



Guidance on dealing with absence through illness

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1. Introduction

- 1.1. The responsibility for monitoring and controlling sickness absence rests to a significant extent with Heads of Schools/Services and with those to whom, in practice, the day to day supervision of staff is delegated. These guidance notes are designed to help in this task. They supplement the published sick pay arrangements for the various categories of staff as shown in the Terms and Conditions for Academic and Academic-related (Professional and Managerial) Staff, and in the conditions of service for Support Staff. See <http://hr.leeds.ac.uk/policies>
- 1.2. See also the Section G of the Support Staff Procedure Agreement in relation to the management of sickness absence for support staff.
http://hr.leeds.ac.uk/info/26/conduct_capability_and_grievance/236/support_staff_procedure_agreement
- 1.3. Members of the staff of Human Resources are always available to advise and assist at any stage and, indeed, have a formal role in some of the procedures referred to. Heads of Schools/Services are urged to make use of their experience and accumulated expertise.

2. The routine procedures

- 2.1. Heads of Schools/Services are asked to ensure that: members of staff comply with the following procedures:
 - notify their School/Service* on the first day of absence:
 - of the nature of their illness and when they expect to return to work;
 - whether the illness commenced before the day of notification (e.g. on a Saturday, Sunday or during a holiday);
 - if the illness commenced abroad, the country in which it commenced;

- submit to the School/Service a self-certificate SSP2 (obtained from the School/Service, or <http://hr.leeds.ac.uk/forms> if the absence exceeds three days);
 - submit a doctor's statement if the absence exceeds seven days; further statements should be submitted at intervals as necessary.
- 2.2. It is the job of the Payroll Section to notify staff and Heads of Schools/Services when sickness pay at the full rate is due to drop to half rate or cease altogether; to explain the options concerning superannuation contributions during such periods and to attend to Department of Social Security requirements.

3. The monitoring and controlling of sickness absence

- 3.1. In order to monitor effectively and help to control sickness absences Heads of Schools/Services should:
- 3.1.1. arrange for a departmental record to be kept of all sickness absences on an individual basis. (The Payroll Section does not record absences of less than four days duration and the departmental record is the sole record of such absences);
 - 3.1.2. arrange for such sickness absence records to be monitored regularly and in a fair and consistent manner in terms of frequency of absence, reasons for absence, and patterns of absence. This will enable Heads of Schools/Services to identify cases, particularly those involving persistent short-term absence, where action may need to be taken;
 - 3.1.3. arrange for the immediate supervisor to talk to a member of staff returning from sickness absence. This is intended to show concern and interest and to see if any help is needed, e.g. a temporary rearrangement of hours or duties;
 - 3.1.4. in the case of longer term absence, arrange for contact to be maintained with the member of staff concerned. This may include pre-arranged home or hospital visits by colleagues and practical help such as arranging for information or advice to be given on matters causing concern, e.g. sick pay entitlements or superannuation benefits if an application to retire early on health grounds is being considered by a member of staff;
 - 3.1.5. at an appropriate time, ask Human Resources to initiate an ill-health review (see 4 below), which will be particularly appropriate in circumstances in which:
 - there are persistent short periods of absence for unrelated reasons of ill-health in respect of which formal action is contemplated as at 5(d) below (in order to confirm that there is no underlying health problem);
 - the sickness absence is longer term and there is no expectation of a marked and sustained improvement;
 - the member of staff is at work but is suffering from a degenerative illness which has reached a stage where performance is significantly impaired;
 - the illness is thought to be terminal;
 - a prognosis of recovery time is needed if the business of the resource centre/department is to be organised efficiently.
- 3.2. Given the range and degrees of ill-health that may occur amongst staff and the differing effects this may have on any individual, it is neither possible nor appropriate

to set specific time scales as to when a case of ill-health should be referred for a review.

- 3.3. However, as a rough 'rule of thumb', in cases where there is no usual specific outcome in terms of the length of the illhealth period, e.g. stress-related illnesses, back problems, arthritis etc, a referral should be initiated at the point of two to three months of sickness absence. In cases where there is a history of ill-health absences, it may well be appropriate to refer the case to Human Resources sooner than this and it is advisable to discuss such cases with the Human Resources Manager for your area.

4. Ill-health reviews

- 4.1. These are undertaken at the request of Human Resources by the University Occupational Medical Officer who, with the written consent of the member of staff involved, will seek to obtain reports from the member of staff's General Practitioner and /or Consultant about his/her state of health. Such enquiries are subject to the requirements of the Access to Medical Reports Act 1988, which affords the member of staff the following rights (in summary):

- to withhold consent for an application to be made to a doctor;
- to see a medical report before it is supplied to the Occupational Medical Officer;
- to ask the doctor to amend any part of the report which the member of staff considers to be inaccurate or misleading; OR
- if the doctor declines to amend the report, to attach a written statement giving the member of staff's views on its contents; OR
- to withhold consent to the reports being supplied to the Occupational Medical Officer.

- 4.2. The expectation is that the member of staff will agree to medical reports being obtained. If he/she will not agree, appropriate action as indicated in 5 (below) may nevertheless have to be taken without the benefit of such reports.

5. Action consequent upon an ill-health review

- 5.1. Any action taken will, of course, depend on the individual circumstances of the case and take account of the need for a consistent approach but might include:

- 5.1.1. the possibility of a phased return to work or of a transfer to alternative, lighter and less demanding work with appropriate training and other available assistance;
- In cases where a phased return to work is recommended by the Occupational Health Medical Officer, it should be noted that this is a medical recommendation. It is for those responsible within the Faculty/School/Service to decide whether they can accommodate the suggested phased return, bearing in mind the needs of the department as well as the needs of the member of staff returning from ill-health. However, in order to avoid a possible charge of discrimination, no such recommendation should be refused unreasonably.
 - The Occupational Health Medical Officer will normally discuss any phased return to work with those responsible at departmental level before making a formal recommendation.
 - Depending on the individual circumstances, payment during such phased return may be at full salary; part salary pro-rata to hours worked; full salary with use of

annual leave. It is advisable to discuss this with your link Human Resources Manager when considering the most appropriate arrangements in each case.

- 5.1.2. where appropriate, adaptation(s) to the workplace and/or modification of duties to allow the employee to continue in employment with the University;
 - 5.1.3. urging the member of staff to apply for early retirement on the grounds of ill-health. This will only be possible where the member of staff is a member of one of the superannuation schemes to which the University subscribes and where the physical or mental condition is shown to be bad enough to permanently prevent the individual from carrying on employment to which he/she has been appointed or any other post or occupation reasonably comparable thereto. An application to retire on health grounds is a matter for the Trustees of the relevant superannuation scheme, who will reach a decision in individual cases on the basis of medical reports;
 - 5.1.4. taking or recommending appropriate formal action where a member of staff has an unacceptable sickness record, e.g. frequent absence for unrelated reasons. For Academic and Academic-related (Professional and Managerial) Staff this will be in accordance with Part IV of Statute VII which, with its associated ordinances, can be accessed in full on <http://www.leeds.ac.uk/calendar/statutes.htm>. For Support Staff, this will be in accordance with Section G of the Support Staff Procedure Agreement. <http://hr.leeds.ac.uk/policies>. Such formal action might include:
 - insisting on a doctor's statement from the first day of any further absences until such time as an improvement is made;
 - recommending exclusion from the sick pay scheme altogether where the scheme rules permit this;
 - issuing an appropriate level of warning in accordance with the agreed and published sickness absence procedures (the issue of such warnings would normally be cumulative in the case of intermittent, unconnected absence);
 - in the case of prolonged absence, or frequent absence with a related cause, recommending termination of appointment on ill health grounds in accordance with the relevant procedures. This could apply where the member of staff is not in one of the superannuation schemes or where he/she is unwilling to initiate an ill health application under one of those schemes.
- 5.2. No appropriate course of action is precluded simply because the member of staff is providing medical certificates and/or has not exhausted his/her entitlement to sick pay under the University's sick pay arrangements. Sick notes are not necessarily an impediment to your instituting and acting upon an ill health review!