

Sickness Absence Policy

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Introduction

The University wishes to promote the health, safety and wellbeing of its staff within the workplace. As a caring employer, the University is committed to supporting and assisting individual members of staff who may have health difficulties and does not expect its employees to attend work when they are medically unfit to do so. However, the University does require employees to account for sickness absences. Therefore, it is important that a fair and consistent approach is adopted, providing support to the employee whilst ultimately securing their return to work.

This policy seeks to ensure that sickness absence matters are handled sensitively with due respect for the employee's dignity, privacy and individual circumstances. As such, the University will adopt a consistent case-by-case approach when working with employees who are absent due to ill health and, where advised, will modify the approach to the specific health circumstances of each individual.

Scope of this Policy

The University has a range of policies in place relating to health and wellbeing. In applying the Sickness Absence Policy, cognisance should be given to these policies as appropriate, details of which are available on the Staff Portal under '[Employee Wellbeing](#)'. Please note that the University has an [Emergency Special Leave Policy](#) in place to deal with time off work for domestic, family or personal reasons other than employee sickness absence.

This policy has been designed to provide a framework to support employees while they are absent and to help employees return to and

remain in work wherever possible. However, in circumstances where continued employment is not a viable option on grounds of ill health, the [University's Ill Health Capability Procedure](#) will be followed to ensure that termination of employment is managed in a fair and consistent way.

The Sickness Absence Policy is formulated on the assumption that, if the University has reasonable grounds to suspect there to be misconduct, the [Disciplinary Procedure](#) will apply. For example, the organisation may take disciplinary action if there is evidence that:

- the absence is not genuine or not for the reason provided,
- the employee is engaging in activities which may be prejudicial to recovery or be likely to bring into question the reason for continued absence,
- the employee is carrying out work for another employer while off sick (unless this has been agreed with the University).

Review

This policy should be reviewed in conjunction with a review of the Ill-Health Capability Procedure and Emergency Special Leave Policy in consultation with the Trade Unions. Minor revisions to clarify, update or aid with the administration of above documentation including this policy may be made by the University Health, Safety and Wellbeing Committee and the JUCNC. The [procedures and guidelines](#) which accompany this policy may be updated from time to time in accordance with technological upgrades and legislative changes in consultation with the Trade Unions. This will ensure continued compliance, efficiency and best practice in the management of sickness absence.

The provisions of this policy apply to all categories of staff, this policy is effective from 1 August 2021.

Definitions of phrases used in this policy

"Period of sickness absence" or "instance of sickness absence" means any continuous period of sickness absence, of whatever length, during which the employee does not return to work.

"Long-term sickness absence" means any period of sickness absence more than 28 calendar days.

"Short-term sickness absence" means any period of sickness absence lasting one to 28 calendar days.

Concerns

Employees who feel they have been treated unreasonably under any section of the Sickness Absence Policy can, in the first instance, raise the matter with their manager and/or an Employee Wellbeing Advisor and/or [Trade Union Representative](#). Ultimately, employees have the right to raise the matter through the relevant grievance procedure or other relevant procedure for their staff category.

Roles and Responsibilities

This policy has been designed to ensure that all staff are aware of their respective responsibilities and that any problems and instances of working practices or environments which may be contributing to sickness absence are dealt with appropriately at an early stage. The following

guidelines are not exhaustive:

Executive Deans, Directors, and Heads of Department

Have overall accountability for sickness absence management for members of staff within their Faculty or Department or area of responsibility. It is incumbent on Executive Deans, Directors or Heads of Department to ensure that a consistent approach is applied in relation to the application of the policy across the University with the support of Employee Wellbeing Advisors.

Responsibilities include:

- providing advice and support to managers in their area of responsibility in dealing with all aspects of absence management,
- helping staff to understand that managing Health, Safety and Wellbeing of staff is a key priority for the University,
- proactively promoting regular attendance by taking responsibility for their team's wellbeing,
- ensuring that all employees within their area of responsibility are aware of the sickness absence policy and process,
- undertaking their identified responsibilities under the relevant procedures.

Employee Wellbeing Advisors

Are responsible for providing guidance, advice, and support to all members of staff on the application of the sickness absence policy and procedures.

Responsibilities include:

- engaging with those who require support providing guidance to employees who require wellbeing support,
- the monitoring and follow up on all absences to ensure consistency of approach,
- highlight absences that may need referred to the stress management process,
- working with managers on the development of approaches to reintegrate colleagues who have been absent from work,
- keeping confidential all records of sickness absence in line with Medical Confidentiality requirements and [General Data Protection Regulations](#) for the purpose of effective attendance management and supporting employees with underlying health issues,
- ensuring that appropriate training is provided for Faculties, Schools and Departments in relation to the Sickness Absence Policy and Procedures,
- maintaining, analysing and monitoring sickness absence data and producing statistical management information,
- assisting with the review and development of the policies and working practices in consultation with relevant stakeholders,
- working in close collaboration with colleagues from the People and Culture team, as required, and
- accompanying Occupational Health practitioners on home visits if requested by the employee.

Occupational Health

Provide specialist advice to employees, managers and employee wellbeing in relation to fitness for work and health issues which may be

impacting attendance. This may include guidance on reasonable adjustments and disability related issues. Occupational Health also provide critical support to the process of effective absence management.

Responsibilities include:

- providing the University with specialist advice about workplace health issues as part of the University's arrangements to ensure that the health of staff and others is not adversely affected by their work,
- liaising with other medical experts as necessary, such as the employee's GP or Specialist Consultant,
- carrying out workplace visits to help with Occupational Health assessments,
- recommending a rehabilitation programme to facilitate an employee's return to work, if appropriate,
- maintaining supportive contact with those who are absent from work, where appropriate,
- in exceptional circumstances only, undertaking home visits, where necessary, and with the consent of the employee,
- dealing with Occupational Health referrals,
- handling employee's medical information in accordance with current legislation,
- liaising with the employee, Line Manager, Employee Wellbeing Advisor and all relevant parties in recommending appropriate reasonable adjustments and phased return to work processes, as required, and
- giving advice to both the University and the employee that is impartial and objective.

Line Managers

Are expected to adopt a caring and sympathetic approach to the employee's sickness absence, while at the same time doing what is possible to help the employee to return to work. They also have a duty of care towards their employees and for ensuring that employees follow the Sickness Absence Policy and Procedures.

Responsibilities include:

- checking if the employee's absence is in any way work-related and ensuring that this is addressed and recorded,
- following the University's [Stress Management Procedure](#) when an employee reports that they are absent due to work-related stress,
- ensuring that employees provide medical evidence, for example a fit note or hospital certificate for sickness of more than seven calendar days. In circumstances where the absent employee does not wish to share the above information for their absence with their Line Manager, this should be handled by the Employee Wellbeing Advisor, respecting the employee's wishes,
- keeping confidential all records of sickness absence in line with Medical Confidentiality requirements and [General Data Protection Regulations](#) for the purpose of effective attendance management and supporting employees with underlying health issues,
- consulting with the Employee Wellbeing Advisors and/or Occupational Health Advisors if unsure about how to deal with a sickness absence-related issue,
- ensuring that the guidance on implementing a phased return to work and/or the [implementation of reasonable adjustments](#) is followed,

- conducting a Welcome Back to Work meeting following sickness absence in accordance with the University's guidance, and
- keeping informed through the information, instruction and training provided by the University on this policy.

Employees

Are required to comply with the University's Sickness Absence Policy which has been designed to ensure that employees' health and wellbeing is managed in a caring and supportive manner. It is expected that all employees will attend work unless genuinely ill and should an absence be required for any other reason; the appropriate alternative policy will be used. An employee is under no obligation but is encouraged to be open with their manager or Employee Wellbeing Advisor about the reason why they cannot attend work.

Responsibilities include:

- following the sickness absence notification process,
- providing medical evidence (for example a fit note or hospital form) for sickness of more than seven calendar days to their line manager in the first instance or Employee Wellbeing where appropriate. Absences of less than seven calendar days will be self-certified on the Return-to-Work form,
- engaging with Occupational Health and attending Occupational Health appointments, as required,
- keeping in touch with the Line Manager or Employee Wellbeing Advisor as agreed with the employee while unable to attend work,
- doing what is possible to enable a return to work, for example by following medical guidance, taking steps recommended by Doctors

and Occupational Health during rehabilitation and not undertaking any activities while on sick leave that could exacerbate the health problem,

- co-operating with the University with respect to the agreement of implementation of any adjustments to job duties, hours or working conditions, particularly those suggested by a Doctor or Clinician,
- attending a Welcome Back to Work meeting following sickness absence with the Line Manager and if requested the Employee Wellbeing Advisor, and
- keeping themselves informed through the information, instruction and training provided by the University on this policy.

Employees must ensure that any accident, or 'near miss' incident or event not causing harm but having the potential to cause injury or ill health (in this guidance, the term near miss will include dangerous occurrences at work) is reported to their manager as quickly as possible.

Taking Time off for Health Reasons

Sickness Absence Notification

An employee who is unwell and cannot attend work must inform their Manager of this at their earliest convenience or on the morning of the first day of sickness absence at the very latest and provide additional information such as the anticipated length of absence and where possible any important or urgent work that needs to be covered.

There may be exceptional circumstances when it is not appropriate or possible for an employee to report their absence to their Line Manager or nominated Deputy, in such instances they should contact Employee

Wellbeing. Where this is the case, an Employee Wellbeing Advisor will liaise with the employee's Line Manager.

The employee should provide details of the nature of their illness.

When an employee knows in advance that they are likely to be absent, for example for a routine surgery and recovery, they should inform their Manager and provide any additional useful information, such as the anticipated length of their absence.

If an employee becomes ill while at work and feels too unwell to continue working, they should inform their Manager who will facilitate them as appropriate. If you report as present for half your working day, this will not be recorded as sick leave.

Keeping in Touch

As a guide, if the absence is likely to be more than a few days, the appropriate frequency and method of contact between the employee and their Manager or Employee Wellbeing where appropriate, should be agreed in the initial discussion.

Contact should be on an agreed basis, for absences of up to 28 calendar days this would usually be weekly and for long-term absences usually monthly, depending on individual circumstances.

The purpose of agreeing the method and frequency of engagement and contact is to ensure that:

- the employee feels supported and engaged with the University,

- where appropriate, the employee remains informed about events, changes or opportunities in the workplace,
- the employee feels comfortable and supported to return to work, when they are well enough to do so,
- an agreed phased return to work will be facilitated as required, by making appropriate temporary adjustments over a period,
- agreed temporary or permanent adjustments may also be considered and introduced, supported by relevant Occupational Health recommendations.

There may be occasions when it is not appropriate for the Line Manager to contact the absent employee. In such instances, if requested by the employee, the Employee Wellbeing Advisor may contact the employee. Where this is the case, the Employee Wellbeing Advisor will liaise with the employee's Line Manager as appropriate.

Contact with Occupational Health

Occupational Health may contact those who are absent due to illness in certain circumstances to offer support and advice to the employee in relation to the employee's health and wellbeing as this can have a major impact on when the employee is well enough to return to work.

Medical and Dental Appointments

The University supports employees who may require time off from their work to attend medical appointments (for example GP or hospital outpatient appointments) which will be accommodated wherever reasonably possible. Employees should try to arrange routine medical and dental appointments outside working hours if possible, or towards

the beginning or end of their normal working hours, requiring minimal time off. However, the University respects that this is not always feasible. Employees should inform their Manager of their need to attend medical appointments as soon as reasonably possible.

Managers should be aware that requests for medical appointments are to be managed in a caring and supportive way. Employees should not use annual leave to attend medical appointments, nor are staff required to make up time lost to attend medical appointments. There may be exceptional occasions where the employee may be required to provide an appointment letter and/or other appropriate medical statement.

Time off for surgery, treatment and recuperation that relates to a medical or psychological condition and is supported by a medical certificate will be treated as sick leave.

In cases where the Line Manager is concerned about the frequency of medical appointments, this will be discussed with the employee, which may result in a referral being made to Occupational Health.

Managing Sickness Absence

Short Term Absences

For short term absences the line manager should:

- notify Employee Wellbeing after being informed about the absence,
- if the absence is longer than 7 calendar days, Fit Notes should be forwarded to Employee Wellbeing Advisors,
- complete the Welcome back to work meeting in conjunction with Employee Wellbeing, where appropriate.

For Long Term Absences, the Line Manager may need to consider in consultation with the employee:

- [Referral to Occupational Health](#) and / or
- [Reasonable adjustments](#)

Frequent Sickness Absence

Frequent sickness absence refers to when an employee is frequently absent from work for short or long periods of time. This includes short and long-term sickness absence and occasions when an employee leaves work early because they feel unwell. Whilst the University understands that employees may have some sickness absence, it is essential that a pattern of frequent absence is dealt with promptly to meet the requirement for regular attendance as agreed in the employee's terms and conditions of employment and to ensure the health and wellbeing of all employees.

In the first instance, the Line Manager or Employee Wellbeing Advisor will meet with the employee to discuss their concerns for any frequent sickness absences and to gain an understanding of the reason for frequent sickness absence which could help identify a resolution.

Managers should be aware that the cause of frequent absences can be due to factors in the workplace, ill health or personal circumstances.

In these situations, options discussed may include:

- a referral to Occupational Health - to advise on any appropriate support on health-related concerns,
- a Stress risk assessment – to identify any workplace stressors, and

- contact with Employee Wellbeing Advisor to discuss any other provisions available such as flexible working options, Inspire, leave options.

After the Line Manager or Employee Wellbeing Advisor and the employee have discussed the absences and sought relevant advice, the employee will be invited to an informal meeting with their Line Manager or an Employee Wellbeing Advisor to consider options that would better enable the employee to attend work. The employee may be accompanied by a Trade Union representative or work colleague.

Following the informal meeting, a review of the employee's attendance will take place on an agreed date to ensure that the required levels of attendance have been achieved. There may be a need for further informal meetings to explore all options to support an improvement in attendance.

Where sickness absence continues to compromise the employee's ability to fulfil their contractual responsibilities and all options have been exhausted at the informal stage, it may be necessary to take action under the University's Disciplinary Procedure or Ill Health Capability Procedure depending on the circumstances, which may result in a decision to dismiss the employee. An employee has the right to appeal against decisions made under these policies.

Medical Evidence

The University requires sufficient information about an employee's medical condition to assess the nature of the illness, whether they are fit

to work, when they will be able to return and whether any adjustments to working conditions are appropriate in the short and or long-term. The University will need to have appropriate medical evidence to decide whether any further action is needed as a result of sickness absence or ill-health, sickness of seven calendar days or less being self-certified by completing the Return to Work Notification form.

All sickness that lasts longer than seven calendar days requires medical evidence which will normally be in the form of a doctor's fit note, also known as a 'statement of fitness for work'. Fit Notes¹ (Medical Certificates) should be provided promptly (normally no later than a week after the start of the certifiable absence) to Employee Wellbeing Advisors. If the employee is absent and has not provided a valid fit note, the employee's line manager or Employee Wellbeing Advisor must remind the employee of their obligation to provide a fit note from their doctor as soon as possible.

A doctor's fit note may state that the employee:

- is "not fit for work", in which case the employee should remain off work; or
- "may be fit for work", in which case, consideration should be given to the doctor's recommendations (for example, a phased return, amended job duties, altered hours of work, or workplace adaptations). In some cases, it may be necessary to seek further support and the manager and/or the Employee Wellbeing Advisor may wish to make a referral to Occupational Health so that

¹ Fit Notes are issued by UK GPs. In Republic of Ireland, Medical Certificates are issued.

appropriate advice can be provided regarding arrangements to support a return to work.

The fit note will state the period that it covers, with a section for a start and end date. An employee on long-term sickness absence who is not returning to work on the next working day after the end date must obtain a new fit note and send to the Employee Wellbeing Advisors.

Where there is concern about the reason for, or the frequency of, the sickness absence, employees may be required to provide a fit note for each absence regardless of duration. In such circumstances, the University will cover any costs incurred in obtaining fit notes for absences of a week or less, on production of a Doctor's invoice.

Occupational Health

Occupational Health Referrals

At various stages of managing the employee's sickness absence, the line manager, or the Employee Wellbeing Advisor, or in certain circumstances the People Partner, may wish to obtain advice on the employee's fitness for work from Occupational Health to establish, for example:

- when the employee is likely to be fully fit to resume their normal duties,
- suitable alternative duties they might be fit to undertake if the employee is unfit to resume their normal duties,
- when the employee is likely to be fit to undertake any alternative duties,

- reasonable adjustments that could be made to working conditions or work premises to facilitate a return to work and
- the likelihood of recurrence of the illness or injury once the employee has returned to work,
- to provide clarification if the reason for the employee's absence is unclear.

The employee's Line Manager may make a referral to Occupational Health in the following circumstances:

- if the employee has been absent for more than 28 calendar days, or as soon as it is confirmed that they will be absent for at least 28 calendar days,
- if the employee has a pattern of frequent sickness absence, for example – same or similar days off each month or time of year, an uncharacteristic increase in absences, non-attendance for the same or similar absence reasons,
- if there is an indication that an incident at work or a work-related matter has contributed to the absence,
- if the absence is pregnancy or disability-related a referral may be made following discussion with the employee, to ensure that the employee is offered advice and support.

This list is not exhaustive.

As appropriate, the Line Manager or Employee Wellbeing Advisor will contact the employee to advise that Occupational Health will be in touch.

An employee may wish to make a self-referral to Occupational Health in exceptional circumstances, however, it is recommended that the

employee contacts their Employee Wellbeing Advisor prior to this to discuss other sources of information, advice and support that would best address their needs.

Occupational Health Appointments

Employees are contractually required to attend any appointment made for them to see Occupational Health. If the employee is unable to attend an appointment, they should let Occupational Health know as soon as possible (giving a minimum of 72 hours' notice, except in exceptional circumstances) and an alternative date and time will be arranged. Occupational Health will in turn inform the person who made the referral.

It is viewed as unacceptable to rearrange appointments on more than two occasions for the same referral, unless in special circumstances. In exceptional cases, and with the prior agreement of the employee, it may be appropriate for Occupational Health to undertake a home visit. (For more information on home visits, please contact Occupational Health).

Employees should be aware that if they refuse to engage with Occupational Health, or fail to attend an appointment, Occupational Health will be unable to provide an opinion on fitness for work. In such circumstances, Occupational Health may provide general advice based on the information which is available to them. Employees should note that a refusal to meet with Occupational Health for assessment may be regarded as a failure to carry out a reasonable request, which may result in disciplinary action.

Confidentiality

While Occupational Health may provide the University with advice on an individual's fitness for work in general terms, for example by making recommendations on how best to support the employee during their sickness absence and on their return to work, Occupational Health will not discuss or disclose details about the employee's medical condition without the explicit consent of the employee (except when required to comply with a legal obligation or to protect the vital interests of the employee or another person). This is in line with the [University's General Data Protection Regulations Policy](#).

In practice, this means that an occupational health practitioner can advise the University on what changes to working patterns or practices would best meet the employee's needs but must not discuss their medical details without the employee's express consent (unless for legal reasons or to protect the vital interests of the employee or another person). This should not impact on the quality of advice that can be offered to the University since, in most cases, advice on the impact of any diagnosis on the employee's fitness to work is required rather than any specific, sensitive medical information.

All procedures and documents relating to an individual's sickness absence will be treated confidentially and information will only be shared with those who have a genuine need to receive it.

Occupational Health will discuss with the employee the contents of the Occupational Health report prepared for management. They will be offered the opportunity to see the written report before it is sent to their manager and may choose to withdraw their consent at any stage to

forward the report. Employees should, where possible, take advice from their representative if applicable, if they are considering withdrawing consent. On occasion, employees may only wish to consent to releasing the recommendations section of the Occupational Health report. In the absence of an Occupational Health report or the recommendations contained therein being released, managers should contact the Employee Wellbeing team to discuss the best way forward in such cases. When an Occupational Health report or the recommendations contained therein not being released, the absence may have to be managed without the relevant medical information or guidance.

Medical Reports

Occasionally, in order to provide the best possible advice to the employee and the University, Occupational Health may require a medical report from the employee's medical practitioner (that is, the employee's GP or Specialist Consultant who is responsible for the employee's clinical care). For example, Occupational Health may need to ask for guidance on the employee's condition, particularly where an employee's condition may be defined as a disability in accordance with the Disability Discrimination Act 1995 (as amended) or ask for advice where there may be ambiguity or uncertainty surrounding an employee's sickness absence.

In these circumstances, the employee will be fully informed of their rights under The Access to Personal Files and Medical Reports (Northern Ireland) Order 1991 and their permission will be sought for the report to be obtained.

Reasonable Adjustments

Reasonable adjustments are changes to physical premises or working practices that minimise or remove the disadvantage they present to a person. Many reasonable adjustments are made to improve accessibility in general. However, some disabled individuals may require further specific adjustments to their physical work environment, working arrangements or job, to enable them to work effectively.

In order for specific appropriate reasonable adjustments to be made for disabled staff, the University will need to be told about their disability and access requirements. A failure to provide this information could mean that no reasonable adjustment is made, or that a less effective one is made.

Therefore, it is in the best interest for disabled staff to disclose this information, so that they can receive the support that they require. The easiest way for staff to let the University know about their disability and reasonable adjustment requirements need is to tell the immediate Line Manager, Head of School or Head of Department.

It is the Line Manager's responsibility to discuss, agree and implement appropriate reasonable adjustments if they are required. It is recommended if the employee moves Department or has a new Line Manager that they discuss and review the adjustments that are in place.

Agreeing reasonable adjustments for returning to work

When considering a return to work after a period of absence, the line manager should, in discussion with the employee and taking advice from

Occupational Health and/or Employee Wellbeing, agree the need for making reasonable adjustments.

Reasonable adjustments could include making changes to the employee's:

- workstation or working equipment,
- working hours, or
- alternative working arrangements, duties or tasks.

Consideration to what is reasonable should include:

- the cost of making the adjustment
- financial support available
- the impact the change will have to the employee, job role and team
- the practicality of making the adjustment

This can help:

- support a return to work
- staff feel more valued and supported
- improve employee engagement
- reduce levels of sickness

The Line Manager should agree the adjustments with the employee prior to their return and then review the effectiveness of the adjustments after the employee has returned to work. Note some adjustments, for example working hours, may only be for a specified period of time.

Returning to Work

Introduction to the Return-to-Work Process

The employee should advise their Line Manager of their expected return date prior to their return to work. Where required, arrangements such as reasonable adjustments or risk assessments are agreed in advance and are in place to support the employee on their return if necessary.

The Line Manager, or the Employee Wellbeing Advisor, should carry out a 'Welcome Back to Work meeting' on the day of the employee's return to work, or in exceptional circumstances as soon as possible. The 'Welcome Back to Work meeting' should take place in a private space, and all discussions between the employee and the Line Manager should be confidential.

At the end of the Welcome Back to Work meeting following a period of long-term sickness absence, the line manager and employee may agree to arrange an informal follow-up wellbeing review meeting.

Phased Return to Work

In cases of long-term sickness absence, a phased return to work may be beneficial in supporting an employee's return to work. A phased return allows an employee to transition from a period of sickness absence back to full (or sometimes amended) work duties. The phased return to work will usually arise following medical advice which could be:

- a doctor's letter or medical report recommending a phased return,
- one of the options on a fit note, or

- a recommendation from Occupational Health.

When considering whether a phased return to work is appropriate, the Line Manager should bear in mind, for all employees, that a phased return to work may be required as a reasonable adjustment.

Temporary Reassignment

Where an employee has been on long-term sickness absence but is unfit to return immediately to their substantive role, even on a phased basis, their Line Manager should consider, in conjunction and in agreement with the employee, temporarily reassigning the employee to another role.

The possibility of a temporary role will depend on the availability of work elsewhere and the employee's agreement to undertake the role. The employee's Line Manager should initially consider whether a different role is available within their Department and, if it is not, widen the search to include other Departments.

The employee's existing rate of pay will be protected during the temporary reassignment and their salary will be paid by the department in which the employee normally works. Temporary placements to help an employee on long-term sickness absence will normally last no longer than six months, this will be subject to review, but this will depend on individual circumstances.

Permanent Redeployment

Where an employee has been on long-term sickness absence, reasonable adjustments have been explored and the medical advice

indicates that the employee will be unable to return to their existing role, the Line Manager and employee may seek permanent redeployment opportunities.

The possibility of a permanent redeployment, with or without reasonable adjustments if required, will depend on the availability of work elsewhere, the employee's ability to fulfil the requirements of the post and the employee's agreement to undertake the role. The employee's Line Manager should initially consider whether a different role is available within their Department and, if it is not, widen the search to include other departments.

If an alternative position is available and the employee chooses to accept permanent redeployment, they will be asked to agree to a variation of contract subject to a probationary review.

In cases whereby no suitable redeployment options are identified by the University or where redeployment roles identified are not acceptable to the employee termination on the grounds of ill health may have to be considered.

Sick Pay and Annual Leave

Sick Pay

Sick pay entitlements are based on the employee's length of continuous service as follows:

Length of Service	Full Pay	Half Pay
During the first 3 months' service	10 working days	10 working days
First year after 3 months' service	43 working days	43 working days
Second and third year of service	65 working days	65 working days
Fourth and fifth year of service	108 working days	108 working days
After fifth year of service	130 working days	130 working days

- The rate of sickness allowance and the period for which it shall be paid will be ascertained by deducting from the period of benefit on the first day of absence the aggregate of the periods of absence during the 12 months immediately preceding the first day of absence.
- Sick pay under the University's scheme is subject to the usual deductions for PAYE, national insurance, pension contributions etc.
- Payments under the University's scheme will be calculated by reference to the employee's basic salary only and any payments made under the University's scheme are inclusive of any entitlement to Statutory Sick Pay (SSP) for the same period of absence.

For further details on sick pay, please contact salariesandwages@ulster.ac.uk directly.

What happens if an employee fails to provide medical evidence?

Please note, that failure to provide medical evidence is a disciplinary matter which will be dealt with under the Disciplinary Procedure.

Contractual sick pay may be withheld if the employee refuses to comply with the University's sickness absence requirements. In addition, the University can withhold or suspend statutory sick pay if no evidence of sickness is provided.

Circumstances in which contractual sick pay may be withheld include where:

- the employee has failed, after receiving reminders, to comply with the University's sickness absence notification, maintaining contact and evidence requirements,
- the employee refuses to attend a medical examination at the reasonable request of the University,
- the employee is absent through sickness or injury resulting from an accident unconnected with their employment. In these circumstances, the employee may not be entitled to an allowance if damages are receivable from a third party,
- the employee makes or produces any misleading or untrue statement or document concerning their fitness to work.

The employee will normally be entitled to receive statutory sick pay (SSP) when contractual sick pay is withheld or suspended, although the University can withhold or suspend SSP if it is not satisfied that the

employee is ill, and no evidence of sickness is provided. Employees will be given written notice if their SSP or contractual sick pay is being withheld or suspended.

Holidays and Sickness Absence

An employee who is absent due to ill health will continue to accrue their contractual holiday entitlement and will be given the opportunity to take this at a later date, including in the subsequent leave year if they are unable to take their contractual holiday entitlement as a result of being absent due to illness. Therefore, contractual annual leave can be carried forward in these circumstances up to a maximum of the statutory 20 days, but Public Holidays and University Closure Days are not accrued while absent due to illness.

An employee on sick leave may apply to take their holiday entitlement while unable to attend work due to ill health and the holiday dates will be approved in accordance with the details set out in the University's [Employee Benefits information page](#).

An employee who falls ill during a period of annual leave may take this as sickness absence instead. The employee is entitled to take the intended period of holiday at a different time. In these circumstances, the usual sickness absence procedure will apply and employees who are temporarily abroad and become unwell must follow the same process of notification and submit equivalent medical certification. If a member of staff takes a holiday during a period of sickness absence this will be recorded as sick leave as long as the employee provides a letter from their doctor prior to departure, confirming that they are still unable to

work and confirming that the holiday will be beneficial to recovery.

When a return to work is not possible

Ill Health Retirement

Retirement on the grounds of ill health may be considered where it appears unlikely from medical advice provided that an employee will be able to return to their role.

If the employee wishes to be considered for ill health retirement, the University will endeavour to assist the employee in discussions with the relevant occupational pension body (USS or NILGOSC) if they are a member, if they have sufficient service, and if they are considered by the pension body to be permanently unfit for work. This will allow the employee to find out whether they qualify for, and the financial implications of accepting ill health retirement.

Termination of Employment

Where reasonable adjustments cannot be made and alternative posts are not available, consideration will be given to ill health retirement.

Where this does not prove feasible, termination on the grounds of ill health capability will be the only option. No decision to pursue this option will be taken without receiving the medical evidence and consulting personally with the employee, who will be advised of their rights to be accompanied by a union representative at any meeting arranged to discuss this.

Where the organisation receives clinical opinion that there is no prospect that the employee will be fit to resume their duties in the foreseeable future and all other options have been exhausted, unfortunately the University will have to take action to terminate the employment.

An employee will have the right to appeal a decision to terminate their employment on grounds of ill health capability. Arrangements made for academic and academic-related staff are governed by the University's Charter, Statutes and Ordinances.

Sickness Absence Support and Advice for All Staff

The University is committed to supporting all staff who are absent due to illness in a sensitive, caring manner which respects the employee's dignity and individual circumstances at the various ages and stages of the employee's working life.

Incidents of sickness absence including mental ill health, age-related and gender-specific conditions should be treated sensitively and with consideration for the dignity of the individual employee.

Pregnancy-Related Sickness Absence

Employees who are absent due to a pregnancy-related illness should follow the University's sickness absence procedure as usual. If an employee is off work for a pregnancy-related illness during the four weeks before their date of childbirth, the employee's maternity leave will start automatically. If the illness is not pregnancy related normal Sickness absence policy applies.

Support and advice are available both for those who are pregnant and their managers from Occupational Health. Please refer to the University's information on [Maternity leave](#).

Disability-Related Sickness Absence

Where an employee gives as the reason for absence an underlying health issue that could amount to a disability under the Disability Discrimination Act 1995 (as amended), the Line Manager should refer the employee to Occupational Health to ensure that the employee is provided with appropriate support. The legal definition of a disability is wide. If in doubt, the Manager should contact Equality, Diversity and Inclusion or Occupational Health for clarification. Line Managers should remember that [reasonable adjustments](#) should be made for employees with disabilities.

Where appropriate, it is in a staff-member's best interests to disclose their disability so that tailored support or adjustments can be provided, and other staff will better understand how to make the work environment more accessible for them.

In order for specific appropriate reasonable adjustments to be made for disabled staff, the University will need to be told about their disability and access requirements. A failure to provide this information could mean that no reasonable adjustment is made, or that a less effective one is made.

Terminal Illness

Where an employee is diagnosed with a terminal illness, the University will endeavour as far as possible to accommodate their wishes and to provide the most financially advantageous arrangements for them and their family.

While the organisation will support members of staff who wish to continue working, employees with a terminal illness should bear in mind that there may come a time when they will be unable to continue working. In this case, the employee's Line Manager will discuss the options with the employee, with the support of an Occupational Health Advisor.

Terminally ill employees may choose to continue working and there is no obligation to inform the organisation or any of their colleagues about the illness. The organisation provides access to counselling services and access to a financial advice service through the employee assistance programme to assist during this difficult time.

Support and Advice – Who to Contact

[Employee Wellbeing Advisors](#) are available to advise and assist managers and individual members of staff on the application of this policy.

Advice on cases related to disability or gender identity issues can also be sought from the [Equality, Diversity and Inclusion Team](#).

The University [Occupational Health](#) team is available to support employees and managers by providing professional occupational health advice on fitness to work, adjustments to work tasks or the work environment.

A free, confidential and independent employee assistance programme is available to all employees of Ulster University, 24 hours a day/7 days per week. '[Inspire](#)' gives access to highly trained, professional staff with no referral necessary. Further information can be found on the staff portal.

[Trade Union Representatives](#) from the recognised Trade Unions are available to advise their members on the application of this policy.