Read the outcome letter</b>	<ul style="list-style-type: none"> <li>✓ If the decision is to end your employment, you'll get a letter within seven calendar days of the meeting confirming: your dismissal; what was discussed; any payments due; and your right of appeal.</li> </ul>
<b>Consider if you want to appeal</b>	<ul style="list-style-type: none"> <li>✓ You have the right to appeal the decision to dismiss you. If you want to appeal, you should complete a notification of appeal form.</li> <li>✓ Your rights of appeal are explained in the letter confirming your dismissal.</li> <li>✓ Your appeal will be heard by the Personnel Appeals Committee.</li> </ul>

## Manager guidance and responsibilities

<b>Review advice from occupational health</b>	<ul style="list-style-type: none"> <li>✓ Occupational health will advise if a team member is unfit for their current role.</li> <li>✓ Consider whether redeployment to another role could be an alternative to dismissal.</li> <li>✓ Speak to HR before you consider proceeding to dismiss on capability due to ill health.</li> </ul>
<b>Send meeting invite letter</b>	<ul style="list-style-type: none"> <li>✓ Invite the employee to a meeting, giving them seven calendar days' notice.</li> <li>✓ Inform them that given the occupational health advice, the outcome of the meeting may be dismissal on the grounds of capability due to ill-health.</li> <li>✓ The invite letter must be sent by a manager with authority to dismiss.</li> <li>✓ Template letters are available on the Orb&gt;HR Information&gt;Absence and Leave&gt;Sickness Absence/Sickness Absence</li> </ul>
<b>At the meeting</b>	<ul style="list-style-type: none"> <li>✓ The meeting must be chaired by a manager with authority to dismiss.</li> <li>✓ Confirm whether they're dismissed, any pay in lieu of notice due and outstanding annual leave.</li> <li>✓ Let them know of their right to appeal the decision to dismiss them.</li> </ul>
<b>Send outcome letter</b>	<ul style="list-style-type: none"> <li>✓ The outcome letter must be sent by the manager who chaired the meeting.</li> <li>✓ The letter should be sent within seven calendar days of confirming dismissal, and should confirm what was discussed, any outstanding payments, and their right of appeal.</li> <li>✓ A template letter is available on the Orb&gt;HR Information&gt;Absence and Leave&gt;Sickness Absence/Sickness Absence</li> </ul>
<b>Send paperwork</b>	<ul style="list-style-type: none"> <li>✓ Complete the leaver's form on askHR.</li> <li>✓ Use the leavers checklist available on the Orb&gt;HR Information&gt;New starts, movers and leavers&gt;Leaver process</li> </ul>



## 20. If you've had an accident at work

### Employee guidance and responsibilities

<b>Report the accident or incident</b>	<ul style="list-style-type: none"><li>✓ Report the accident or incident to your manager as soon as possible after it happens and by no later than the end of your working day.</li><li>✓ Report property-related issues to the <a href="#">Corporate Property Helpdesk</a> as soon as possible.</li></ul>
<b>If you're absent from work due to an accident or incident</b>	<ul style="list-style-type: none"><li>✓ Follow the process for being sick on a day when you should be at work (Section 2).</li><li>✓ Industrial injury allowance (not sick pay) is payable, so long as you follow this process.</li></ul>
<b>Recurring industrial injury</b>	<ul style="list-style-type: none"><li>✓ If you suffer further illness that you think reoccurred because of an accident at work, inform your manager and follow the process for being 'sick on a day when you should be at work'.</li></ul>

### Manager guidance and responsibilities

<b>Record all incidents on the SHE portal</b>	<ul style="list-style-type: none"><li>✓ Record all incidents on SHE within <b>two days</b> of the incident happening.</li><li>✓ Contact the Corporate Health and Safety team if you have any safety concerns.</li></ul>
<b>Carry out a health and safety investigation</b>	<ul style="list-style-type: none"><li>✓ Gather information about the incident, including witness statements, identify what actions may be required to prevent a re-occurrence and ensure these are implemented.</li><li>✓ Training is available on accident/incident investigation.</li><li>✓ Contact the appropriate Health &amp; Safety team for assistance.</li></ul>
<b>Record work-related absence on the HR system</b>	<ul style="list-style-type: none"><li>✓ Following investigation, if the incident is confirmed as an industrial injury, the absence must be recorded on the HR system as an industrial injury.</li><li>✓ You need to contact askHR and request that they update the absence so that the employee can access industrial injury allowance. You need to have the following details:<ul style="list-style-type: none"><li>• date of the incident;</li><li>• date it was reported on the SHE portal; and</li><li>• who reported it on SHE.</li></ul><p>Note, the system won't allow the absence type to change without these details.</p></li></ul>
<b>Management review</b>	<ul style="list-style-type: none"><li>✓ Industrial injury allowance is payable even if the employee has been careless and/or negligent in carrying out their duties and this contributed in whole or part to their injuries.</li></ul>

	<ul style="list-style-type: none"> <li>✓ However, if your investigation shows unsafe work practices, then you should follow the disciplinary procedure.</li> </ul>
<b>Investigation outcome</b>	<ul style="list-style-type: none"> <li>✓ They may claim that an industrial injury and disability has occurred/reoccurred because of something that happened at work.</li> <li>✓ They're not entitled to industrial injury allowance if the incident was not related to their work or place of employment.</li> </ul>

## 21. Sick pay rules

### Employee guidance

<b>Absence starts before you have reached the minimum period of service</b>	<ul style="list-style-type: none"> <li>✓ If your absence starts before you have reached the minimum period of service and it continues beyond the minimum period of service, then you still won't get sick pay. This is because you did not meet the minimum period of continuous service required when the absence started.</li> </ul>
<b>If you qualify for sick pay</b>	<ul style="list-style-type: none"> <li>✓ Your entitlement will be worked out by taking away any periods of sickness absence that occurred within the 12 months prior to the first day of your current absence. Deductions will be made from your full pay entitlement first and then your half pay entitlement.</li> <li>✓ Sick pay includes any contractual working time payments and any contractual overtime that you get. It does not include casual overtime and stand-by duty.</li> </ul>
<b>Statutory sick pay</b>	<ul style="list-style-type: none"> <li>✓ The Council pays more sick pay than the statutory minimum, so your sick pay includes and Statutory Sick Pay (SSP) that you might be entitled to.</li> <li>✓ If your earnings were not high enough to qualify for SSP during the 12-month period before your current absence, you may qualify for a benefits payment from the Department of Work and Pensions (DWP). Because of this we will make a deduction from your Occupational Sick Pay. However, if you confirm that you did not receive any benefits, we will refund any deductions made.</li> </ul>
<b>Unauthorised absence</b>	<ul style="list-style-type: none"> <li>✓ If your absence is not supported by a fit note or if you have not followed the notification procedure, this will be regarded as unauthorised absence. This means that you will not get paid while you are off and it's likely that this will lead to disciplinary action being taken unless you can provide a reasonable explanation.</li> </ul>
<b>Suspending sick pay</b>	<ul style="list-style-type: none"> <li>✓ We may suspend your sick pay if it is evident that you have abused the terms of this policy. Some examples where this may happen include: <ul style="list-style-type: none"> <li>• If you're off sick because you have refused treatment or deliberately done something that sets your recovery back;</li> <li>• If your sickness absence is down to your own misconduct;</li> <li>• You are an active participant in a professional sport, so under a contract;</li> </ul> </li> </ul>

- You were injured in your own time when doing something for private gain or for another employer;
- Your claim for sick pay is fraudulent – this is likely to constitute gross misconduct and could lead to dismissal;
- Unauthorised absence

**Industrial accident or disease**

- ✓ If you are absent because of an incident that happened at work or due to an industrial disease, you will get a separate allowance calculated on the same basis as sick pay.
- ✓ This will be paid where cases that have been investigated have been classified as an industrial accident.

## 22. Sick pay information

The **length of time** you will receive sick pay for, and the **amount** of sick pay you will get, depends on the:

- length of time you have worked for us; and
- number of absences you have had in the 12-month period before your current absence.

### Craft employees

Length of service when sickness absence starts	You will get full pay for	You will get half pay for
Less than 1 year	5 weeks	5 weeks
More than 1 year, but less than 2 years	9 weeks	9 weeks
2 years but less than 3 years	18 weeks	18 weeks
3 years but less than 5 years	22 weeks	22 weeks
5 years or more	26 weeks	26 weeks

### Teachers

Length of service when sickness absence starts	You will get full pay for	You will get half pay for
Less than 18 weeks	N/A	N/A
18 weeks or more but less than 1 year	1 month	1 month
1 year but less than 2 years	2 months	2 months
2 years but less than 3 years	4 months	4 months
3 years but less than 5 years	5 months	5 months
5 years or more	6 months	6 months

## All other employees

Length of service when sickness absence starts	You will get full pay for	You will get half pay for
Less than 26 weeks	N/A	N/A
26 weeks or more but less than 1 year	5 weeks	5 weeks
1 year but less than 2 years	9 weeks	9 weeks
2 years but less than 3 years	18 weeks	18 weeks
3 years but less than 5 years	22 weeks	22 weeks
5 years or more	26 weeks	26 weeks

## 23. Absence Patterns

If you haven't reached one of the threshold levels but there is a regular pattern to your absence, your manager will discuss this with you and may need to arrange a formal absence meeting if this is becoming problematic.

### Manager guidance and responsibilities

<b>Examples</b>	<ul style="list-style-type: none"> <li>✓ Recurring or recognisable patterns of sickness absence can be not limited to:               <ul style="list-style-type: none"> <li>• On a Friday and/or Monday</li> <li>• Before or after public holidays or periods of annual leave</li> <li>• Before, during or after school holidays</li> <li>• After certain events</li> <li>• Regular days/weeks in a year or in successive years i.e. specific recurring dates when sickness absence occurs</li> <li>• Sickness immediately following the expiry of a formal absence meeting.</li> </ul> </li> </ul>
<b>Speak to the team member</b>	<ul style="list-style-type: none"> <li>✓ Explain that you have identified a pattern in their absences and ask them whether there is any reason for this.</li> <li>✓ This is not a formal absence meeting, but you should ensure you book a private meeting room for this.</li> </ul>
<b>Offer any support</b>	<ul style="list-style-type: none"> <li>✓ Patterns may be indicative of other underlying issues, such as the anniversary of a death, a domestic abuse issue, an undisclosed medical condition etc. If, through conversations with the employee its apparent that support is needed, you should explore and offer any support available.</li> <li>✓ If you need advice on what support is available, you can speak to askHR.</li> </ul>

**Next steps**

- ✓ Consider if progression to the formal absence stages are appropriate based on the reasons for absence.
- ✓ If you need advice you can speak to askHR.

## 24. Short term absence formal meetings

When a team member has been off sick, you need to check whether they have reached one of our sickness absence thresholds. For short-term absence, there are 2 thresholds, so you need to look back over 12 months before their current absence and if they have been off sick on more than 3 occasions or more than 8 days in that period, then they have exceeded the absence threshold.

If they exceed either threshold, or both, you may need to arrange a short-term absence meeting to discuss their absence levels. Remember to consider the potential scope for discretion where applicable, as outlined in Section 5.

Once you have held a sickness absence meeting with your team member, you will not have another formal meeting with them unless they exceed the absence thresholds again. Once you've had a formal meeting with them, the thresholds are reset (so you can't count any of the absences you've already considered again)

If they are absent again, you must not look back any further than the last sickness absence meeting you had. The sickness absence that resulted in that meeting has already been counted and you can't count that twice.

If they have returned from an absence and then are absent again before your meeting, then the meeting will be re-scheduled and the total instances or days will be taken into account.

If your team member has a disability and this is affecting their attendance at work, serious consideration should be given to increasing the absence thresholds as a reasonable adjustment where the absences relate to the disability.

Guidance on how to manage short-term sickness absence is set out in the sections below.

## 25. Short term absence meeting 1

### Employee guidance and responsibilities

**Prior to the meeting**

- ✓ A referral to occupational health is not a requirement before absence meeting 1, however, this may be appropriate as they are best placed to provide us with the specialist advice we require to support you. Your manager will explain why you are being referred and its important you work with them to complete the referral. A referral to occupational health will not be made without your consent.
- ✓ You will receive notice in writing giving you at least 7 days notice of the absence meeting and you have the right to be accompanied at this meeting by a colleague or if you are a member of a trade union, they can attend to support you at the meeting.

<b>During the meeting</b>	<ul style="list-style-type: none"> <li>✓ The purpose of this meeting is to understand if there is anything that we can do to help you remain at work</li> <li>✓ It is important for you to be open to discuss any health concerns and reasonable adjustments or other support we could offer you at work</li> </ul>
<b>After the meeting</b>	<ul style="list-style-type: none"> <li>✓ Your manager will confirm in writing to you what was discussed/agreed at the meeting, including what happens if you exceed a threshold again and any reasonable adjustments that had been agreed to help support you remain at work.</li> <li>✓ You and your manager should have regular review meetings to check in with you and if you have any more absences to confirm if you are nearing any of the absence thresholds.</li> </ul>

## Manager guidance and responsibilities

<b>Prior to the meeting</b>	<ul style="list-style-type: none"> <li>✓ You should check the absence thresholds against the absence report of the team member who has been unwell</li> <li>✓ Has there been more than 3 instances or more than 8 days sickness over the last 12 months?</li> <li>✓ If yes, absence meeting 1 should be arranged in writing giving at least 7 calendar days notice.</li> <li>✓ If they have returned from an absence and then are absent again before your meeting, then the meeting will be re-scheduled and the total instances or days will be taken into account.</li> <li>✓ Book a private meeting room</li> </ul>
<b>During the meeting</b>	<ul style="list-style-type: none"> <li>✓ Ask how they are feeling</li> <li>✓ Discuss current levels of absence and encourage them to talk about their health</li> <li>✓ Confirm absence thresholds</li> <li>✓ Consider whether the team member may have a disability, you can change the absence thresholds if a disability is affecting attendance</li> <li>✓ Discuss with the team member whether a referral to occupational health would be beneficial</li> <li>✓ Make the team member aware of any additional support that may be available to them e.g. the EAP.</li> </ul>
<b>After the meeting</b>	<ul style="list-style-type: none"> <li>✓ Send a letter to confirm what was discussed/agreed at the meeting, template letters are available on the Orb.</li> <li>✓ Follow up with regular review meetings to check in with them and if there are more absences to confirm if they are nearing any of the absence thresholds.</li> <li>✓ Thresholds are now reset and if your team member exceeds any of the absence thresholds again, you should arrange absence meeting 2.</li> </ul>

## 26. Short term absence meeting 2

### Employee guidance and responsibilities

#### Prior to the meeting

- ✓ A referral to occupational health is a requirement before absence meeting 2 as they are best placed to provide us with the specialist advice we require to support you. Your manager will explain why you are being referred and its important you work with them to complete the referral. A referral to occupational health will not be made without your consent, but if no consent is given your manager will have to consider the outcome without medical advice.
- ✓ You will receive notice in writing giving you at least 7 calendar days notice of the absence meeting and you have the right to be accompanied at this meeting by a colleague or if you are a member of a trade union, they can attend to support you at the meeting.

#### During the meeting

- ✓ The purpose of this meeting is to understand if there is anything that we can do to help you remain at work
- ✓ It is important for you to be open to discuss any health concerns and reasonable adjustments or other support we could offer you at work.
- ✓ Your manager may discuss the option of redeployment with you if it's clear you are unable to remain in your current post.

#### After the meeting

- ✓ Your manager will confirm in writing to you what was discussed/agreed at the meeting, including what happens if you exceed a threshold again and any reasonable adjustments that had been agreed to help support you to remain at work.
- ✓ You and your manager should have regular review meetings to check in with you and if you have any more absences to confirm if you are nearing any of the absence thresholds.

### Manager guidance and responsibilities

#### Prior to the meeting

- ✓ You should check the absence thresholds against the absence report of the team member who has been unwell
- ✓ Has there been more than 3 instances or more than 8 days sickness since absence meeting 1? You must not look back any further than the last formal sickness absence meeting you had. The sickness absences that resulted in that meeting has already been counted and you can't count that twice.
- ✓ If yes, formal absence meeting 2 should be arranged in writing giving at least 7 calendar days notice.
- ✓ If they have returned from an absence and then are absent again before your meeting, then the meeting will be re-scheduled and the total instances or days will be taken into account.
- ✓ A referral to occupational health must always be made and the OH report received prior to this absence meeting.
- ✓ Book a private meeting room

<b>During the meeting</b>	<ul style="list-style-type: none"> <li>✓ Ask how they are feeling</li> <li>✓ Discuss current levels of absence and encourage them to talk about their health</li> <li>✓ Confirm absence thresholds</li> <li>✓ Consider whether the team member may have a disability, you can change absence thresholds if a disability is affecting attendance</li> <li>✓ Consider potential redeployment if that could be a reasonable adjustment</li> <li>✓ Make the team member aware of any additional support that may be available to them e.g. the EAP.</li> </ul>
<b>After the meeting</b>	<ul style="list-style-type: none"> <li>✓ Send a letter to confirm what was discussed/agreed at the meeting, template letters are available on the Orb.</li> <li>✓ Follow up with regular review meetings to check in with them and if there are more absences to confirm if they are nearing any of the absence thresholds.</li> <li>✓ Thresholds are now reset and if your team member exceeds any of the absence thresholds again, you should speak to a manager who has the authority to dismiss (nominated officer) who should arrange to issue a letter inviting the team member to formal absence meeting 3.</li> </ul>

## 27. Short term absence meeting 3

### Employee guidance and responsibilities

<b>Prior to the meeting</b>	<ul style="list-style-type: none"> <li>✓ A referral to occupational health is a requirement before absence meeting 3 as they are best placed to provide us with the specialist advice we require to support you. Your manager will explain why you are being referred and its important you work with them to complete the referral. A referral to occupational health will not be made without your consent, but if no consent is given the nominated officer will have to consider the outcome without medical advice which could be dismissal.</li> <li>✓ You will receive notice in writing giving you at least 7 calendar days notice of the absence meeting and you have the right to be accompanied at this meeting by a colleague or if you are a member of a trade union, they can attend to support you at the meeting.</li> </ul>
<b>During the meeting</b>	<ul style="list-style-type: none"> <li>✓ The purpose of this meeting is to understand if there is anything that we can do to help you remain at work.</li> <li>✓ It is important for you to be open to discuss any health concerns and reasonable adjustments or other support we could offer you at work.</li> <li>✓ The nominated officer may discuss the option of redeployment or ill health retiral with you if it's clear you are unable to remain in your current post.</li> <li>✓ An option at this meeting may be to extend the formal absence meeting 2 up to a maximum of 6 months, depending on medical advice received.</li> <li>✓ If absence levels cannot be sustained and there are no other alternatives, then you will be dismissed on the grounds of capability or capability due to ill health.</li> <li>✓ If you are being dismissed, the nominated officer who chairs the meeting will confirm this to you along with any pay in lieu and annual leave payments due.</li> </ul>



### After the meeting

- ✓ The nominated officer will confirm the outcome of the meeting in writing and if the outcome is a dismissal will confirm your rights of appeal.

## Manager guidance and responsibilities

### Prior to the meeting

- ✓ You should check the absence thresholds against the absence report of the team member who has been unwell
- ✓ Has there been more than 3 instances or more than 8 days sickness since absence meeting 2? You must not look back any further than the last formal sickness absence meeting you had. The sickness absence that resulted in that meeting has already been counted and you can't count that twice.
- ✓ If yes, absence meeting 3 should be arranged and chaired by a manager who has the authority to dismiss (Nominated Officer).
- ✓ Before arranging formal absence meeting 3, please speak to HR
- ✓ The invite letter must be sent by a manager who has the authority to dismiss (Nominated Officer) giving at least 7 calendar days notice.
- ✓ If they have returned from an absence and then are absent again before your meeting, then the meeting will be re-scheduled and the total instances or days will be taken into account.
- ✓ A referral to occupational health must always be made and reports received prior to this absence meeting.
- ✓ Book a private meeting room

### During the meeting which must be chaired by the Nominated Officer

- ✓ Ask how they are feeling
- ✓ Discuss current levels of absence and encourage them to talk about their health
- ✓ Confirm absence thresholds
- ✓ Consider whether they may have a disability, we can change absence thresholds if a disability is affecting attendance
- ✓ Consider potential redeployment if that could be a reasonable adjustment
- ✓ Review if they meet the criteria for ill-health retirement.
- ✓ Make the team member aware of any additional support that may be available to them e.g. the EAP.
- ✓ The line manager of the team member should present to you a summary report prior to the meeting on the absences, occupational health information, support offered, reasonable adjustments and discussions around redeployment.
- ✓ The meeting should be adjourned after all information has been presented to consider the outcome which could include:
  - an extension to absence meeting 2 (maximum 6 months), depending on advice received from occupational health and the medical condition of the employee, or;
  - if absence levels cannot be sustained and there are no other alternatives, the NO will advise that they are to be dismissed on the grounds of capability due to ill health, their right of appeal, and information on pay in lieu of notice and any payment for annual leave should be confirmed.
- ✓ After the adjournment, you should inform the team member of the outcome decision.

**After the meeting**

- ✓ The Nominated officer should send a letter to confirm what was discussed/agreed at the meeting, template letters are available on the Orb.
- ✓ Leavers paperwork should be completed and sent to askHR if the outcome is dismissal.

## 28. Long term absence formal meetings

When a team member has been off for four weeks or more, they will have exceeded our long-term sickness absence threshold. You may then need to arrange a long-term absence meeting 1 to discuss their absence levels. Remember to consider the potential scope for discretion where applicable, as outlined in Section 5.

Once you have held a sickness absence meeting with your team member, you will not have another formal meeting with them unless they exceed the threshold again. Once you've had a formal meeting with them, the thresholds are reset (so you can't count any of the absences you've already considered again)

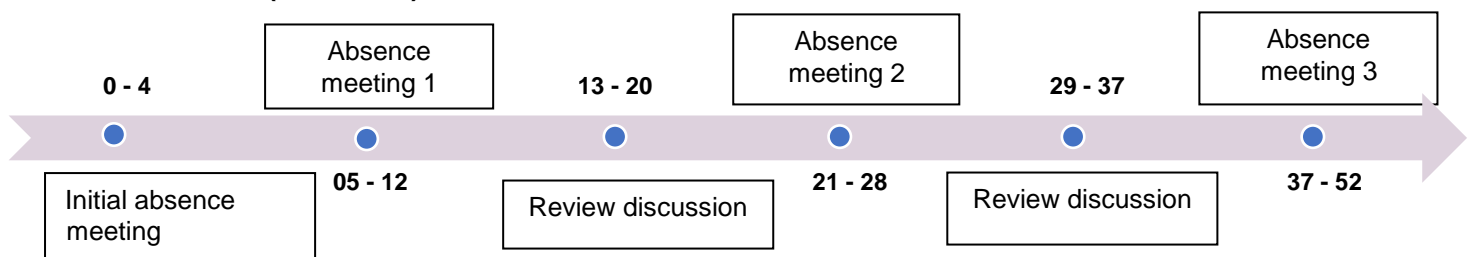
If they are absent again, you must not look back any further than the last sickness absence meeting you had. The sickness absence that resulted in that meeting has already been counted and you can't count that twice.

If they have returned from an absence and then are absent again before your meeting, then the meeting will be re-scheduled and the total instances or days will be taken into account.

If a team member employee has a disability and this is affecting their attendance at work, serious consideration will be given to increasing the absence thresholds as a reasonable adjustment where the absences relate to the disability.

The timeline below gives an indication of when absence meetings should take place up to 52 weeks. This timeline can vary depending on any medical advice received.

### Timeline in weeks (indicative)



There is also guidance in the sections below on how to manage long term absence.

# 29. Long term absence meeting 1

## Employee guidance and responsibilities

### Prior to the meeting

- ✓ If you have been off work for 4 weeks or more, or when there is no indication of a return to work date, then your manager will refer you to occupational health as they are best placed to provide us with the specialist advice we require to support you. Your manager will explain why you are being referred and its important you work with them to complete the referral. A referral to occupational health will not be made without your consent.
- ✓ You will receive notice in writing giving you at least 7 calendar days notice of the absence meeting and you have the right to be accompanied at this meeting by a colleague or if you are a member of a trade union, they can attend to support you at the meeting.
- ✓ If you are unable to attend a meeting at your place of work, then these can be arranged at another convenient site, or in your own home, as agreed with you.

### During the meeting

- ✓ The purpose of this meeting is to understand if there is anything that we can do to help support you back to work.
- ✓ It is important for you to be open to discuss any health concerns and reasonable adjustments/support we could offer you at work.
- ✓ Your manager will discuss the occupational health report with you and you both can explore if there is anything we can do to help you come back to work.
- ✓ Your manager may discuss the option of redeployment with you if it's clear you are unable to remain in your current post.

### After the meeting

- ✓ Your manager will confirm in writing to you what was discussed/agreed at the meeting, including what happens if you are unable to return to work before another threshold is exceeded and any reasonable adjustments that had been agreed to help support you back to work.
- ✓ You and your manager should have regular review meetings to check in with you and confirm if you are nearing any of the absence thresholds.

## Manager guidance and responsibilities

### Prior to the meeting

- ✓ You should check the absence thresholds against the absence report of the team member who has been unwell
- ✓ Has your team member been off work for 4 weeks or more?
- ✓ If yes, formal absence meeting 1 should be arranged in writing giving at least 7 calendar days notice.
- ✓ Book a private meeting room if meeting in the work place. You can also arrange to meet at a more convenient site, or in their home, if agreed by them.

### During the meeting

- ✓ Ask how they are feeling
- ✓ Ask them if there has been an improvement in their health
- ✓ Discuss current levels of absence and encourage them to talk about their health
- ✓ Confirm absence thresholds

- ✓ Consider whether the team member may have a disability, you can change absence thresholds if a disability is affecting attendance
- ✓ Discuss with the team member the occupational health report
- ✓ Ask them if there is anything we can offer to help them back to work, equipment, phased return, reduction in hours, etc.
- ✓ Give your team member an update on what's been happening in the team.
- ✓ Make the team member aware of any additional support that may be available to them e.g. the EAP.

**After the meeting**

- ✓ Send a letter to confirm what was discussed/agreed at the meeting, template letters are available on the Orb.
- ✓ Follow up with regular review meetings if your team member is nearing any of the absence thresholds.
- ✓ The timeline on page 32 gives an indication of when review discussions should take place.
- ✓ If no return to work by week 21, then long term formal absence meeting 2 should be arranged.

## 30. Long term absence meeting 2

### Employee guidance and responsibilities

**Prior to the meeting**

- ✓ If you have been off work continuously since absence meeting 1, or when there is no indication of a return to work date, then your manager will again refer you to occupational health as they are best placed to provide us with the specialist advice we require to support you. Your manager will explain why you are being referred and its important you work with them to complete the referral. A referral to occupational health will not be made without your consent.
- ✓ You will receive notice in writing giving you at least 7 calendar days notice of the absence meeting and you have the right to be accompanied at this meeting by a colleague or if you are a member of a trade union, they can come to support you at the meeting.
- ✓ If you are unable to attend a meeting at your place of work, then these can be arranged at another convenient site, or in your own home, as agreed with you.

**During the meeting**

- ✓ The purpose of this meeting is to understand if there is anything that we can do to help support you back to work.
- ✓ It is important for you to be open to discuss any health concerns and reasonable adjustments/support we could offer you at work.
- ✓ Your manager will discuss with you the occupational health report with you and you both can explore if there is anything we can do to help you come back to work.
- ✓ Your manager may discuss the option of redeployment or ill health retiral with you if it's clear you are unable to remain in your current post.

**After the meeting**

- ✓ Your manager will confirm in writing to you what was discussed/agreed at the meeting, including what happens if you are unable to return to work before another threshold is exceeded and any reasonable adjustments that had been agreed to help support you back to work.

- ✓ You and your manager should have regular review meetings to check in with you and confirm if you are nearing any of the absence thresholds.

## Manager guidance and responsibilities

### Prior to the meeting

- ✓ You should check the absence thresholds against the absence report of the team member who has been unwell
- ✓ Has your team member been off work for 21 weeks or more?
- ✓ If yes, formal absence meeting 2 should be arranged in writing giving at least 7 calendar days notice.
- ✓ Book a private meeting room if meeting in the work place. You can also arrange to meet at a more convenient site, or in their home, if agreed by them.

### During the meeting

- ✓ Ask how they are feeling
- ✓ Ask them if there has been an improvement in their health
- ✓ Discuss current levels of absence and encourage them to talk about their health
- ✓ Confirm absence thresholds
- ✓ Consider whether the team member may have a disability, you can change absence thresholds if a disability is affecting attendance
- ✓ Discuss with the team member the occupational health report
- ✓ Ask them if there is anything we can offer to help them back to work, equipment, phased return, reduction in hours, etc.
- ✓ Give your team member an update on what's been happening in the team.
- ✓ Make the team member aware of any additional support that may be available to them e.g. the EAP.
- ✓ Consider whether redeployment or ill health retiral may be appropriate if it's clear they are unable to remain in their current post.

### After the meeting

- ✓ Send a letter to confirm what was discussed/agreed at the meeting, template letters are available on the Orb.
- ✓ Follow up with regular review meetings if your team member is nearing any of the absence thresholds.
- ✓ If no return to work by week 37, then long term absence meeting 3 should be arranged.
- ✓ Before arranging formal absence meeting 3, please speak to HR.
- ✓ If occupational health confirms your team member meets the criteria of ill health retiral or its clear the team member is unable to return to work, then absence meeting 3 can be arranged before week 37. In these circumstances, please contact HR for advice before arranging this.

## 31. Long term absence meeting 3

### Employee guidance and responsibilities

#### Prior to the meeting

- ✓ If you have been off work continuously since absence meeting 2, or when there is no indication of a return to work date, then your manager will again refer you to occupational health to provide us with the specialist advice we require to support you. Your manager will explain why you are being referred and its important you work with them to complete the referral. A referral to occupational health will not be made without your consent.
- ✓ You will receive notice in writing giving you at least 7 calendar days notice of the absence meeting and you have the right to be accompanied at this meeting by a colleague or if you are a member of a trade union, they can come to support you at the meeting.
- ✓ If you are unable to attend a meeting at your place of work, then these can be arranged at another convenient site, or in your own home, as agreed with you.

#### During the meeting

- ✓ The purpose of this meeting is to understand if there is anything that we can do to help support you back to work.
- ✓ It is important for you to be open to discuss any health concerns and reasonable adjustments/support we could offer you at work.
- ✓ Your manager will discuss with you the occupational health report with you and you both can explore if there is anything we can do to help you come back to work.
- ✓ Your manager may discuss the option of redeployment or ill health retiral with you if it's clear you are unable to remain in your current post.
- ✓ An option at this meeting may be to extend the formal absence meeting 2 up to a maximum of 6 months, depending on medical advice received.
- ✓ If absence levels cannot be sustained and there are no other alternatives, then you will be dismissed on the grounds of capability or capability due to ill health.
- ✓ If you are being dismissed, the nominated officer who chairs the meeting will confirm this to you along with any pay in lieu and annual leave payments due.

#### After the meeting

- ✓ The nominated officer will confirm the outcome of the meeting in writing and if the outcome is a dismissal will confirm your rights of appeal.

### Manager guidance and responsibilities

#### Prior to the meeting

- ✓ You should check the absence thresholds against the absence report of the team member who has been unwell
- ✓ Has your team member been off work for 37 weeks or more?
- ✓ If yes, absence meeting 3 should be arranged in writing giving at least 7 calendar days notice.
- ✓ Book a private meeting room if meeting in your work place. You can also arrange to meet at a more convenient site, or in their home, if agreed by them.

**During the meeting which must be chaired by the Nominated Officer**

- ✓ Ask how they are feeling
- ✓ Discuss current levels of absence and encourage them to talk about their health
- ✓ Confirm absence thresholds
- ✓ Consider whether the team member may have a disability, you can change absence thresholds if a disability is affecting attendance
- ✓ Consider potential redeployment if that could be a reasonable adjustment
- ✓ Review if they meet the criteria for ill-health retirement.
- ✓ Make the team member aware of any additional support that may be available to them e.g. the EAP.
- ✓ The line manager of the team member should present to you a summary report prior to the meeting on the absences, occupational health information, support offered, reasonable adjustments and discussions around redeployment.
- ✓ The meeting should be adjourned after all information has been presented to consider the outcome which could include:
  - an extension to absence meeting 2 (maximum 6 months), depending on advice received from occupational health and the medical condition of the employee, or;
  - if absence levels cannot be sustained and there are no other alternatives, the Nominated officer will advise that they are to be dismissed on the grounds of capability due to ill health, their right of appeal, and information on pay in lieu of notice and any payment for annual leave should be confirmed.
- ✓ After the adjournment, you should inform the team member of the outcome decision.

**After the meeting**

- ✓ The Nominated officer should send a letter to confirm what was discussed/agreed at the meeting, template letters are available on the Orb.
- ✓ Leavers paperwork should be completed and sent to askHR if the outcome is dismissal.