1. Introduction and definitions

Our Development and Personnel Policy Framework is drawn up within the context of the Methodist Church’s core values and evident behaviours. These inform and guide our approach as an employer and are available on the Methodist Church website. Key elements of our core values are:

- Trust, honesty and openness
- Personal and professional integrity
- Equality, fairness and justice

Our evident behaviours embody the principles of good progress towards excellence, good planning of work and good stewardship of time.

The Sickness Policy is written within the context of these values and behaviours and its content is informed by them. It forms part of our Wellbeing Strategy.

“Sickness’ is defined as an incapacity to carry out the duties and responsibilities which the staff member is contractually obliged to do because of their own illness or accident. This policy therefore applies to absence caused by personal illness or accident, not to the need to take time off work because of the illness or accident of others, e.g. children or partners. For these instances, please refer to the Emergency and Special Leave Policy. If a staff member falls ill whilst on annual leave, s/he is entitled to take this as sick leave provided that the provisions for reporting and recording sickness absence as set out in this policy are adhered to.

The Methodist Council sickness policy and procedures apply to all lay members of staff. It is aimed at enabling sickness absence to be addressed consistently and fairly across the organisation and sets out procedures for reporting and recording sickness absence. Accurate sickness absence records are important to enable the organisation to identify patterns of sickness and work-related health problems, and support staff in these matters. Although this policy does not apply to Presbyters and Deacons stationed in the Connexional Team, such staff members are expected to comply with the
reporting arrangements set out in paragraph 2. The provisions applying to Ministers are set out in CPD, Standing Order 801(4).

The procedures are based on good practice and are intended to ensure that a consistent approach to the active management of sickness absence is adopted across the Connexional Team.

The policy aims to:

- Provide a supportive environment for those members of staff affected by ill-health;
- Provide a framework within which cases falling within the scope of the disability discrimination legislation can be identified and supported;
- Balance the interests of the individual and the operational needs of the organisation in cases of long-term sickness and incapacity;
- Encourage and develop a positive culture towards attendance at work with a consequent benefit of reduced rates of absence due to sickness.

Staff who are ill will be treated sympathetically and every reasonable effort will be made to assist recovery and safeguard employment. It is recognised however that the loss of working days through repeated or long-term sickness absence can be a significant cost to the organisation in terms of work not completed or the costs of arranging absence cover. Repeated sickness absence also places additional pressure on colleagues.

The accrual of benefits under the occupational sick pay scheme does not of itself imply an automatic right to extended or open-ended sickness absence.

All rights and facilities under this procedure shall be made available to all staff regardless of race, colour, ethnic origin, nationality, political or religious beliefs, disability, gender, sexual orientation, age or marital status.

2. Reporting of Sickness Absence

Staff must comply with the requirements of this policy when reporting absence on account of sickness to enable effective work planning and allocation, as well as to enable the organisation to provide any support and assistance that staff may need.

It is important for all staff members who are absent from work to maintain contact with the office and colleagues during their absence. Therefore, if staff are absent from work due to sickness, the following procedure must be followed.

First day of absence

If a member of staff is unable to attend work due to sickness s/he must contact their line manager as soon as possible and within half an hour of their normal starting time to explain the reason for absence, give an indication of when they are likely to return to work, and what action they are taking to recover, e.g. visiting the doctor. If a member of staff is unreasonably late in notifying sickness absence, s/he may lose part of his/her sick pay. In all but exceptional circumstances (e.g. hospitalisation), staff must report their absence personally to their line manager, rather than relying on a friend of relative to do so on their behalf. If the line manager is not available, staff may leave a message with a colleague or the Development and Personnel Office. Sickness absence must be reported by telephone to the line manager, rather than by email, fax or text message. Managers must ensure that arrangements are in place for effective sickness reporting in their absence, for
example to another manager or colleague. Equally, where a staff member reports to more than one manager, the staff member must be told who to report to for absence reporting purposes.

When reporting their sickness, staff must discuss work deadlines and priorities which are affected by their absence, so that arrangements can be made for their tasks to be covered.

Half-day sickness absences must be reported.

The line manager or colleague must inform the Development and Personnel Office of the sickness absence straight away.

Second to sixth day of absence (including Saturdays and Sundays)

If the member of staff is still unwell, s/he must inform their line manager of their continuing absence so that the department can review work allocation and make arrangements for cover. Staff must also indicate a likely date of return to work.

If a member of staff is absent from work for between one and six consecutive days (including Saturdays and Sundays, Bank Holidays and any days that would not normally be worked), a Self-Certification Form must be completed on return to work.

If the sickness absence lasts for more than one day, unless a doctor’s certificate has been submitted, the member of staff must telephone on a daily basis (on their normal working day) to keep the Line manager informed on the progress of the illness and the likely date of return. If a doctor’s certificate is submitted there is no requirement for daily contact between the staff member and manager. The two parties may agree arrangements for keeping in touch appropriate to the nature of the absence and its duration.

Seventh calendar day of absence

If a member of staff is sick for seven consecutive days or more (including Saturdays, Sundays, Bank Holidays and any days that would not normally be worked), s/he should notify their line manager or the Development and Personnel Office and also obtain a medical certificate (’Fit Note’) from their doctor, which must be sent to the Development and Personnel Office as soon as possible. Further certificates must be submitted to cover each period of absence for as long as the illness lasts. There must be no gaps between the dates of absence stated on the medical certificates i.e. all dates must be continuous. This is to ensure payment of Statutory Sick Pay and Occupational Sick Pay.

Continued sickness

If the period of sickness absence continues beyond the date given on the doctor’s first medical certificate, the member of staff must obtain further medical certificates as often as required and send them to the Development and Personnel Office. In addition, staff must remain in contact with their line manager and the Development and Personnel Office at least once a week to update them. If the medical certificate exceeds a period of 14 consecutive days, or it has been necessary to obtain more than one medical certificate during the period of sickness absence, the member of staff will be required to submit a final medical certificate confirming that s/he is fit to resume work, before their return.

In cases of repeated absences for whatever reason the Methodist Council reserves the right to request medical evidence in the form of a General Practitioner’s Medical Certificate for
periods of absence of less than seven days. If this course of action is taken the Methodist Council will pay for any costs associated with this.

The Methodist Council also reserves the right, when considered appropriate, to require staff to attend for a medical examination by a medical practitioner of the Methodist Council’s choice.

Sickness absence will be recorded on the member of staff’s personnel record. This may be in either electronic or paper format and will set out the days absent and reasons given.

If a member of staff believes that his / her condition may be related to an activity or incident at work, s/he should inform his / her line manager. In such circumstances an Accident Report form should be completed and forwarded to the Building and Facilities Officer. Depending on the nature of the illness, the line manager (or member of staff) may also wish to contact the Occupational Health Service for advice.

Heads of Cluster are responsible for ensuring that all incidents of sickness absence amongst the staff in the Cluster are accurately recorded and action under this policy is taken.

**Doctor and Hospital Appointments**

Appointments with General Practitioners and Dentists must be taken in the staff member’s own time. If a staff member arrives late for work following such an appointment they must agree with their line manager on how and when the time will be made up.

Appointments at hospitals, for example for tests and with consultants, which are outside of the control and timing of the staff member, are not counted as sick leave, and the time taken for these is not required to be made up by the individual. However, a staff member must produce evidence of the appointment, such as a hospital appointment card or letter.

**Annual Leave and Sick Leave**

Staff members who are absent on sick leave on a long term basis may apply to their manager to take leave in the normal way (for example to go away on holiday). Applications must be made in accordance with the annual leave policy, and if granted the staff member’s pay will be adjusted so that they are paid normal pay, rather than sick pay, for the duration of their annual leave.

Where the long term absence extends over the leave year (ie 31 December) staff may carry over the full statutory (rather than contractual) leave entitlement that they had not taken before commencing their sick leave. However, they must ensure that they take all their carried over statutory sick leave within three months of returning to work. There is no entitlement to carry over additional contractual annual leave beyond the existing Methodist Council provisions for the carrying over of annual leave. For further advice on this matter please contact the Development and Personnel Office.

3. **Returning to Work from Sickness Absence (Return to work interviews)**

On the first day of the staff member’s return to work, s/he must report to their line manager, or if the line manager is unavailable, the most senior member of staff present within the cluster, before beginning work for a return to work interview.
The purpose of these return to work interviews is to ensure that the staff member is fit to return to work, to identify any temporary (or permanent) adjustments that may be needed to enable him/her to carry out their duties, and to welcome the staff member back into the workplace.

The return to work interview is a discussion between the staff member and their line manager, and provides an opportunity to explore any health-related issues that the staff member discloses. This meeting will also cover issues such as the provision of support and the impact that the absence may have had on work targets and priorities.

In addition, a Medical Practitioner may have issued a ‘Fit Note’ which specifies a partial or phased return to work. If this is the case, the medical advice must be discussed with the employee and, if it can be accommodated by the manager should be implemented from the date of the employee’s return. Examples of a partial return include working part time for a limited period, or carrying out light duties on a phased basis. If the manager cannot accommodate the recommendations of the Medical Practitioner the member of staff will remain on sick leave. Advice should always be sought from Development and Personnel on these matters.

In cases of short periods of absence, including one-day absences, the meeting may only take a few minutes. The return to work meeting is likely to be a longer discussion for absences of 3 days or more.

Once the process has been completed, the return to work form (Appendix 1) and any additional comments should be passed to the Development and Personnel Office.

No matter how short the period of sickness, it must be covered by a self-certificate and / or doctor’s certificate. Failure to provide the necessary sickness certificates may result in the staff member losing their sick pay entitlements, and in circumstances where the member of staff has already been paid for the day / days of absence, and has not provided a sickness certificate, recovery of any overpayment of salary will be made from the staff member’s next salary payment.

Staff who return to work before the expiry of a Medical Certificate will be asked to go home. If their doctor then believes they are well enough to work s/he may issue an amended Medical Certificate with an earlier date for return to work. The member of staff will only be allowed to return to work before the date of expiry of the original certificate in these circumstances.

It is recognised that staff sometimes return to work before they are better, often due to a conscientious attitude. Whilst this attitude is commended, staff may put their own recovery at risk, and may spread infection to colleagues. In such circumstances staff will be asked by their manager to go home and continue their sick leave, and staff will be expected to comply with this request.

4. Sick Pay

This section sets out staffs’ entitlement to statutory sick pay and occupational sick pay whilst on sick leave.

Statutory Sick Pay
a. If a member of staff is absent from work by reason of sickness or injury for four or more consecutive days, she/he will be paid Statutory Sick Pay (SSP) by the Methodist Council in accordance with the statutory provisions. SSP will be treated like wages, being subject to deductions for PAYE, Income Tax, and National Insurance contributions. ‘Qualifying days’ are the only days for which staff can claim SSP. These will be days on which an individual would normally be required to be available for work (i.e. Monday to Friday). The first three qualifying days of sickness are ‘waiting days’ for which SSP is not payable. Qualifying days only include days on which an individual would normally work. It is a condition of payment of SSP that staff comply with the notification and certification procedure set out above.

Occupational Sick Pay

b. Subject to the above procedure, and without prejudice to the Methodist Council’s right to terminate an employee’s Contract of Employment by notice before the expiry of the periods below, staff will be entitled to sickness allowance (including SSP) in accordance with the following scale:

i. Up to 2 years service 6 weeks full pay, followed by SSP
ii. 2 years to 10 years service 13 weeks full pay + 13 weeks half pay*
iii. Over 10 years service 26 weeks full pay + 26 weeks half pay*

* In addition to these payments, an employee who is a member of the Pension and Assurance Scheme for Lay Employees will also be entitled to apply for benefits under the permanent health arrangements attached to this scheme. A claim under this scheme may be made after 26 weeks continuous absence on sick leave. Where notice to terminate the Contract of Employment is given during any of the periods shown in the right-hand column of the above scale, the occupational sick pay allowance will immediately cease and be replaced by notice pay in accordance with the contractual notice pay entitlement of the Employee.

The Methodist Council is entitled to deduct from sick pay any sickness benefit paid direct to staff members by the Benefits Agency.

Re-qualification Periods

When a staff member’s sick pay entitlements are due to come to an end, the Development and Personnel Office will aim to inform the staff member of this before the pay entitlement comes to an end. A copy of the letter sent to the staff member informing him/her of this will also be copied to the respective Line Manager and Cluster Manager.

If OSP and SSP entitlements have been exhausted, the staff member will need to make arrangements to apply for Incapacity Benefit.

In cases where sick pay entitlements have been exhausted, the following re-qualification periods will apply:

Statutory Sick Pay
There is a limit of 28 weeks’ SSP in any one period of sickness or linked periods. (Periods of sickness are said to be linked if the second period starts within eight weeks of the end of the first period.)
**Occupational Sick Pay**

If Occupational Sick Pay is exhausted, the employee will then be entitled to SSP (for up to 28 weeks’ sickness in total)

Staff will re-qualify for Occupational Sick Pay once they have exhausted their OSP entitlement upon completion of 26 weeks back at work. This does not have to be continuous.

The Methodist Council reserves the right to refuse to pay sick pay (including SSP) if it has reasonable cause to think that a staff member is not genuinely sick, or if it has cause to believe that an individual is abusing the sick pay scheme. It may also suspend staff from the sick pay scheme if it feels is has reasonable cause to do so as a result of the monitoring of sickness and absence.

5. Monitoring and Recording Sickness Absence

The line manager must ensure that the Development & Personnel Office is informed of the staff member’s absence on the first day it occurs. This will ensure that the Development & Personnel Office can assess the staff member’s sickness entitlements and that amendments to pay entitlements are made in time, i.e. if the staff member has less than four months service, they are not entitled to Occupational Sick Pay, and will not receive any SSP payment for the first three days of consecutive absence. In such cases, the Development and Personnel Office will inform the staff member.

It is essential for the organisation to monitor sickness absence effectively and consistently, and where necessary to provide support and assistance to the staff member. To help the organisation to do this, absence trigger points identify an appropriate time for a staff member to be approached about their absence by their line manager, where their level or patterns of absence is causing concern. The following are the organisation’s trigger points:

- During any ‘rolling’ twelve month period an employee has 5 or more separate occasions of absence;
- During any ‘rolling’ twelve month period an employee has had at least 8 working days of any combinations of un/self certified absence, or medically certified absence

Where one of the trigger points has been reached, the staff member will be written to by the line manager and an Informal Evaluation Meeting will be arranged with the line manager to discuss the matter in detail.

Regular reviews of sickness absence will be conducted by line managers to ensure that the Connexional Team is able to function effectively and to check for patterns that give cause for concern or indicate the possibility of health problems that may be exacerbated by the working environment.

If a member of staff’s absence pattern gives a manager cause for concern it will be discussed with them in this way at the earliest opportunity.

If the line manager/Development & Personnel Office considers it necessary, arrangements will be made for an employee to be medically examined, the cost of which will be borne by the organisation. Further details of this are given below.
The provisions for reporting and recording sickness absence apply equally to home based staff, who are expected to comply with the policy in full.

6. Management Action

Informal evaluation meeting

The absence of a member of staff due to sickness for any of the trigger levels set out above in a rolling year will trigger an informal Sickness Absence Evaluation Meeting between the manager and the individual. This meeting is an opportunity for a manager to discuss their concerns about a staff member’s attendance record on an informal basis and agree a plan of action to improve attendance, where appropriate. It also provides an opportunity for the staff member to raise any concerns they may have, for example about their working environment, factors that they feel may be contributing to their sickness absence, and other issues of concern to them. To summarise, the following checklist of issues to cover in an evaluation meeting may be helpful:

- Discussion of absence levels over the last twelve months, and reasons for them (in order to gain a shared understanding of the nature and frequency of the absences);
- Identification of any issues which the staff member feels may be contributing to their absence levels, for example environmental factors, relationships with colleagues, work pressures, issues outside work;
- Development of shared and agreed solutions for reducing absence, possibly to include referral to the Occupational Health Physician, support from manager or other colleagues; and
- Identification of targets for reducing absence over a defined time period, for example three and six monthly intervals.

Clearly, the structure, length and content of the evaluation meeting must be sensitively adjusted to the individual circumstances of the staff member’s duration and pattern of absence. For example, where there has been significant short term absence over an extended period the focus might be more on gaining occupational health advice and setting targets for a phased reduction in sick leave. On the other hand, where the absence level is not significantly above the trigger level, and the staff member has a record of good attendance, a less rigorous approach is needed. Each case must be considered on its individual merits, and appropriate strategies applied.

Evaluation Meetings may however be held at any time when absence patterns give reasonable cause for concern, there is no need to wait for the trigger points before arranging such a meeting. They must be handled sensitively, and must be appropriate to the length and nature of the staff member’s absence. As these meetings are part of the informal process of management there is no need for trade union or other representation. The manager will take notes of the meeting and they will be made available to the staff member. The notes will record any requirements placed upon the staff member, such as an action plan for improving attendance levels. A copy of the notes will be placed upon the staff member’s file.

The staff member will be given five working days written notice of the meeting.
If following the informal evaluation meeting, the manager wishes to refer the staff member to the Occupational Health Services, the Development and Personnel Office must be contacted. A member of staff may also request an appointment with the Occupational Health Service to seek confidential advice on a health problem.

If during any agreed monitoring period following the Informal Evaluation meeting, absence exceeds or has the potential to exceed the improvement target this will trigger a formal Review Hearing with the line manager (Chair) and a Development and Personnel representative.

A member of staff who fails to comply with notification or certification procedures or who otherwise abuses sickness absence procedures may be subject to the Methodist Council Disciplinary procedures.

**Review Hearings**

A Review Hearing will need to be held where formal action is required following the informal Evaluation Meeting process, or where there is a poor prognosis for a long-term absence. Each Review Hearing will be linked to an identified and required improvement in attendance levels. The staff member has the right to be accompanied by a representative of their choice.

**Review hearing – procedural arrangements**

The line manager in conjunction with Development and Personnel shall be responsible for ensuring that a person of sufficient seniority hears the matter.

Staff members will be given 10 working days notice in writing of the time, date and location of the Review Hearing and of their right to be accompanied by a representative of their choice.

With the notification letter the staff member shall receive copies of the documents to be presented by management at the Hearing.

Staff members must submit any documentation they wish to use at the Hearing, to the manager identified in the notification letter, no later than 3 days prior to the Hearing.

**PROCESS AT THE HEARING**

The Chair will ensure that the following process is followed.

- The line manager will present their case, using the documents previously submitted as appropriate. Questions may then be asked by the staff member, his/her representative and the Chair.

- The staff member and/or their representative will be given the opportunity to respond to these statements and to use the documents they have previously submitted in support of their case. Questions may then be asked by the line manager and the Chair.
- The line manager and the staff member shall withdraw from the hearing while the matter is considered by the Chair, in consultation with his/her advisor.

- After considering the case the Chair will make a decision.

- An appropriate representative shall be present at all formal hearings to advise the Chair on points of fact, evidence and law. The representative could be from Development and Personnel or an independent advisor.

- A formal written record of the hearing will be produced, which will not be a verbatim record.

**NON ATTENDANCE OF THE STAFF MEMBER**

Where the staff member indicates that they will not attend the hearing it may be necessary to conduct the hearing in their absence.

Where the staff member’s absence is due to ill health, a medical certificate must be submitted. The medical certificate should specifically state that the staff member is unable to attend the hearing and the reason why. A certificate indicating a general inability to attend work will not be acceptable. If an appropriate medical certificate is not provided, the hearing may proceed in the staff member’s absence, at the discretion of the Chair.

One postponement or rearrangement of the hearing will be permitted at the discretion of the Chair. At the request of the staff member, their representative may fully represent the staff member in their absence.

**OUTCOMES OF REVIEW HEARING**

At a Review Hearing the Chair may decide on the following outcomes:

**Redeployment**

A staff member could be redeployed into a suitable alternative position. If the post was at a lower level than that previously held no salary protection would be payable.

**Written Warning**

The staff member will be informed that their attendance needs to improve to a defined, acceptable standard within a specified timescale and failure to do so could lead to further formal action.

The outcome of the hearing including the reasons for the decision will be confirmed to the staff member within 5 working days of the meeting, and hard copy notes of the hearing will be retained on the staff member’s personal file. Normally, the warning will remain active for a period of 12 months after the hearing and be disregarded for future formal purposes. However, the Chair can use their discretion and decide on a longer timescale.

**Final Written Warning**
A final written warning will be issued in cases of very serious concerns about the staff member’s level of attendance and/or failure to improve within the specified timescale. They will be informed that failure to improve to an acceptable standard within a specified timescale could result in their dismissal. For the avoidance of doubt, a final written warning may be issued without being preceded by a first written warning, where the circumstances of the case merit this.

The outcome of the hearing including the reasons for the decision will be confirmed to the staff member within 5 working days and hard copy notes of the hearing will be retained on the staff member’s personal file. Normally, the warning will remain active for a period of 2 years after the hearing and be disregarded for future formal purposes. However, the Chair can use their discretion and decide on a longer timescale.

**Dismissal**

The Chair may dismiss the staff member with notice. The employee will be entitled to notice in accordance with their contract of employment. The Director of Development and Personnel has the discretion to authorise payment in lieu of notice where this is thought to be of benefit to the Methodist Council and/or staff member.

Where a staff member has had action taken against them and a lapse occurs in their attendance levels within a twelve-month period, managers have discretion to take action one stage on from where the procedure ceased previously.

**APPEALS**

Staff members who are dissatisfied with any penalty arising from a formal Review Hearing may lodge an appeal with the Director of Development and Personnel. This must be done within 5 working days of the staff member receiving written confirmation of the decision. The appeal must be in writing and should clearly state the basis on which it is made i.e.;

- on the severity of the penalty, or
- on the findings.

The person hearing the appeal will be a manager senior to the person who took the decision at the original hearing. An appropriate advisor will be present at all appeals. This advisor could be from Development and Personnel or an independent advisor. The employee also has the right to be accompanied by a representative of their choice.

The process for conducting the appeal hearing will be as follows:

- The staff member (the ‘appellant’) must submit a statement of appeal together with any documentary evidence they wish to rely on at the hearing. This must be received by the Director of Development and Personnel at least 10 working days before the date of the hearing, who will forward it to all parties attending the appeal.
- At no later than 3 working days prior to the date of the hearing the management representative must submit a written response to the appellant’s statement of appeal. This must be sent to the Director of Development and Personnel, who will forward it to all parties attending the appeal.
At the appeal hearing, the Chair will introduce all parties and the documents submitted, and set out the order to be followed in the hearing.

The appellant will present their case, producing documents as appropriate.

The manager responding to the appeal and the Chair of the Appeal will ask questions of the appellant.

The manager responding to the appeal will then present his/her response to the appeal submission.

The appellant and the Chair of the Appeal Panel will then have the opportunity to ask questions of the manager.

The manager will have the opportunity to sum up.

The appellant will have the opportunity to sum up.

All parties withdraw whilst the Chair considers the case.

The Chair will make a decision, which will be conveyed in writing within 5 working days.

The staff member has no further right of appeal beyond this point.

7. **Prolonged sickness absence**

Managers should seek the advice of the Development and Personnel Office in cases of sickness absence of three weeks or more, if by that time they have not done so already.

While the Methodist Council will provide reasonable assistance, it cannot offer indefinite support or absence on sick leave. Each case will be considered fairly and on its individual merits, and a plan of action agreed upon. Set out below are the main responses that the Methodist Council may take, although of necessity this list is not exhaustive.

Depending on the medical condition and professional advice and guidance received, reasonable adjustments to working arrangements, premises, or jobs may be made to enable staff members, with or without a disability, to maximise their attendance and productivity. This may include a phased return to work, changes to working patterns or hours, redesign of some aspects of the job or the provision of specialist equipment. However, it is recognised that in some cases such support will not be possible, given the staff member’s medical condition or other circumstances.

**Staying in touch**

Where staff members are absent for an extended period as a result of sickness their line manager should maintain contact in order to provide support, monitor the situation and assess the likely duration of the absence from work. Notes of any arrangements or support should be kept by the manager.

If the manager wishes to visit the staff member at home to discuss their situation, advice should be sought from Development and Personnel prior to arranging the visit. A written report of each home visit including any recommendations for future action should be made with a copy sent to Development and Personnel to place on the staff member’s personal file. Home visits are useful for keeping in touch with the staff member, particularly where they are on long term sick leave. The visit is useful for the purposes of updating the staff member on social issues at work, such as staff changes, maternity leave etc. It should not be used to discuss work issues. The visit is also useful for discussing possible return to work strategies with the staff member, such as a phased return over a period of time, or the...
provision of light duties, or a referral to the Occupational Health Physician to provide up to date medical advice. These matters are often discussed better in a face-to-face context rather than by telephone or email. The frequency of home visits will depend on the nature and duration of the staff member’s absence.

If medical advice suggests that the staff member is unlikely to be able to give regular and efficient service in the future, or if in fact this has not been possible over a period of monitoring and support, it may be necessary for dismissal proceedings to be instituted. Should this happen, the staff member will receive either pay in accordance with their contract of employment, or pay in lieu of notice. A payment in lieu of any untaken holiday will also be made.

8. Medical Referral

Where a staff member has been absent from work for at least one month, or is unable to estimate when they will be fit to return, or if this is unlikely to be within a reasonable period managers should seek the advice of the Occupational Health Service (OHS) who will normally arrange an appointment with the staff member (via Development and Personnel). In some circumstances the line manager may decide to make a referral before a period of a month has elapsed, especially in cases of depression or stress.

Following the appointment, the OHS will consider the likelihood of a return to work and if so under what circumstances, the current state of the staff member’s health, its effect on his/her present or future capability, whether more specialist advice and/or a second referral is required etc and report back to the manager accordingly. This list is not exhaustive.

Managers seeking the advice of the OHS must outline the details of the particular case by letter. Development and Personnel will ask staff members to sign a consent form giving their permission for the OHS to approach their doctor and/or specialist.

In seeking such permission managers should inform their staff member why an approach is required and the outcomes that could follow this. It is good practice to provide a copy of the referral letter to the staff member.

Staff members are not required to complete the medical consent form. However where a staff member refuses to give written permission to approach his/her doctor it may be necessary to take a decision without the benefit of their medical opinion. In such cases Development and Personnel must be consulted before further action is taken.

All medical information will be treated with appropriate confidentiality.

Outcomes

Managers will be responsible for consulting staff members regarding the results of a medical referral and its implications for future employment. If medical advice suggests that a staff member is incapable of undertaking his/her duties consideration should be given to either:
the availability of temporary duties, part time working, or alternative work pending recovery and a return to normal duties

- where recovery is insufficient to enable the staff member to return to normal duties, whether suitable alternative employment is available through redeployment measures. In such cases, if any redeployment results in the staff member obtaining a post with a lower salary level, no salary protection will be available.

Where relevant, the requirements of the Disability Discrimination Act must be taken into account when considering any reasonable adjustments, the availability and/or suitability of alternative employment or whether the termination of employment on the grounds of capability should be considered.

Where the OHS does not recommend ill health retirement but advises that a staff member is incapable of fulfilling his/her full range of duties (either permanently or within a reasonable timescale), and no suitable employment can be found, or the staff member has indicated that they do not wish to be considered for alternative employment, the staff member must be consulted about the outcome of the medical report and any proposal to terminate their employment.

If the manager after considering all the facts of the case forms the view that the employment should be terminated they should arrange to convene a formal Review Hearing.

In cases of recurring bouts of long-term absence it may be necessary to hold a formal Review Hearing at an earlier stage of the procedure in anticipation of dismissal taking place at a later date if no improvement occurs.

9. Responsibilities

All staff members are required to adhere to the provisions of this procedure.

Individual line managers are responsible for ensuring that the procedure is properly implemented within their own areas. Managers should seek advice from Development and Personnel concerning the application of the procedure prior to any formal action being taken.

Development and Personnel are responsible for ensuring the maintenance, review and updating of the procedure.

10. Further Guidance

Further guidance on the operation, interpretation and application of this procedure is available from Development and Personnel.