

ABSENCE POLICY

Authorship:	Adapted for local use by North Yorkshire and Humber Commissioning Support Unit on behalf of North Lincolnshire CCG.
Committee Approved:	JTUPF & CCG QPF Committee
Approved date:	01/03/2018
Review Date:	Periodically or if statutory changes are required
Equality Impact Assessment	Completed
Sustainability Impact Assessment:	Completed
Target Audience:	All Staff
Policy Reference No:	HR03
Version Number:	

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POLICY AMENDMENTS

Amendments to the Policy will be issued from time to time. A new amendment history will be issued with each change.

New Version Number	Issued by	Nature of Amendment	Approved by & Date	Date on Intranet
1.0	NYH CSU	New Policy for CCG	CCG Governing Body 12.12.13 & JTUPF 26.03.14	05.09.14
1.1	eMBED	Updated in regards to GDPR	SPF 10.01.18 QPF 01/03/18	

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1. POLICY STATEMENT

- 1.1 The North Lincolnshire Clinical Commissioning Group (CCG) recognises the contribution of its employees and is committed to providing good working conditions and health and safety standards.
- 1.2 The overall purpose of the policy is to set out CCG's approach to the management of absence and attendance within the workplace. The policy will also set out guidance to staff and managers about their responsibilities in relation to managing sickness absence.
- 1.3 Research shows that the most successful strategies in reducing employee absence and maintaining standards for performance and competence are in early intervention by line managers, good communication and flexibility, set within a culture where staff feel able to raise issues that may be troubling them at an early state so that they can be addressed before they escalate.
- 1.4 The CCG aims to secure the continued attendance and performance of employees at work, thus avoiding difficulties for service users, colleagues, and other employers/services affected by individual absenteeism and or poor performance.
- 1.5 The CCG is committed to staff maintaining a healthy work life balance and will ensure that employee absence and performance is dealt with in a fair, consistent and supportive manner, balancing the needs and duties of an individual with the responsibility for service delivery. Absence amongst employees can be a challenging problem. High levels of absence within a Department can have a detrimental effect on the level of service provided and potentially, the health and safety of employees. This policy is intended to assist with the difficult task of controlling absence in a firm but sympathetic manner, ensuring that all employees are treated fairly and consistently.
- 1.6 The Equality Act 2010 places a duty on employers to avoid discrimination and make reasonable adjustments in relation to disabled employees, including those who become disabled or whose condition worsens. Under the Equality Act employers have a duty to retain disabled employees (wherever reasonable).
- 1.7 Early intervention can help employers to solve or manage problems and maintain attendance and levels of motivation. Employees who are absent are also more likely to return to work quickly if they feel there is a supportive and understanding environment to come back to.

2 SCOPE

- 2.1. This procedure will apply to all staff within the CCG.

3. PRINCIPLES

- 3.1 This procedure enables managers to address sickness absence issues, both short and long term, in a fair, consistent, empathetic and equitable manner. It is recognised however that all cases must be dealt with on an individual basis because of differing circumstances therefore this procedure gives an outline of the principles to be observed.
- 3.2 It should be noted that all other types of absence should be dealt with in accordance with the appropriate policy, i.e. maternity, adoption, career break, stress policy etc. Line managers should consider, and take due account of, individual circumstances and all relevant factors before action is taken e.g. maternity related absence, stress, disability related absence, work related factors.

- 3.3 Absence for planned elective medical treatment .e.g. cosmetic procedures and IVF should be discussed in advance with their manager. Each case will be discussed on its individual merits and it may be determined that it is appropriate to record the time taken as another leave type, i.e. annual leave.
- 3.4 Confidentiality will be maintained in all aspects of absence management and records will be kept in line with the Data Protection Act.
- 3.5 Training will be provided in policies and procedures relating to absence. All new staff will be made aware during their induction.
- 3.6 The CCG recognises that everybody is sick or subject to emergencies from time to time, however regular attendance at work is a contractual requirement.
- 3.7 Short term absenteeism refers to a series of illnesses, which result in frequent, short periods of absence. The appropriateness of referral to the CCG's Occupational Health Provider will be discussed between the individual, their line manager and a workforce representative.
- 3.8 It is acknowledged that occasions do arise when people are away from work on a long-term basis as a result of chronic or acute ill health. Although each case will be dealt with on an individual basis this policy outlines certain principles that will always be observed.
- 3.9 In dealing with any sickness absence cases managers must be mindful of obligations that they and the CCG may have under the Equality Act 2010. In identifying whether or not an employee is covered by the Equality Act advice will be sought from appropriate medical professionals.
- 3.10 Advice should be taken from the Workforce Team at all formal stages of this procedure to ensure the consistent application of this procedure throughout the CCG.
- 3.11 Employees may be accompanied by an accredited representative of a recognised trade union or CCG work colleague, 'hereafter referred to as companion', in all formal meetings under the procedure. The companion must not be acting in a legal capacity.

4. RESPONSIBILITIES

4.1 Manager responsibilities

Line managers have an important role to play in the management of absence. The key responsibilities for managers include:

- Ensure that they are familiar with the Absence Policy and their obligations in relation of the implementation of the policy.
- Communicate appropriately with absent staff
- Dealing with any actions in a timely manner when dealing with absence at work, balancing the needs of the individual with those of the service.
- Discussing the support available to the individual and assisting them to access this where appropriate
- Maintain accurate records of all absences and reasons for absence
- Hold return to work meetings after each individual episode of sickness
- Maintain confidentiality at all times
- Attend any CCG training provided on policy updates.
- Identify a 'nominated deputy' for staff to report sickness absence to during periods of annual leave/out of the office/non-working time and communicate this to staff.
- Maintain accurate records of all absences and reasons for absence and outcomes from

discussions and ensure these are secure in line with data protection and records management policies and procedure

4.2 Employee Responsibilities

Employees are expected to:

- Ensure regular attendance at work;
- Communicate appropriately with their manager when absent from work;
- Co-operate fully in the use of these procedures
- Attend Occupational Health when required to do so as a contractual duty
- Compliance with sick pay scheme
- Meet with a manager for a Return to Work meeting following any sickness absence
- Attend review meetings with Management when discussing periods of absence or planning return to work, reasonable adjustments or alternative employment.

5. GENERAL POINTS

- 5.1 The CCG's procedure for managing absence must be followed by all employees. It is the responsibility of every employee to report any absence and only in exceptional cases should this procedure be carried out by someone else on their behalf.
- 5.2 If an employee knowingly gives any false information, or makes false statements about their sickness including altering medical certificates, it may be treated as misconduct and may result in disciplinary action being taken. In proven cases of gross misconduct it could lead to dismissal (e.g. absent on sick leave and working elsewhere).
- 5.3 Any employee who unreasonably fails to comply with the CCG's sickness absence policy and procedure may have their occupational sick pay withheld or may be subject to disciplinary proceedings. Any decision to withhold sick pay must be made in conjunction with the Workforce Team. Advice may also be sought from Occupational Health .
- 5.4 The CCG has the right to dismiss employees whilst they are receiving sick pay entitlement. Any decision to dismiss on capability grounds will be subject to medical advice.
- 5.5 The CCG reserves the right to request a Doctor's Certificate for periods of absence of less than seven calendar days in cases of short term frequent absence. However this should normally follow an Occupational Health referral where there is no medical reason for continued short term persistent absence. Furthermore, this sanction should only be used for a finite period and should be reviewed on a regular basis. Finally, should the employee incur a cost in obtaining a Doctor's certificate, then this will be reimbursed by the CCG.
- 5.6 The CCG is committed to ensuring that all personal information is managed in accordance with current data protection legislation, professional codes of practice and records management and confidentiality guidance. More detailed information can be found in the CCG Data Protection and Confidentiality and related policies and procedures.

6. SICKNESS ABSENCE AND THIRD PARTY PAYMENTS

Staff who sustain an injury whilst employed in a secondary job or whilst undertaking dangerous activities e.g. motorsports, and as a consequence are absent from their CCG employment, will receive normal sick pay. However, any payment received from the secondary employment or any insurance company will be used to offset against the sick pay received by the individual from the CCG.

Staff must inform the CCG of any sickness or insurance payments received in respect of the above and repay the agreed amount of CCG sickness allowance if and when damages are received. Once payment is received by the CCG the absence will not be taken into account for the purpose of sickness absence calculations.

7. SCHEME OF DELEGATION

7.1 This table details who has the appropriate authority to deal with each stage of the procedure.

Informal procedure	Line Manager or equivalent level manager from elsewhere within the CCG
Formal procedure	Line manager or equivalent level manager from elsewhere within the CCG or the line managers direct manager if the line manager has been previously involved or implicated and Workforce Representative
Appeal following formal procedure	Line Managers manager or equivalent who has not previously been involved or implicated and Workforce Representative
Dismissal Hearings	Chaired by a Director or equivalent plus one other manager and Workforce representative
Appeal against dismissal	Chaired by a Director plus one other manager and Workforce representative

8. EQUALITY

8.1 In applying this policy, the CCG will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic. See Appendix 20

9 SUSTAINABILITY

This policy has been assessed against the CCG's sustainability themes. Please see Appendix 21.

10. BRIBERY

The CCG follows good NHS business practice as outlined in the Business Conduct Policy and has robust controls in place to prevent bribery. Due consideration has been given to the Bribery Act 2010 in the development (or review, as appropriate) of this policy document and no specific risks were identified.

11. MONITORING & REVIEW

11.1 The policy and procedure will be reviewed periodically by the Workforce Team in conjunction with operational managers and trade union representatives. Where review is

necessary due to legislative change, this will happen immediately.

12. ASSOCIATED DOCUMENT'S

Disciplinary Policy

Managing Work Performance Policy

Relevant Substance use and Mental Wellbeing Policies (when developed)

General Data Protection Regulation and Records Management Policies

PART 2

PROCEDURE

1. REPORTING ABSENCE

- 1.1 All employees must contact their line manager in the first instance, or if unavailable, the central administration office on the first day of absence as soon as is reasonably practicable or within one hour of their normal starting time. The employee must make this call. The only exception is where it is clearly not possible for employees to ring personally, such as admission to hospital.
- 1.2 Employees must talk directly to their line manager, or a member of the administration team. It is not acceptable to text, e-mail or leave messages with anybody else.
- 1.3 If an employee does not have a telephone at home alternative arrangements for reporting sickness must be made.

If an employee fails to attend or notify their manager of their absence then the employee's next of kin may be contacted

- 1.4 When reporting absence employees must give the following information:

- the reason for the absence (if known);
- the expected length of absence (if known);
- whether a visit will be made to their GP, and if so, the date of the appointment
- when they will next contact their manager

Where possible the manager should be advised of any outstanding work that may require urgent attention during the period of absence. This will enable managers to plan and allocate work.

- 1.5 In cases of continued absence, employees must contact their line manager regularly to provide them with up to date information. Should the absence continue then the employee and the manager must decide upon the frequency and method of further/continued contact and the form that this will take. It is not sufficient to provide fit notes as a means of maintaining contact. It should be noted that failure to maintain contact as per the agreement with the line manager, may result in the payment of occupational sick pay being delayed or withheld. Any decision to take disciplinary action or to withhold or delay payment of occupational sick pay must be made in conjunction with a Workforce Representative

Evidence of Incapacity for work

- 1.6 For absences lasting seven calendar days or less, on the first day back at work, employees will be required to complete a Sickness Self-Certificate (Appendix 2). This should include the reason for absence. The Certificate will be countersigned by a manager and subsequently will be kept in the employees file.
- 1.7 If an absence exceeds seven calendar days a doctor's fit note must be submitted to the line manager, no later than the tenth day of absence, covering the absence from the eighth calendar day. The fit note is normally retained by the line manager and the absence recorded on the appropriate staff absence record form.
- 1.8 If an absence continues beyond the period covered by the initial fit note, further fit notes must be submitted to give continuous cover for the period of absence. On eventual return to work employees must complete the CCG's Sickness Self-Certificate in respect of the first

seven days or less not covered by a doctor's fit note.

- 1.9 Any days not covered by a fit note will be regarded as unauthorised absence and will be unpaid and may lead to disciplinary action.
- 1.10 Failure to submit consecutive fit notes in a timely manner may be considered in breach of the Absence Management policy and may invoke the Disciplinary Procedure.
- 1.11 If the doctor's fit note does not specify the period of absence covered, it will be taken as covering a period of seven calendar days only.
- 1.12 For reporting purposes, reports will show long term absence as 28 calendar days or more.

Statement of Fitness to Work (Fit Note)

- 1.13 The statement of fitness to work, known as the 'fit note' was introduced in April 2010. It allows a doctor/GP to advise whether an employee is either:
 - Not fit to work
 - May be fit to work

If the doctor/GP suggests that they 'May be fit to work' there are now a number of options open which may help to get the employee back to work:

- Phased return to work
- Amended duties
- Altered hours
- Workplace adaptations

Any such recommendations should be discussed and agreed with the individual and line manager prior to commencement of work at a return to work meeting. If the recommendations made by the doctor/GP on the fit note cannot be accommodated the medical note should be used as though the doctor/GP had advised 'Not fit to Work' for the duration of the note. This means the employee does not need to return to their doctor until the expiry of the note.

Employee Occupational Sick Pay Entitlements

- 1.14 The amount of paid sickness leave entitlement depends on length of service, as outlined below:
 - During 1st year of service One months' full pay and two months' half pay
 - During 2nd year of service Two months' full pay and two months' half pay
 - During 3rd year of service Four months' full pay and four months' half pay
 - During 4th and 5th years of service Five months' full pay and five months' half pay
 - After 5th year of service Six months' full pay and six months' half pay
- 1.15 The period during which sick pay is paid and the rate of sick pay for any period of absence is calculated by deducting from the employee's entitlement, on the first day of absence, the aggregate periods of paid sickness during the 12 months immediately preceding that day.
- 1.16 Sick pay is based on basic pay only.

- 1.17 Full pay is inclusive of any statutory benefits. Half pay plus statutory sick pay will not exceed full pay.
- 1.18 For the purpose of calculating entitlement to sick pay, a previous period or periods of NHS service will be counted towards the employee's entitlement to sick leave with pay where there has been a break, or breaks, in service of 12 months or less.
- 1.19 In the event of employment coming to an end, entitlement to sick pay ceases from the last day of employment.

Occupational Sick Pay Conditions

- 1.21 The conditions for sick pay are financial provisions indicating an entitlement to occupational sick pay and in no way indicate the amount of absence to which an employee is entitled.
- 1.22 Sick Pay will be reinstated at half pay, after 12 months of continuous absence in the following circumstances:
- Employees with more than 5 years reckonable service – sick pay will be reinstated if the entitlement is exhausted before the Final Review meeting takes place.
 - Employees with less than 5 years reckonable service – sick pay will be reinstated if the entitlement is exhausted and the Final Review meeting does not take place within 12 months of the start of their sickness absence.

Reinstatement of sick pay in these circumstances will continue until the Final Review meeting takes place. It is not retrospective for any period of zero pay in the preceding 12 months of service.

- 1.23 The period of full or half sick pay detailed in 1.13 may be extended in exceptional circumstances; or
- where there is the expectation of a return to work in the short term and an extension would materially support a return and/or assist recovery. Particular consideration will be given to those staff without full sick pay entitlements.

When an extension to sick pay is being considered for any reason this must first be discussed with an Workforce representative.

- 1.24 Sick pay is not normally payable for an absence caused by an accident due to active participation in sport as a profession, or where contributable negligence is proved.
- 1.25 An employee who is absent as a result of an accident is not entitled to sick pay if damages are received from a third party. Under these circumstances the employee will be advanced a sum not exceeding the amount of sick pay payable under this scheme providing the employee repays the full amount of sickness allowance when damages are received. Once received, the absence will not be taken into account for the purposes of the scale set out in 1.13 above.

2. SICKNESS DURING ANNUAL LEAVE

- 2.1 If an employee falls sick during a period of annual leave either in this country or overseas, and the period of incapacity seriously interrupts the period of leave, then they may count the absence as sick leave provided they;
- Notify their line manager either in writing or by telephone at the earliest opportunity, in

line with CCG/departmental procedures and no later than the fourth continuous day of illness; and

- Provide a statement by a qualified medical practitioner; the statement should cover the period of the illness and the nature of the illness.

For information, a serious interruption of annual leave would be deemed as four or more days of continuous illness.

- 2.2 If an employee is absent on sick leave and has pre-booked annual leave then they must notify their manager as soon as possible if they do not intend to take the annual leave.
- 2.3 If the employee intends to spend more than one night away from their normal place of residency whether it be overseas or in the UK, then the employee must advise their manager and maybe required to provide a written statement from a medical practitioner advising that the holiday would be beneficial to their condition or recovery, and in no way would aggravate or cause detriment to the illness/injury. Where necessary, the CCG will reimburse the cost of such letters. In addition, the CCG may also choose to obtain a medical opinion from the Occupational Health Provider. If the leave is supported by a medical practitioner then the employee will have the option to continue with sick leave and have the annual leave credited back or take the time as annual leave, in which case sick pay, occupational and/or statutory as appropriate, will cease. If an employee is physically unable to return to work after a holiday they must submit a fit note which covers them from the day on which they were expected to return to work. Should the employee take the leave as sickness, then entitlements to sick pay both occupational and statutory will be in line with the normal eligibility rules.
- 2.4 Where the request to continue with a pre-booked holiday is not supported by a medical practitioner, then annual leave should be taken.
- 2.5 Employees will not be entitled to an additional day off if they are sick on a statutory holiday.

3. SHORT TERM ABSENCE

- 3.1 The CCG operates an accurate method of recording and monitoring levels of absence. If the amount of time being taken off for illness is giving cause for concern, managers will discuss this with employees at the return to work meeting and provide them with a record of all absences from work. The individual will have the opportunity to explain any personal or work-related issues which may be a factor in the absence.
- 3.2 To ensure the consistency with the application of Absence Management Policy, trigger points are used to monitor short term sickness and long term sickness. The triggers for short term absence are:
 - Three occasions of absence in any 12 month period, or
 - 12 or more days absence in any 12 month period arising from two or more episodes
 - Identifiable pattern of absence

Review meetings will be held with staff who hit any of the trigger points.

- 3.3 Where an individual fails to maintain regular attendance deemed acceptable for the CCG, they will progress through the stages of the procedure. This process may, eventually result in dismissal if the absence continues.
- 3.4 At any stage during this process, it may be appropriate to seek advice from Occupational

Health.

- 3.5 If at any stage the employee achieves a better attendance record than is required by a warning, no action will be taken. The manager will continue to monitor the level of attendance or pattern of absence. Should the improvement not be sustained then the process will be resumed.
- 3.6 Where an employee reaches a trigger, a formal attendance monitoring meeting will be held with the individual. The purpose of the meeting is to provide support and assistance to overcome any short – term issues, patterns or problems which are identified. At this stage an action plan of improvement will be set. (Appendix 1 '*Stages of attendance management and improvement notification*')'

STAGE 1 INFORMAL Attendance Discussion Meeting

- 3.7 The manager will arrange this meeting with the employee to discuss their absence and to establish if there are any underlying reasons, medical/personal or other for their current level of absence.
- 3.8 During this discussion it may be necessary to agree a time period over which their attendance will be monitored for improvement, usually no longer than three months. Any agreed actions, including clearly understood standards for attendance will usually be confirmed in writing within 5 working days and the situation will be reviewed again at the end of the agreed review period. Whilst a sympathetic, supportive approach will be taken with regard to isolated incidents of short term absence, frequent short term absence is a cause for concern.
- 3.9 It is important that the manager explains and the individual understands there is an impact to the service and other team members of their absence and there is a limit to what is reasonably practicable to do to support them to increase and maintain their attendance to fulfil their current role and duties. This discussion will include an explanation of the full procedure if the absence continues/increases to an unacceptable level.
- 3.10 At the end of the agreed period the manager and individual will meet again to review the attendance levels. This meeting may be brought forward if it is established that the agreed standards have not been met.
- 3.11 Should the absence have not improved/maintained to the agreed standard the employee will be informed in writing that they will be required to attend a stage 2 review meeting

STAGE 2 FORMAL ATTENDANCE MEETING (at all formal stages of this procedure staff have a right to be accompanied by a companion)

- 3.12 At the agreed review meeting, the manager and workforce representative will meet with the employee to review their attendance. The employee is entitled to be accompanied by a companion. During this discussion it may be necessary to issue a first written warning and agree a time period over which their attendance will be monitored for improvement, usually no longer than three months. The standard of attendance required must be clearly identified
- 3.13 The First Written Warning will remain live on the employee's personal file for 12 months from the date and time of issue. The employee must also be advised of their right to appeal.

- 3.14 The employee will be informed of the agreed actions in writing usually within 5 working days and reviewed again at the end of the agreed review period (usually no more than 3 months).
- 3.15 At the end of the agreed period the manager and individual will meet again to review the attendance levels. This meeting may be brought forward if it is established that the agreed standards have not been met.
- 3.16 If the attendance has improved, it may not be necessary to take any further action.
- 3.17 If at the end of the agreed monitoring period, the employee's absence has not improved/maintained to the agreed standard. The manager will either agree an extension to the monitoring period to refer to a second formal review. The outcome of the review stage meeting will be confirmed in writing usually within 5 working days. The manager will either agree an extension to the monitoring period or refer to a second formal review.

STAGE 3 SECOND FORMAL REVIEW

- 3.18 At the agreed review date, the manager and a Workforce Representative, will meet with the employee to review their attendance the employee is entitled to be accompanied by a companion.
- 3.19 If the employees absence has not improved/maintained to the agreed standard following the previous periods of monitoring, and support having been implemented or accounted for. It may be necessary to issue a final written warning and agree a time period over which their attendance will be monitored. The standard required must be clearly identified.
- 3.20 The employee will be informed of the agreed actions in writing usually within 5 working days and reviewed again at the end of the agreed review period.
- 3.21 If the attendance has improved, it may not be necessary to take any further action.
- 3.22 If the attendance has not improved/been maintained to the agreed standard the manager will wither agree on extension to the monitoring period or refer to a Final Review Meeting (see section 6).

4. LONG TERM ABSENCE

- 4.1 Long-term absence is classed as at least four weeks continuous absence.
- 4.2 In all cases of Long term absence, Occupational Health advice must be sought.
- 4.3 In cases of long-term absence line managers must arrange to conduct regular review meetings to discuss possible courses of action should the absence continue. These may include rehabilitation and return to work requirements, redeployment, ill-health retirement etc. The meetings should be recorded and notes sent to the employee concerned. Employees may be accompanied by a companion. The line manager may also be accompanied by a Workforce Representative. The frequency of such meetings will depend upon the circumstances of the individual case.
- 4.4 These meetings should be held at mutually convenient locations, with due regard made to the employee's circumstances. If an employee is too ill to travel, the line manager may arrange to conduct a home visit at a mutually convenient time, if the employee agrees. However it should be noted that, as part of the return to work process, it may be more relevant to hold the meetings at a business location, or a suitable alternative venue.

- 4.5 Review and decision dates should be arranged taking into consideration the individual's sick pay entitlements and there must be a review meeting before their sick pay ends.
- 4.6 Employees who fail to attend sickness review meetings may be subject to the various sanctions within this policy.
- 4.7 In some circumstances it may be appropriate to address frequent short term absence due to the same on-going condition as long term absence.

5. ONGOING MEDICAL CONDITIONS

In some situations an employee may have on going health related problems which may impact upon their ability to perform the duties of their role. The employee may still be in work, or have long term or short term absence as in 4.7. This will be addressed by any or all of the following three steps.

1. **Medical advice**, support and guidance to help determine the best course of action for the individual
2. **Reasonable Adjustments / redeployment** – consider what adjustments can be made to role including hours or lighter duties. Identify if there is any suitable alternative role the individual could undertake either on a permanent basis or Interim basis. (refer to redeployment policy for additional information)
3. **Final Review Panel**- if the individual's substantive post is not suitable due to their ill health and the above stages have been unsuccessful in supporting the employee to resume full duties, a final review hearing should be arranged.

Before any decision to terminate an employee on medical grounds the following must have been meaningfully considered:

- Rehabilitation
- Phased return
- A return to work with or without adjustments
- Redeployment with or without adjustments

6 FINAL FORMAL REVIEW (WHICH MAY LEAD TO DISMISSAL)

At the agreed review date, the manager and a Workforce Representative will meet with the employee to review their attendance during that period. The employee is entitled to be accompanied by their companion.

Prior to this review an up to date Occupational Health assessment must be obtained.

If the absence has not improved or maintained to the agreed standard following all the previous periods of monitoring and support having been implemented or accounted for and their level of attendance remains unsatisfactory, and there is no indication of future improvement then **the individual may be dismissed**.

Dismissal is a last resort and all other options including further monitoring must be considered prior to such a decision being made. This meeting, as with all meetings held under this policy should be held in an empathetic manner.

Dismissal On The Grounds Of Capability

6.1 Before dismissal is considered, all other options as outlined above must have been discussed with the employee during the regular meetings that have taken place throughout the absence. Managers must be satisfied that all relevant information has been obtained and all relevant facts investigated. Documentation supporting this must be provided to the employee. In cases of long-term sickness, managers must also be mindful of the cessation of occupational sick pay entitlements in conjunction with the long-term prognosis.

In cases of short-term absence, managers must also consider the potential loss of specialist knowledge/experienced member of staff, the cost of replacing the employee, and whether or not any flexible working arrangements could be agreed as an alternative

6.2 Should the dismissal of an employee be identified at any stage in the process as the only appropriate option (i.e. all other options as outlined above have been investigated and found to be inappropriate) a Final Review Hearing will be convened. This will be chaired by the appropriate manager with the authority to dismiss and will be attended by the employee in question, their line manager where appropriate and a the Workforce Team representative.

6.3 Prior to this meeting the employee will receive a copy of a report, detailing the case history to date and considerations taken into account (e.g. Equality Act, implications, suitable alternative employment, ill health retirement) together with all other relevant documents, made to the person authorised to dismiss.

6.4 At this meeting the employee will have the opportunity to present their case and submit supporting evidence. They have the right to be accompanied by a trade union Representative or workplace colleague.

6.5 Where the employee is dismissed the manager should discuss the support available to the individual and provide guidance as to what support they can access. They must also be advised of their right to appeal..

6.5 Following the meeting the employee will be given a letter confirming the reason for dismissal, the date of dismissal, their right to appeal, details of any payment in lieu of contractual notice and any other outstanding payments to which they are entitled e.g. annual leave.

6.6 Where an employee is dismissed during the paid sick leave period they will be entitled to payment equivalent to their total occupational sick pay entitlement (full and half pay), plus payment in lieu of contractual notice and any outstanding annual leave.

7. OCCUPATIONAL HEALTH

7.1 In cases of long-term absence, managers are expected to exercise discretion in referring such absences to Occupational Health and the following principles should be applied:

- The Occupational Health can be consulted for advice when the likelihood of a return to work or cause of absence is not known.
- A member of staff should be referred to Occupational Health at an early stage in the absence if it considered that a referral may benefit the employee or the CCG.
- The Occupational Health is available to give both general and specific advice on the fitness of an employee for work, adjustments to the workplace where appropriate and likely return dates.
- An employee may request an Occupational Health referral, via their manager, for advice and support on the best way of seeking a return to work.

- 7.2 Where there is doubt regarding an employee's ability to return to work on a permanent basis advice must be sought from the Occupational Health. Employees may be eligible to ill-health retirement benefits if they have two years continuous membership of the NHS Pension Scheme. Ill-health retirement should be discussed with the individual and the Workforce Team during the review meetings. Further information is available in the Retirement Policy.
- 7.3 Employees must make themselves available to attend Occupational Health referrals as a contractual obligation (this may include home visits by an Occupational Health representative or the attendance at an Occupational Health Office). However, due regard should be made to the accessibility of the location in relation to the nature of absence. Where it is considered an individual is not co-operating with the procedure without due reason this may lead to disciplinary action. Managers must establish the reason for nonattendance at Occupational Health; a template letter may be issued for this purpose (appendix 19). Following the referral, Occupational Health will then provide a written report to management, a copy of which will also be sent to the individual. In most cases management will meet with the individual to discuss the content of the report.
- 7.4 In some cases it may be more appropriate for Occupational Health to contact a third party for a medical opinion e.g. GP, Consultant etc. and consent must be obtained from the employee concerned. In these cases, any information provided by a third party is always disclosed to Occupational Health and not to management. Occupational Health will then provide management with a written summary of information provided which is pertinent to the employee's on-going employment. Employee consent is not required for the release of this report.
- 7.5 Occupational Health may recommend appropriate treatment, such as physiotherapy or cognitive behavioural therapy, in supporting staff to remain in work, or return to work, at the earliest opportunity.

8. DISABILITY RELATED ABSENCE AND REASONABLE ADJUSTMENTS

- 8.1 If an employee is disabled or becomes disabled during their employment, then the CCG is legally required under the Equality Act 2010 to make reasonable adjustments to enable the employee to continue working. The Act broadened the provisions of the Disability Discrimination Act of 1995, for public sector employees.
- 8.2 Advice must be sought from Occupational Health as to what they suggest are 'reasonable adjustments'. However it will be the line manager's decision as to whether those adjustments are also reasonable for the service. Any adjustments made must be discussed with the individual concerned
- 8.3 The amendment to the Disability Act (now Equality Act 2010) also introduced the concept of positive action where a disabled member of staff (if they are as qualified) can be treated differently in order to ensure they remain in work. E.g. An internal disabled applicant, who has been displaced from their current role, may be considered favourably against an able bodied candidate.
- 8.4 Where there is a lack of understanding, on any part, if the absences are linked to a disability Occupational Health advice should be sought at the earliest opportunity.

9. SUBSTANCE MISUSE

- 9.1 Where an employee's absence is as a result of a suspected or admitted substance misuse problem please refer to the CCGs Substance Misuse Policy.

Medical Suspension

If a manager has concerns with regards to an employee and their ability to undertake work without risk to themselves or others they may ask the employee to remain off duty until Occupational Health advice is sought. Alternative duties or place of work may also be considered at this point to support the employee

10. RETURNING TO WORK

- 10.1 Wherever possible the CCG will aid a return to work on a permanent basis. To establish the most effective way of doing this the CCG may seek further medical advice.
- 10.2 This may include making reasonable adjustments to the employee's job, allowing a phased return to work, or by allowing the employee to return to work on a reduced or alternative hours basis.

Phased Return

- 10.3 Where a phased return to work is recommended by the Occupational Health, or a medical practitioner, the employee will be able to return to work on a part-time basis whilst receiving their full pay. This will be for a maximum period of four weeks, thereafter the employee must either substitute their annual leave for days not worked or receive payment only for the hours worked.
- 10.4 Where an employee requests a phased return to work themselves, they must take annual leave for days not worked or receive payment only for the hours worked.

Redeployment

- 10.5 If medical opinion is that an employee is unfit to return to their former employment, the possibility of alternative employment must be considered. (Please refer to the Redeployment Policy).
- 10.6 Where an employee's pay reduces because of ill-health or injury, and they have the required membership of the NHS Pension Scheme, their membership at the higher rate of pay may be protected. Advice should be sought from the pension's agency.

Temporary Injury Allowance

- 10.7 Employees on sick leave, and receiving either reduced pay or no pay, as a result of an injury or illness that is wholly or mainly attributable to their NHS employment will be eligible to apply for Temporary Injury Allowance. Applications should be made by the employee to their line manager who will make the decision on whether payment should be made, in conjunction with a Workforce representative and senior management. Further guidance may be sought from Occupational Health Service or NHS Pensions.
- 10.8 Employees do not need to be members of the NHS Pension Scheme to apply for Temporary Injury Allowance.
- 10.9 Temporary Injury Allowance will stop when the individual returns to work or leaves their employment.

- 10.10 Temporary injury allowance may be withdrawn if the employee is not available to attend management meetings in a timely fashion.

III Health Retirement

- 10.11 Throughout the absence management process, all options, such as rehabilitation, redeployment, part time working, job redesign etc. must be considered in conjunction with the employee.

Where the medical opinion indicates that an employee is permanently unfit for any employment or for the duties of their current role, the individual has the option of applying for early retirement on the grounds of ill health, in line with the provisions of the NHS Pension Scheme. This option is only available to employees who have at least two years continuous, pensionable NHS employment.

Applying for ill health retirement is a specific process to the absence management process but the organisation will provide all reasonable support to the application process.

This option should be discussed with an individual in full at the appropriate time and as much information as possible will be provided to enable the employee to make an informed decision. For more information regarding this procedure please contact The Workforce Team.

Resignation

- 10.12 At any time during the process an employee may choose to resign from their employment. They are required to give their contractual notice and any outstanding accrued holiday entitlement will be paid in lieu.
- 10.13 Payment in lieu of notice may be agreed by the line manager in conjunction with The Workforce Team.

11 ABSENCE REPORTING

- 11.1 Absences must be reported and appropriately documented. Where an absence lasts for more than ½ a day it will be reported as a full day for payroll purposes. For absences lasting less than ½ day the planned work day it will not be reported to payroll but will be recorded on the personal file and a return to work must be completed. Where an absence is not reported and/or appropriately documented it will be considered to be unauthorised absence is unpaid and may result in disciplinary action.

12. RETURN TO WORK MEETING

- 12.1 On their return to work, employees will be required to attend a return to work meeting with their line manager to discuss their absence. If the employee has been absent with a highly sensitive condition he/she may ask for a specific manager to manage the absence. The meeting is separate to an absence review meeting and will take place at an agreed time and in a private place.
- 12.2 The discussion should allow for an exchange of information and be as frank and as open as possible as this will prevent any misunderstandings concerning the nature of the absence. Managers should also take this opportunity to discuss any patterns or trends of absence that may emerge.

- 12.3 This will also enable the line manager to discuss any assistance, help, counselling or action on work-related issues that may be provided to enable an employee to return to work or prevent further absence occurring.
- 12.4 Notes and outcome of the meeting will be agreed and retained on file. Appendix 4 may be used for this purpose.

13. MATERNITY RELATED ABSENECE

Should an employee be absent from work due to pregnancy related sickness, these absences should be recorded separately and not counted towards absence triggers. However should continue to be monitored.

14. APPEAL

Employees may appeal against any decision made under this procedure by writing to the Chief Officer with a copy to the CSU Workforce team, giving the reasons for appeal, within 10 working days of receiving written warning confirmation of the warning or dismissal.

The CCG will endeavour to hold an appeal hearing within 4 weeks of receipt of the appeal notification.

The appeal hearing will be chaired by a senior CCG Manager who will be supported by a Workforce Representative. Neither of these panel members will have previously participated in the case.

10 working days' notice will be given of the meeting arrangements, see appendix 17. 5 working days prior to the hearing the dismissing manager who issued the warning will submit statement of case explaining the circumstances leading to the decision, and their appeal. Copies of these documents should be available to the other party and the panel members.

At the appeal hearing the following procedure should be adopted:

- Chair will lead introductions, ensure everyone agrees the purpose of the meeting and has received all documentation being considered. If the appellant is not accompanied by a companion the chair must ensure they were aware they were entitled to bring a companion.

Procedure for Reporting Sickness Absence and Return to Work

As an employee of North Lincolnshire CCG it is your contractual obligation to ensure that your manager is aware of any absence you may have due to sickness.

Please make yourself aware of the Sickness Absence Policy, and the following guidelines, and if in doubt seek further advice from your manager or the Workforce Team.

Procedure for Reporting in sick:

You must contact and speak to your line manager or central administration office on the first day of absence as soon as is reasonably practicable or within one hour of your normal starting time and you must make this call, unless it is clearly not possible for you to ring personally. It is not acceptable to text, e-mail or leave messages with anybody else.

Contacts

Name	Job Title	Contact Numbers

When reporting absence please give the following information:

- the reason for the absence (if known);
 - the expected length of absence (if known);
 - whether a visit will be made to their GP, and if so, the date of the appointment.
- Where possible advise your manager of any outstanding work that may require urgent attention during the period of absence.
 - When you will next contact your manager or other designated person.

Procedure for Returning to Work

When returning from sick you will be required to complete a self-certificate form and attend a return to work meeting with your line manager to discuss your absence. This will also enable your line manager to discuss any assistance, help, counselling or action on work-related issues that may be provided to enable you to return to work.

SELF CERTIFICATE OF SICKNESS FORM

This form must be completed for any sickness absence of up to 7 calendar days in a row. Absence lasting 8 calendar days or more require you to submit a Fitness to Work form.

Surname _____	First Name _____
Payroll Number _____	Department _____

<u>About Your Sickness</u>	
Date you became unfit for work	_____
Date fit for work	_____
Reasons for absence	_____
Notification made to (name) _____	Date _____

Have you consulted a GP or visited a hospital?	Yes / No
Have you been prescribed medication?	Yes / No
Were you issued with Fitness to Work Certificate?	Yes / No

Was the absence a result of an accident at work or as a result of industrial disease?	Yes / No
If yes, please give details	
Have you reported the accident?	Yes / No
Please provide any additional information	
Was the absence as a result of an accident outside work?	Yes / No

I declare that the information given is correct. I understand that giving false information could result in the loss of sick pay benefits and/or disciplinary action and/or action by the Department of Work and Pensions

Employees Signature

Date

RETURN TO WORK INTERVIEW FORM

Employee Name	_____
Job Title	_____
Return to Work Interviewers Name	_____
Return to Work Interviewers Job Title	_____

Absence Start Date	_____	Return to Work Date	_____
Reason for Absence	_____		
Are you fully recovered?	Yes / No		
Total Number of Days Sick	_____	Number of days sick in last 12 months	_____
Has the Employee Hit any Sickness Absence Trigger Points?	Yes / No		
Will the Employee be referred to a Formal Monitoring Meeting	Yes / No		

Were the correct reporting procedures followed?	Yes / No
Are there any problems relating to your illness/injury that may affect your ability to perform your job?	Yes / No
Have you suffered from a condition which is likely to occur?	Yes / No
Do you need further Occupational Health support? (where appropriate)	Yes / No
Did you attend hospital /clinic or GP surgery?	Yes / No
Are you taking any medication?	Yes / No
Are there any follow up appointments required?	Yes / No
Is Occupational Health aware of your sickness/injury?	Yes / No
Is there any further support that can be provided now or in the future?	Yes / No

Additional Comments	_____
---------------------	-------

Employee Signature	_____	Date	_____
RTW Interviewers Signature	_____	Date	_____

Date

Address Line 1

Address Line 2

Address

Address Line 3

Address Line 4

Postcode

Telephone: (01234) 567890

E-mail: forename.surname@nhs.net

Dear

Notification of Informal Stage 1 Attendance Discussion Meeting

I am writing to advise you / confirm that a meeting has been arranged under the CCG sickness absence Policy to discuss your level of absence as you have hit the policy's trigger point. The dates which we have recorded over the last ** months for you being sick are as follows:

Start Date	End Date	Reason	Total Calendar Days

I have therefore arranged informal Attendance Monitoring Meeting at Stage 1 to discuss your absences and this will take place as follows:

Date**Time****Location**

The purpose of this meeting is to provide support and assistance to help you maintain attendance at work and to identify any issues that you may be having. An action plan for improvement will be agreed at the meeting

I have enclosed a copy of the policy for your information. In the meantime if you have any questions in advance of the meeting please let me know.

Kind regards

Name

Job title

Cc: Personal File



Date

Address

Address Line 1

Address Line 2

Address Line 3

Address Line 4

Postcode

Telephone: (01234) 567890

E-mail: forename.surname@nhs.net

Dear

Outcome of Informal Attendance Discussion Meeting

I am writing to confirm the outcome following the informal Attendance Discussion Meeting at Stage 1 which was held on [Date]. The purpose of the meeting was to discuss your attendance record and your high level of sickness absence.

(Insert summary of discussion, .i.e., mitigating factors, medical support accessed, other relevant factors)

The standard for improvement was discussed at the meeting and it was agreed that should this standard not be achieved then a stage 2 Absence discussion meeting will be held.

I would like to arrange a review meeting in (x) to review how you are doing against the plan and this meeting will be arranged in due course.

** We agreed that an Occupational Health referral will be made to support you and to identify any adjustments that can be made to help you to sustain your attendance at work. Can I bring to your attention that it is a contractual obligation that you attend Occupational Health.

In the meantime if you have any questions please let me know.

Kind regards

Name

Job title

Cc: Personal File



Date

Address

Address Line 1

Address Line 2

Address Line 3

Address Line 4

Postcode

Telephone: (01234) 567890

E-mail: forename.surname@nhs.net

Dear

Notification of Attendance Review Meeting

Further to the meeting held on [insert date] I am writing to ask you notify you of/ confirm to you the arrangements for the review meeting. The meeting will be held as follows;

Date

Time

Location

I will chair the meeting and there will not be anyone else present. This will be an informal meeting to review your attendance over the monitoring period against the standard set. During the meeting I will advise you as to whether any further action will be required however no formal sanction/ further formal sanction will be taken at this meeting. If it is determined that formal action is required then an additional meeting will be set up which will be held formally.

Kind regards

Name

Job title

Cc: Personal File



Date

Address

Address Line 1

Address Line 2

Address Line 3

Address Line 4

Postcode

Telephone: (01234) 567890

E-mail: forename.surname@nhs.net

Dear

Outcome of Stage 1 Review Meeting

Thank you for attending the review meeting held on [insert date]. Further to this meeting I am writing to confirm the discussions.

It was determined that

As you have met and sustained the identified standard no further action will be taken at this stage. I am pleased that this improvement has been made and I hope that you are now able to maintain it. You should be advised however that should you hit the trigger points again then the process will be resumed and if appropriate it may recommence at stage 2.

OR

As you haven't demonstrated the required improvement has been made and/ or sustained the process will be escalated to Stage 2, where a formal Attendance Discussion meeting will be held. I will write to you again to confirm the arrangements for the Stage 2 Attendance Discussion Meeting.

Yours Sincerely

Name

Job title

Date

Address Line 1

Address Line 2

Address

Address Line 3

Address Line 4

Postcode

Telephone: (01234) 567890

E-mail: forename.surname@nhs.net

Dear

Notification of Formal Stage 2 Attendance Discussion Meeting

I am writing to advise you / confirm that a further meeting has been arranged under the CCG's Sickness Absence Policy to discuss your level of absence at Stage 2. This is following your Stage 1 meeting which was held on [date]. Since [date] you have been absent on a further 3 occasions / 10 days which we have recorded as follows:

Start Date	End Date	Reason	Total Calendar Days

We have therefore arranged a Formal Attendance Monitoring Meeting at Stage 2 to discuss your absences and this will take place as follows:

Date**Time****Location**

The purpose of this meeting is to provide support and assistance to help you maintain attendance at work and to identify any issues that you may be having. An action plan for improvement will be agreed at the meeting. Please note that a possible outcome of this meeting is that you will be issued with a First Written Warning.

I shall be chairing the meeting and will be supported by [name], [job title].

You have the right to be accompanied by a Trade Union accredited Representative or a recognised work colleague, not acting in a legal capacity. I would be grateful if you can confirm your attendance at the meeting by [date] and also whether you will be accompanied.

You have already been provided with a copy of the CCG's Sickness Absence Policy. Further copies are available on the Intranet. If you need me to provide an additional copy please let me know.

Kind regards

Name

Job title

Cc: Personal File
Workforce Representative

Date

Address Line 1

Address

Address Line 2

Address Line 3

Address Line 4

Postcode

Telephone: (01234) 567890

E-mail: forename.surname@nhs.net

Dear

Outcome of Formal Attendance Discussion Meeting - Stage 2

I am writing to advise you of the outcome following the Formal Attendance Discussion Meeting at Stage 2 which was held on [Date]. In attendance at the meeting were [name, Job titles of all attendees]. The purpose of the meeting was to discuss your attendance record and your high level of sickness absence.

(Insert summary of discussions, .i.e. mitigating factors and medical support being accessed)

As I explained at the meeting you have had a further X occasions **or** X days absence over the last ** months and due to this you were formally issued with a First Written Warning as per the CCG Sickness Absence Policy. This warning will be held on your file for 12 months from the date (date & time of issue).

The standard for improvement was discussed at the meeting and it was agreed that should this standard not be achieved the stage 3 Attendance Discussion Meeting will be held.

I would like to arrange a review meeting in X months to review how you are doing against the plan and this meeting will be arranged in due course.

(If applicable) I advised that I would be making a management referral to Occupational Health to support you and to identify any adjustments that can be made to help you to sustain your attendance at work. Can I bring to your attention that it is a contractual obligation that you attend Occupational Health.

You have the right to appeal against the First Written Warning and if you choose to do so you should write to the Chief Office with a copy to Workforce within 10 working days of receipt of this letter to [name, job title] within ** days of this letter.

In the meantime if you have any questions please let me know.

Kind regards

Name

Job title

Cc: Personal File
Workforce Representative



Date

Address

Address Line 1

Address Line 2

Address Line 3

Address Line 4

Postcode

Telephone: (01234) 567890

E-mail: forename.surname@nhs.net

Dear

Outcome of Stage 2 Review Meeting

Thank you for attending the review meeting held on [insert date]. Further to this meeting I am writing to confirm the discussions.

It was determined that

As you have met and sustained the identified standard no further action will be taken at this stage. I am pleased that this improvement has been made and I hope that you are now able to maintain it. You should be advised however that should there be a deterioration in the standards of your attendance whilst the First Written Warning remains live the process will be resumed and will recommence at stage 3.

OR

As you haven't demonstrated the required improvement has been made and/ or sustained the process will be escalated to Stage 3, where a further formal Attendance Discussion meeting will be held. I will write to you again to confirm the arrangements for the Stage 3 Attendance Discussion Meeting.

Yours Sincerely

Kind regards

Name

Job title

Date

Address Line 1

Address Line 2

Address

Address Line 3

Address Line 4

Postcode

Telephone: (01234) 567890

E-mail: forename.surname@nhs.net

Dear

Notification of Attendance Discussion Meeting - Stage 3

I am writing to advise you / confirm that a further meeting has been arranged under the North Lincolnshire CCG Sickness Absence Policy to discuss your level of absence at Stage 3. This is following your Stage 2 meeting which was held on [date] where you were issued with a First Written Warning. Since [date] you have been absent on a further 3 occasions / 10 days which we have recorded as follows:

Start Date	End Date	Reason	Total Calendar Days

We have therefore arranged a Formal Attendance Monitoring Meeting at Stage 3 to discuss your absences and this will take place as follows:

Date**Time****Location**

The purpose of this meeting is to provide support and assistance to help you maintain attendance at work and to identify any issues that you may be having. An action plan for improvement will be agreed at the meeting. You should be advised that a possible outcome of the meeting is that you will be issued with a final written warning.

You have the right to be accompanied by an accredited representative of a recognised Trade Union or a work colleague, not acting in a legal capacity. I would be grateful if you can confirm your attendance at the meeting by [date] and also whether you will be accompanied.

I shall be chairing the meeting and will be supported by [name], [job title].

You have already been provided with a copy of the CCG's Sickness Absence Policy. Further copies are available on the Intranet. If you need me to provide an additional copy please let me know.

Kind regards

Name

Job title

Cc: Personal File
Workforce Representative



Date

Address Line 1

Address Line 2

Address

Address Line 3

Address Line 4

Postcode

Telephone: (01234) 567890

E-mail: forename.surname@nhs.net

Dear

Outcome of Formal Attendance Discussion Meeting - Stage 3

I am writing to advise you of the outcome following the Formal Attendance Monitoring Meeting at Stage 3 which was held on [Date]. In attendance at the meeting were [name, Job titles of all attendees]. The purpose of the meeting was to discuss your attendance record and your high level of sickness absence.

(insert summary of discussion .i.e. medical treatment and relevant factors)

As I explained at the meeting you have had a further X occasions **or** X days absence over the last ** months and due to this you were formally issued with a Final Written Warning as per the CCG Sickness Absence. This warning will be held on your file for 24 months from the date of this letter.

The standard for improvement was discussed at the meeting and it was agreed that should this standard not be achieved and maintained for the duration of the Final Written Warning then a Final Review Meeting will be held.

We discussed what alternatives would be available to you in terms of *reduced hours*relocation*redeployment and also any adjustments that could be made to support you to sustain your attendance at work.

I would like to arrange a review meeting in (X) to review how you are doing against the plan and this meeting will be arranged in due course.

You have the right to appeal against the Final Written Warning and if you choose to do so you should write to the Chief Officer with a copy to Workforce within 10 working days of receipt of this letter.

In the meantime if you have any questions please let me know.

Kind regards

Name

Job title

Cc: Personal File
Workforce Representative



Date

Address

Address Line 1

Address Line 2

Address Line 3

Address Line 4

Postcode

Telephone: (01234) 567890

E-mail: forename.surname@nhs.net

Dear

Outcome of Stage 3 Review Meeting

Thank you for attending the review meeting held on [insert date]. Further to this meeting I am writing to confirm the discussions.

It was determined that

As you have met and sustained the identified standard no further action will be taken at this stage. I am pleased that this improvement has been made and hope that you are now able to maintain it. You should be advised however that should there be deterioration in the standards of your attendance whilst the Final Written Warning remains live the process will be resumed and will recommence with a Final Review Meeting, which could result in the termination of your employment.

OR

As you haven't demonstrated the required improvement has been made and/ or sustained the process will be escalated to a Final Review meeting. I will write to you again to confirm the arrangements for the Final Review meeting.

Yours Sincerely

Name

Job title



Date

Address

Address Line 1

Address Line 2

Address Line 3

Address Line 4

Postcode

Telephone: (01234) 567890

E-mail: forename.surname@nhs.net

Dear ...

Invite to Long Term Absence Review Meeting

I am writing to you in accordance with the North Lincolnshire CCG Absence Management Policy.

As you have been absent from work due to sickness since [date] I would like to meet with you informally to discuss any help or assistance the North Lincolnshire CCG can offer you.

I would be grateful if you could call me on [number] to arrange an appropriate time and location

In the meantime if there is anything further you need from me in relation to your sickness please do not hesitate to contact me.

Kind regards

Name

Job Title

(if formal also include:)

Date

Address Line 1

Address

Address Line 2

Address Line 3

Address Line 4

Postcode

Telephone: (01234) 567890

E-mail: forename.surname@nhs.net

Dear

Notification of Final Review Meeting

I am writing to advise you / confirm that a Final Review Meeting has been arranged under the CCG's Sickness Absence Policy. This is following your Stage 3 meeting which was held on [date] where you were issued with a Final Written Warning. Since [date] you have had the following absences; or if long term this is following the last review meeting held on (insert date) and concerns the following periods of absence.

Start Date	End Date	Reason	Total Calendar Days

We have therefore arranged a Final Review Meeting to discuss your absence(s) and this will take place as follows:

Date**Time****Location**

The meeting will be chaired by [name, job title] supported by [name, job title]. Also in attendance will be {name, Job title} (if applicable).

The purpose of this hearing is to review your absence record and the actions that have been taken to date to support your improvement and also any supporting medical information. You will have an opportunity to present your case and submit any supporting evidence.

Please note that the meeting could ultimately result in dismissal although every effort will be made to look at alternatives including redeployment.

You have the right to be accompanied by an accredited Representative of a recognised Trade Union or a work colleague, not acting in a legal capacity. I would be grateful if you can confirm your attendance at the meeting by [date] and also whether you will be accompanied.

I have enclosed a copy of the policy for your information. In the meantime if you have any questions in advance of the meeting please let me know.

Kind regards

Name

Job title

Cc: Personal File

Workforce Representative



Date

Address Line 1

Address

Address Line 2

Address Line 3

Address Line 4

Postcode

Telephone: (01234) 567890

E-mail: forename.surname@nhs.net

Dear

Outcome of Final Formal Review Meeting - Stage 4

I am writing to advise you of the outcome following the Final Review Meeting which was held on [Date]. In attendance at the meeting were [name, Job titles of all attendees]. The purpose of this hearing was to review your absence record and the actions that have been taken to date to support your improvement and also any supporting medical information.

The outcome of the meeting was that it was that a redeployment option would be considered. Can you please liaise with [name, job title] with regards to the process and the options that are currently available to us.

OR

Due to your continuing absences and failure to achieve satisfactory improvement in your attendance your employment with North Lincolnshire CCG was terminated.

Your employment was terminated on [date] and you are entitled to ** days outstanding annual leave which will be paid in your final salary.

I can confirm that you are entitled to ** weeks pay in lieu of notice and I will ensure this is included within your final salary.

You have the right to appeal against this decision and this needs to be made in writing to [name, job title] within 10 working days of this letter with a copy to (insert).

OR

A further review meeting period was agreed on the basis of Should a satisfactory improvement not be made and maintained then a further Final Review Meeting will be convened.

In the meantime if you have any further queries please do not hesitate to contact [name, job title]

OR

On behalf of North Lincolnshire CCG may I express my regret that your employment has ended in these circumstances.

Kind regards

Name

Job title

Cc: Personal File
Workforce Representative



Date

Address Line 1

Address

Address Line 2

Address Line 3

Address Line 4

Postcode

Telephone: (01234) 567890

E-mail: forename.surname@nhs.net

Dear

Confirmation of arrangements for Appeal Hearing

I am writing to confirm the arrangements for the Appeal Hearing that has been set up to consider the appeal against [please insert] that you lodged on [insert date]

The Appeal Hearing will take place as below;

Date:

Time:

Venue:

The Panel will be chaired by [insert name, job title] who will be supported by [insert name] Workforce Representative. Also present will be [insert name and job title] and [insert name] Workforce Representative] who will present the case for the decision you are appealing against being made. You are entitled to be accompanied by an accredited representative of a recognised Trade union or a CCG colleague not acting in a legal capacity. Please can you advise me of your companion and their contact details at least 6 working days prior to the meeting.

You should submit copies of your case for appeal and any documentation you wish to be considered, to the panel and to management side at least 5 working days prior to the hearing. You and your companion, if applicable, will receive a copy of the management side statement of case 5 days prior to the hearing.

I understand you have already got a copy of the Sickness Absence Policy, however further copies are on the intranet and if you are not able to access the intranet please request additional copies through me.

Please confirm your attendance at the hearing to me by [insert date] and in the meantime if you have any queries about this letter or the process to be followed please do not hesitate to contact me or a Workforce Representative.

Yours Sincerely

Name

Job title



Date

Address

Address Line 1

Address Line 2

Address Line 3

Address Line 4

Postcode

Telephone: (01234) 567890

E-mail: forename.surname@nhs.net

Dear

Outcome of Appeal Hearing

I am writing to confirm the outcome of the appeal hearing held on [insert date]. I chaired the panel and was supported by [insert name], workforce representative. Also present was [insert details of all present]. The purpose of the hearing was to consider your appeal against the decision to [insert details].

After carefully considering all of the information presented I confirmed that the decision [insert details] should be upheld and this is due to [insert rationale].

Or

After carefully considering all of the information presented the decision [insert details] was not up held on the basis of [insert rationale]. [also insert details of alternative arrangements].

Please be advised that this is the final decision in relation to the appeal and you have no further internal right of appeal.

Yours sincerely

Name

Job title



Date

Address Line 1

Address

Address Line 2

Address Line 3

Address Line 4

Postcode

Telephone: (01234) 567890

E-mail: forename.surname@nhs.net

Dear

Failure to Attend Occupational Health

I have been notified by Occupational Health that you failed to attend your appointment that had been arranged for you on [Date, Time] and had not contacted them to inform them that you wouldn't be attending. Please can you advise me of the reasons for your non-attendance.

Can I bring to your attention that as a North Lincolnshire CCG member of staff the current Absence Management Policy states that 'Employees must make themselves available to attend Occupational Health referrals as a contractual obligation, and if it is considered that you are co-operating with the policy without good reason this could lead to disciplinary action' and I have enclosed a copy of this policy for your information.

I have therefore requested a further appointment be made for you.

Can you please inform Occupational Health if this date is not suitable so they can organise an alternative date.

Kind regards

Name

Job title

EQUALITY IMPACT ASSESSMENT

1. Equality Impact Analysis	
Policy / Project / Function:	Sickness Absence Policy
Date of Analysis:	1/10/13
This Equality Impact Analysis was completed by: (Name and Department)	CSU Workforce Department
What are the aims and intended effects of this policy, project or function?	<ul style="list-style-type: none"> • The overall purpose of the policy is to set out CCG's approach to the management of absence and attendance within the workplace. The policy will also set out guidance to staff and managers about their responsibilities in relation to managing sickness absence • The CCG aims to secure the continued attendance and performance of employees at work, thus avoiding difficulties for service users, colleagues, and other employers/services affected by individual absenteeism and or poor performance.
Please list any other policies that are related to or referred to as part of this analysis?	<ul style="list-style-type: none"> • Retirement Policy • Substance Misuse Policy • Redeployment Policy • Disciplinary Procedure • Business Conduct • Managing Work Performance
Who does the policy, project or function affect? Please Tick ✓	<ul style="list-style-type: none"> ✓ Employees Service Users <input type="checkbox"/> Members of the Public <input type="checkbox"/> Other (List Below) <input type="checkbox"/>

2. Equality Impact Analysis: Screening

	Could this policy have a positive impact on...		Could this policy have a negative impact on...		Is there any evidence which already exists from previous (e.g. from previous engagement) to evidence this impact
	Yes	No	Yes	No	
Race	<input type="checkbox"/>	✓	<input type="checkbox"/>	✓	
Age	<input type="checkbox"/>	✓	<input type="checkbox"/>	✓	
Sexual Orientation	<input type="checkbox"/>	✓	<input type="checkbox"/>	✓	
Disabled People	<input type="checkbox"/>	✓	✓		The policy is not clear how disability- related absence should be recorded, however, this can be mitigated with the close involvement of HR and Occupational Health professionals who can consider advice accompanying the Equality Act 2010.No employee in this CCG has currently declared a disability, but may do so in the future
Gender	<input type="checkbox"/>	✓	✓		Staff with Caring responsibilities (often women) may be recorded as sick and should be reminded that Special Leave Policies are available to deal with urgent domestic issues. Mitigated by internal communication
Transgender People	<input type="checkbox"/>	✓	✓		The policy does not specify arrangements for absence connected to medical processes related to trans issues and that any employee diagnosed with Gender Dysphoria or Gender Identity Disorder will be covered by the disability discrimination provisions of the Equality Act 2010.
Pregnancy and Maternity	<input type="checkbox"/>	✓	✓		Although pregnancy may cause episodes of absence these will be discounted for the purposes of monitoring
Marital Status	<input type="checkbox"/>	✓	<input type="checkbox"/>	✓	
Religion and Belief	<input type="checkbox"/>	✓	<input type="checkbox"/>	✓	

Reasoning

The policy does not specify how it will address the issues in the protected groups above, but in such cases Workforce should be involved in order to ensure the requirements of the Equality Act 2010 are met

If there is no positive or negative impact on any of the Nine Protected Characteristics go to Section 7

3. Equality Impact Analysis: Local Profile Data

Local Profile/Demography of the Groups affected (population figures)

General	Total number of employees in the North Lincs CCG 28
Age	No staff employed are under 30 14% of staff are over 55 86 % of staff are aged 30-55
Race	86% of staff employed in the CCG are White 7% of staff are Non-white 7% staff have not stated or defined their ethnicity
Sex	50% staff employed are female 50% staff employed are male
Gender reassignment	No information at this stage
Disability	7% of staff employed declared themselves as having no disability No staff declared a disability 93% did not declare /undefined
Sexual Orientation	All staff are recorded as did not wish to respond /undefined
Religion, faith and belief	All staff are recorded as did not wish to respond /undefined
Marriage and civil partnership	86% of employees are married. No employees are in a civil partnership
Pregnancy and maternity	No information yet as the CCG has not been established long enough to build meaningful data

4. Equality Impact Analysis: Equality Data Available

<p>Is any Equality Data available relating to the use or implementation of this policy, project or function?</p> <p>Equality data is internal or external information that may indicate how the activity being analysed can affect different groups of people who share the nine <i>Protected Characteristics</i> – referred to hereafter as ‘<i>Equality Groups</i>’.</p> <p>Examples of <i>Equality Data</i> include: (this list is not definitive)</p> <ol style="list-style-type: none"> 1. Application success rates <i>Equality Groups</i> 2. Complaints by <i>Equality Groups</i> 3. Service usage and withdrawal of services by <i>Equality Groups</i> 4. Grievances or decisions upheld and dismissed by <i>Equality Groups</i> 5. <i>Previous EIAs</i> 	<p>✓ Yes employment data is available for the purposes of future monitoring</p> <p>No <input type="checkbox"/></p> <p>Where you have answered yes, please incorporate this data when performing the <i>Equality Impact Assessment Test</i> (the next section of this document).</p>
<p>List any Consultation e.g. with employees, service users, Unions or members of the public that has taken place in the development or implementation of this policy, project or function</p>	<p>Joint Trade Union Partnership Forum</p>
<p>Promoting Inclusivity</p> <p>How does the project, service or function contribute towards our aims of eliminating discrimination and promoting equality and diversity within our organisation</p>	<p>This Policy does not directly promote inclusivity, but provides a clear framework to manage sickness absence</p>

5. Equality Impact Analysis: Assessment Test

What impact will the implementation of this policy, project or function have on employees, service users or other people who share characteristics protected by The Equality Act 2010 ?

Protected Characteristic:	No Impact:	Positive Impact:	Negative Impact:	Evidence of impact and if applicable, justification where a Genuine Determining Reason exists
Gender (Men and Women)			✓	Staff with Caring responsibilities (often women) may be recorded as sick and should be reminded that Special Leave Policies are available to deal with urgent domestic issues. Mitigated by internal communication
Race (All Racial Groups)	✓			
Disability (Mental and Physical)			✓	The policy is not clear how disability- related absence should be recorded, however, this can be mitigated with the close involvement of HR and Occupational Health professionals who can consider advice accompanying the Equality Act 2010. No employee has currently declared themselves disabled
Religion or Belief	✓			
Sexual Orientation (Heterosexual, Homosexual and Bisexual)	✓			
Pregnancy and Maternity			✓	Although pregnancy may cause episodes of absence these will be discounted for the purposes of monitoring
Transgender			✓	The policy does not specify arrangements for absence connected to medical processes related to trans issues and that any employee diagnosed with Gender Dysphoria or Gender Identity Disorder will be covered by the disability discrimination provisions of the Equality Act 2010. However HR and Occupational Health advice should be sought
Marital Status	✓			
Age	✓			

6. Action Planning

As a result of performing this analysis, what actions are proposed to remove or reduce any risks of adverse outcomes identified on employees, service users or other people who share characteristics protected by *The Equality Act 2010* ?

Identified Risk:	Recommended Actions:	Responsible Lead:	Completion Date:	Review Date:
The policy is not clear how disability-related absence should be recorded.	Where necessary the involvement of Workforce and Occupational Health professionals who can consider advice accompanying the Equality Act 2010.	Workforce Manager	Ongoing	Ongoing
The policy does not specify arrangements for absence connected to medical processes related to trans issues and that any employee diagnosed with Gender Dysphoria or Gender Identity Disorder will be covered by the disability discrimination provisions of the Equality Act 2010	The Workforce function should be included in the management of all cases where disability related absence is an issue to ensure that decisions are made in accordance with the Equality Act provisions	Workforce Lead	Ongoing	One year from implementation of the policy
Monitoring this policy and particularly its effects on staff with disabilities is essential	Monitor on an ongoing and annual basis	Workforce Lead	Ongoing	One year from implementation of the policy
Staff with Caring responsibilities (often women) may be recorded as sick	Staff should be reminded that Special Leave Policies are available to deal with urgent domestic issues – in communication networks	Workforce Lead	Ongoing	One year from implementation of the policy
The policy is not clear how disability-related absence should be recorded.	No staff have currently declared themselves disabled, however should this change in the future, this can be mitigated with the close involvement of Workforce and Occupational Health professionals who can consider advice accompanying the Equality Act 2010.	Workforce Manager	Ongoing	Ongoing

7. Equality Impact Analysis Findings

Analysis Rating:	Red	Red/Amber	✓ Amber	Green
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Appendix 21

SUSTAINABILITY IMPACT ASSESSMENT

Staff preparing a Policy / Board Report / Committee Report / Service Plan / Project are required to complete a Sustainability Impact Assessment. Sustainability is one of the Trust's key Strategies and the Trust has made a corporate commitment to address the environmental effects of activities across Trust services. The purpose of this Sustainability Impact Assessment is to record any positive or negative impacts that this activity is likely to have on each of the Trust's Sustainability Themes. For assistance with completing the Sustainability Impact Assessment, please refer to the instructions below.

Policy / Report / Service Plan / Project Title:				
Theme (Potential impacts of the activity)	Positive Impact	Negative Impact	No specific impact	What will the impact be? If the impact is negative, how can it be mitigated? (action)
Reduce Carbon Emission from buildings by 12.5% by 2010-11 then 30% by 2020			x	
New builds and refurbishments over £2million (capital costs) comply with BREEAM Healthcare requirements.			x	
Reduce the risk of pollution and avoid any breaches in legislation.			x	
Goods and services are procured more sustainability.			x	
Reduce carbon emissions from road vehicles.			x	
Reduce water consumption by 25% by 2020.			x	
Ensure legal compliance with waste legislation.			x	
Reduce the amount of waste produced by 5% by 2010 and by 25% by 2020			x	
Increase the amount of waste being recycled to 40%.			x	
Sustainability training and communications for employees.			x	
Partnership working with local groups and organisations to support sustainable development.			x	
Financial aspects of sustainable development are considered in line with policy requirements and commitments.			x	

