Policies and Procedures

Sickness Absence Policy & Procedure

Last updated July 2012
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1 Introduction

1.1 Edinburgh University Students’ Association is committed to being an employer of choice. We believe that staff are central to achieving excellence in our services. As such, our policies reflect a working environment and practices that value staff contribution.

1.2 The overall aim of this policy is to ensure a healthy, productive workforce, whilst being mindful of the impact of high levels of absence on organisational efficiency and performance, the level of customer service provided, workload of colleagues and staff morale.

1.3 This policy relates to all categories of staff. It sets out procedures for the reporting and recording of sickness absence, and for managing short and long term absence in a consistent and fair way across the organisation. The Managing Sickness Absence Procedure outlined in Point 8 is not binding during the probationary period. If problems around your level of absence arise during this period, these will be dealt with through the probationary process.

1.4 It provides a framework for the management of sickness absence which does not seek to penalise any individual for being genuinely ill but recognises that repeated absence can seriously impact upon the ability of the organisation to operate effectively.

1.5 Staff who are ill will be treated sympathetically and every effort will be made to assist recovery and safeguard employment whilst managing sickness absence in accordance with this policy. It is recognised however, that the loss of working days can have a significant impact on the operational needs of the organisation. As such sickness absence management is a balance between individual welfare, rehabilitation in an appropriate manner and organisational need.

1.6 This policy aims to inform all relevant parties of their responsibilities for managing sickness procedures and maximising attendance.

1.7 The purpose of this policy is to act positively to support and improve attendance to its highest possible level. Through this policy EUSA aims to:

- manage issues fairly, responsibly, consistently and in non-discriminatory manner
- create a culture where employees feel valued, engaged, committed and involved
- maximise and motivate employee attendance
- promote good working practices which encourage work life balance
- measure and report sickness absence rates and trends
- enable attendance by the identification and resolution of problems
- provide consistent advice, support and training to both line managers and employees
- minimise both the cost and impact of absences on services

1.8 This policy is non contractual and may be subject to review and change as required by employment law and EUSA. For the latest version of this policy and procedure please check the EUSA staff website.

2 Sickness Absence Reporting – Employee Responsibilities

2.1 It is your responsibility to notify EUSA of any absence. If you are unable to work for any reason you should contact your line manager by phone as early as possible, at least one hour before you would normally be due to start work. Please note that a phone call is the only acceptable means of sickness absence notification – email or text message are not appropriate. If you work shift patterns, you should make every effort to inform the relevant
manager at the beginning of the day you are scheduled to work, rather than wait until nearer
the start of your shift. This is to allow for appropriate arrangements to be put in place to
cover your work. In the event that your line manager is not available, you should inform the
appropriate Manager/Team Leader on duty.

2.2 If you become ill whilst at work you should speak to your line manager who may give you
permission to leave work (either temporarily or for the day) and to seek medical advice when
required.

2.3 When reporting any absence from work due to sickness staff you should provide as much
information as possible including:

- The nature of the illness and whether medical advice is being sought.
- The anticipated length of absence. Where this is difficult to determine then it is expected
  that open communication will take place to keep the line manager informed of the
  current situation.
- If the absence is expected to be in excess of seven calendar days or more, any steps
  you are taking to seek medical advice.
- Details of any outstanding or urgent work that needs to be dealt with during the
  absence.
- Details of how you can be contacted if this is different than your nominated contact
  telephone number.

2.4 You should inform your line manager of your absence yourself. It is only acceptable for a
third party to contact EUSA regarding your absence in extenuating circumstances when you
are not able to contact your line manager directly (e.g. in case of being admitted to the
hospital).

2.5 You can self-certify absences of seven calendar days or less (this includes days on which
you would not normally work). Within this period you should telephone your line manager
each day to confirm that you are still off, prior to the time you would have started work, in
order to keep them informed of the reasons for your ongoing absence and expected date of
return to work. Please note that you can only self-certify 10 days of absence during any 12
month period. For part-time employees, this will be in line with the pro-rata payment for the
actual hours worked.

2.6 If you are absent for more than 7 calendar days you are required to provide a medical
certificate to EUSA. It is your responsibility to ensure that a medical certificate is issued from
the eighth calendar day of your illness. How many of these days would work does not affect
the need for a medical certificate. You should call your line manager as soon as you are
issued with a medical certificate to inform them that you have been signed off work, and you
should forward the medical certificate to the HR Department as soon as possible. Until
EUSA is in receipt of the medical certificate you need to ensure that you continue to contact
your line manager each day to inform them of your continued absence.

2.7 Once EUSA has received your medical certificate, it is still your responsibility to maintain
contact with EUSA. It is recommended that you contact your line manager at least once a
week to keep them informed of your continued absence from work, inform them of any
support you may require from EUSA and of the anticipated timing of your return to work.

2.8 Under EUSA rules you should not undertake any work, paid or otherwise, during a period of
sickness absence, unless agreed with EUSA. If therapeutic work has been recommended by
a medical practitioner you should inform your line manager and EUSA will attempt to provide
appropriate arrangements.
2.9 If you are sick during a period of annual leave, this may be treated as sick leave if you follow the notification procedure and supply a medical certificate for the full period. Any costs incurred by you for a medical certificate under these circumstances will be reimbursed by EUSA.

2.10 Failure to follow the absence reporting procedure as outlined above may result in formal action being taken against you under EUSA’s Disciplinary Procedure. Your entitlement to Company and/or Statutory Sick Pay may also be affected.

3 Line Manager’s Responsibilities

3.1 A copy of this policy will be available to you and your line manager will answer your queries and/or clarify any points you raise in relation to the sickness absence policy and procedure.

3.2 It is the line manager’s responsibility to ensure that your records are kept up to date and to ensure that absence controls are used fairly and consistently.

3.3 Whilst it is your responsibility to maintain contact during sickness absence, your line manager may also contact you at home and where appropriate they may request to visit you at home or meet you off-site. This will allow them to check that you are fine, ensure you receive the necessary support from EUSA and plan for your return to work.

4 Return to Work

4.1 If you are planning to return to work, you should call your manager as early as you can, ideally at least 24 hours before, to confirm that you are expecting to return. Depending on the nature and length of your absence, your line manager will make necessary arrangements for you to return to work. You may be asked to submit a certificate confirming your fitness for work.

4.2 On your first day back or as soon as reasonably practicable after that, you will be invited to a Return to Work Meeting with your line manager. The purpose of this meeting is to welcome you back, update you on anything you have missed, ensure that you are fit to return and discuss your absence and identify any potential impacts your health may have on your work. This will enable further steps to be taken to reduce any impact of your work on your recovery and for any adjustments/ alterations to be considered where necessary. At the end of the meeting, your line manager will complete and ask you to sign a return to work form, which will be placed in your employee file.

5 Medical Assessments

5.1 Where EUSA has any concerns about the effects of work on your health, or the effects of a health problem on your attendance or performance, discussion will take place with you with a view to being referred for a medical examination. We may ask for your written consent to be referred to Occupational Health Service, or for EUSA to request information from your healthcare provider. The purpose of this would be to seek advice regarding:

- The impact of a health problem on your ability to work.
- Timescales for expected improvement.
- Temporary or permanent adjustments to the workplace or tasks that would assist in maintaining health and reducing the effects of the health problem on attendance and performance.
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- An opinion on the implications of the Equality Act 2010 (this cover disability)
- An opinion on suitability for redeployment to another suitable role within EUSA.
- Proposals for case management on a rehabilitation programme where appropriate.

5.2 EUSA respects the rights of the individual to privacy regarding their health. However, from time to time situations may arise where it is in best interests of your Health and Safety and/or of those around you for your health details to be made available to appropriate staff members, such as those trained in First Aid. In these exceptional circumstances, full consultation with you will take place to determine action in the best interests of your Health and Safety and of those around you who may be affected.

6 Absence as a result of disability

6.1 EUSA is positive about the employment of people with a disability, and will seek to make reasonable adjustments to accommodate. We will review the provisions of this policy in light of any identified disability on a case by case basis.

7 Sick Pay Entitlement

7.1 Employees who satisfy the conditions for the payment of Statutory Sick Pay (SSP) will receive SSP irrespective of their length of service.

7.2 Company Sick Pay (CSP) is an additional benefit provided by EUSA that is discretionary and dependant on your length of service and overall absence record. All Company Sick Pay is inclusive of entitlement to SSP.

7.3 Your entitlement to CSP will apply after 13 weeks of continuous service.

7.4 Your entitlement to CSP will be based on your length of service on the first day of your absence and will be calculated on the basis of a rolling 12 month period. The rates of entitlement are as follows:

<table>
<thead>
<tr>
<th>Length of Service</th>
<th>Sick Pay Entitlement at:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Full Pay</td>
</tr>
<tr>
<td>Less than 6 months</td>
<td>2 weeks</td>
</tr>
<tr>
<td>6 months but less than 2 years</td>
<td>6 weeks</td>
</tr>
<tr>
<td>2 years but less than 3 years</td>
<td>8 weeks</td>
</tr>
<tr>
<td>3 years but less than 4 years</td>
<td>10 weeks</td>
</tr>
<tr>
<td>More than 4 years</td>
<td>12 weeks</td>
</tr>
</tbody>
</table>

7.5 ‘Full pay’ is defined as normal payment received for your standard working hours as contracted. For part-time employees, this will be in line with the pro-rata payment for the actual hours worked. ‘Half pay’ is calculated as being half of the amount of full pay as defined. If you have no normal working hours, for the purpose of CSP EUSA will calculate
your average weekly pay based on your actual hours worked over four weeks prior to the start of your sickness absence.

7.6 If you are off sick EUSA will normally continue to pay contributions to USS and your own payments to the scheme will also continue based on you receiving your full salary as usual. If all you are getting is Statutory Sick Pay, you can choose whether or not to contribute to USS during that period.

7.7 Annual Leave continues to accrue during your period of absence.

8 Managing Sickness Absence Procedure

8.1 The key mechanism for managing sickness absence will be through Return to Work Meetings with your line manager, where you will have an opportunity to discuss your absence and reasons behind it.

8.2 Line Managers have the overall responsibility of ensuring that the individual absences of all their employees are recorded and monitored on an ongoing basis to ensure that any absence issues are detected at an early stage. Monitoring of sickness absence will look at:
- absence level against normal working arrangements
- number of instances of sickness absence
- total number of days absent
- absence trends/pattern over the previous 12 months
Your line manager will also consider any additional information regarding your personal circumstances that may be relevant to your absence levels.
If your absence reaches an unacceptable level, your line manager may decide to take further action.

8.3 Informal Process

8.3.1 EUSA will normally deal with absence issues informally in the first instance. If your absence levels begin to cause concern, your line manager will first discuss this informally with you in an attempt to find a solution and establish whether any further support from EUSA is required. The purpose of this meeting is to provide a positive framework where you can improve your attendance and your manager can support you. It is a simple and genuine opportunity for tackling the problem and supporting improvement, without the need for formal action. The emphasis will be on improving levels of attendance rather than taking formal action.

8.3.2 Your review period will normally be 6 months but if EUSA is aware of any individual circumstances regarding your sickness absence, these will be taken into account. You will also receive a ‘Concern regarding Sickness Absence Levels’ letter confirming your discussion and the agreed requirements for the review period.

8.4 Formal Process

8.4.1 If your attendance level does not improve following informal discussion and your line manager remains concerned about your absence level or pattern, formal process may be initiated.
8.4.2 You will be invited to a formal Sickness Absence Meeting with your line manager and a member of HR. You will be notified in writing of the date, time, place and purpose of the meeting at least 24 hours in advance.

8.4.3 If you wish, you have the right to be accompanied at this meeting by a work colleague or a trade union representative (a ‘companion’). It is your responsibility to arrange the attendance of any colleague or trade union representative. This individual has the right to decline to attend. The name of your companion and whether they are your workplace colleague or trade union representative must be provided to the HR Department at least 24 hours prior to the meeting. In certain circumstances EUSA can object to your choice of companion if there is a conflict of interest which may affect the meeting.

Your companion is primarily there as a form of support for you but may:
- address the meeting
- confer with you during the meeting, and
- request an adjournment.

However, they are not allowed to:
- behave in any way that prevents the case being fully heard, or
- answer questions put directly to you

8.4.4 If you and/or your colleague are unable to attend the meeting, you must contact your line manager at the earliest opportunity and explain the reason why. If non-attendance is for a valid reason, the meeting may be postponed. It is your responsibility to provide a suitable alternative date for this meeting, normally within 5 working days of the original meeting. EUSA will take individual circumstances into account when arranging these meetings. As such you should note that failure to attend may result the meeting being held and a decision being made in your absence based on the information available.

8.4.5 You will be informed in writing of the outcome of the Sickness Absence Meeting, documentation or evidence referred to and any timescales and/or further action agreed. If applicable, the letter will also set out the duration of any warnings and your right to appeal.

8.4.6 There are four levels of outcome of a formal sickness absence meeting, as outlined in the table below. Action may be taken at any of these levels and will depend on
- the nature and impact of poor attendance
- the overall employment record, including any current absence warnings
- any mitigating circumstances.

<table>
<thead>
<tr>
<th>Outcome</th>
<th>Basis for Outcome</th>
<th>Effect</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Informal discussion</td>
<td>When appropriate:</td>
<td>‘Concern regarding Sickness Absence Levels’ letter</td>
<td>N/A</td>
</tr>
<tr>
<td></td>
<td>• Your attendance is causing some concern and there is a requirement to highlight this, but your manager feels it does not warrant a formal warning at this stage</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| First written warning | When appropriate:                                                                                                                                         | • Automatic removal of Company Sick Pay
• Removal of the right to self-certify for sickness absence | 9 months |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Your attendance has not improved following the informal discussion</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Your sickness absence level is sufficient to warrant a First Written Warning;</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
| Final written warning | When appropriate:                                                                                                                                         | • Automatic removal of Company Sick Pay
• Removal of the right to self-certify for sickness absence | 12 months |
|                       | • Unacceptable absence levels persist after a formal written warning                                                                                       |                                                             |          |
|                       | • Your sickness absence level is sufficient to warrant Final Written Warning;                                                                               |                                                             |          |
| Dismissal (with notice) | When appropriate:                                                                                                                                          | Dismissal                                                  | N/A      |
|                       | • Continued unacceptable absence levels persist due to short-term absence during the life span of a final written warning                                      |                                                             |          |
|                       | • Your existing absence level is sufficiently serious to warrant dismissal without previous warnings                                                      |                                                             |          |

### 8.5 Right to Appeal

8.5.1 You have the right to appeal against any formal action taken at a Sickness Absence Meeting. All appeals have to be submitted in writing to the HR Department within 7 calendar days of the date of receipt of the outcome letter. In your letter you must clearly state the full grounds on which you are appealing including all details which you feel are relevant to your appeal. The appeal should not simply outline that you are not happy with the outcome.

8.5.2 The grounds for appeal may include new evidence, undue severity or inconsistency of the penalty. EUSA will consider whether there are grounds for appeal in line with the most recent ACAS guidelines.

8.5.3 If an appeal meeting is held, this will be arranged as soon as possible and without undue delay. Appeals will be heard by an impartial manager who, wherever possible, will be more senior to the manager chairing the Sickness Absence Meeting. You have a right to be accompanied by a workplace colleague or a trade union representative.

8.5.4 Appeal decisions are final and will be confirmed in writing.
8.6 Long-term sickness absence

8.6.1 If your absence is continuous for more than 14 calendar days, it will be classed as long-term. Long-term absence is managed differently than short-term absence. If you are off sick for a prolonged period, the focus in managing this absence will be on your wellbeing and the most suitable ways to support your return to work when the appropriate time comes.

8.6.2 Ensuring your fitness for work will be one of the main priorities. EUSA may seek additional medical advice to ensure we have complete information as to the types of support we can provide you with. Once the medical information has been obtained, your manager will normally arrange a meeting with you to discuss the prognosis, the type of support EUSA can offer you and a return to work programme, if appropriate.

8.6.3 If your condition is classed as a disability under the Equality Act 2010 and requires long-term adjustments to your working arrangements, EUSA will attempt to accommodate these at a level that is reasonable. Option that may be available can include changes to some aspect of the job, change to working hours or re-deployment within EUSA. If reasonable adjustments can be made, these will be discussed with you and the effectiveness will be closely monitored.

8.6.4 EUSA is positive about employment of people with a disability and we will consider adjustments as outlined above. If there is no improvement in your attendance level once all the reasonable adjustments have been implemented, you may still be subject to the formal process under this policy.

8.7 Inability to return to work

8.7.1 We will continue to support people in continuing employment as much as we are able to. We recognise however that there may be circumstances in which a staff member is simply too unwell to continue work.

8.7.2 For members of USS pension scheme there is an ill health early retirement procedure with applications subject to USS criteria. Where this is appropriate EUSA will support you to make an application to USS for retiral under the scheme.

8.7.3 When employees do not qualify for ill health retirement, and there are no further reasonable adjustments that could be implemented, EUSA may have to consider terminating your employment on grounds of capability.