



Jesus College Oxford

ABSENCE POLICY

POLICY STATEMENT

1. Jesus College wants its staff to work in a safe and stimulating environment that supports and encourages a good work-life balance.
2. The College recognises that sickness absence from work is inevitable for most employees, from time to time. However, long-term and regular short-term absence from work impacts on other colleagues, the College's effectiveness, and overall costs. Therefore there may be occasions where an individual's level of absence cannot be sustained because of the impact on the College.
3. The College will monitor sick absence regularly to ensure, where possible, that fitness to work is maintained and that any issues are identified and dealt with appropriately.

PURPOSE AND SCOPE OF POLICY

4. The Absence policy applies to all members of non-academic staff. However, management of attendance for employees on probation will be managed under the **Probation Policy**.
5. This policy provides a framework and procedure for managing absence fairly and transparently and sets out the levels of absence the College considers to be unacceptable and/or unsustainable.
6. Employees with unacceptable levels of attendance, or poor performance due to their absence, will be managed under the **Capability Policy**.
7. Temporary agency staff who have unacceptable levels of absence will be referred to the employment agency.

PRINCIPLES

8. The following principles underpin the Absence Policy:
 - the College takes a positive approach to the promotion and support of employees' wellbeing and expects employees to be pro-active in maintaining their health;
 - the College is committed to making reasonable adjustments to enable employees with disabilities to continue working and successful job applicants with disabilities to join the College and work to the standards required;
 - high levels of sickness absence are disruptive, and may be damaging for the College. The College will manage sickness absence effectively, balancing employee welfare with



organisational requirements;

- the College will support employees who are unwell, but must do so with a view to ensuring that it is able to continue to provide a high quality service;
- managers play a leading role in managing sickness absence, where there are instances of unacceptable/unsustainable sickness absence in their team they must take appropriate and prompt action;
- the College assumes that sickness absence is taken for genuine reasons. However, on the rare occasions where it is suspected absence is not for sickness reasons this will be dealt with as misconduct under the Disciplinary procedure;
- an employee who reports sick at Jesus College must not perform work or duties for any other organisation during their absence from College. Cases of working elsewhere during absence will be considered as misconduct and investigated under the Disciplinary policy.

OUTCOMES

9. The outcomes of this policy are:

- managers balance the College's organisational requirements with employee welfare when managing absence and the impact of sickness absence is minimised.

MONITORING AND REVIEW

10. Human Resources will monitor the formal stages of implementation of this Policy for fairness and consistency and reasons for absence.
A formal review of this policy will take place every 3 years unless there is a significant change in relevant legislation or business need which triggers a review before then.

PROMOTION OF A HEALTHY WORKFORCE

11. Employees are encouraged to take advantage of the initiatives taken by the College to improve and maintain good health and wellbeing. These initiatives typically include:
- assessment and implementation of safe and appropriate workplaces;
 - an Occupational Health service to review and advise on individual health issues in order to support employees;
 - measures to promote work-life balance such as flexible working;
 - eye test reimbursement;
 - the services of an employee assistance provider – CareFirst;
 - flu vaccination.



Absence Procedure

1. Reporting and recording of sickness absence

1.1 On the first day of absence the employee must contact their manager by phone wherever possible by 10am (or within an hour of their usual start time, if that is earlier) to inform them of the reason for their absence; expected date of return; and any urgent work matters to be dealt with in their absence. We do not accept notifications by text message. Members of staff who have an earlier start time than their manager should contact their manager as soon as the manager starts work. Employees are expected to telephone their line manager in person unless:

- the employee is **unable** to make the call (either because they are too unwell or because they have no immediate access to a telephone), in which case they should request a family member or friend to inform their manager;
- the manager is unavailable, in which case the employee should leave a message with their manager's manager or with Human Resources (but not with a colleague). If the employee has tried but is unable to speak to a manager or Human Resources, they may email their line manager and provide them with contact details so that the manager can speak to them, if necessary; and
- the nature of the illness is such that the employee is uncomfortable about speaking to their line manager (e.g. they would prefer to speak to someone of the same gender) then they may contact Human Resources instead.

1.2 All absences due to sickness must be reported and recorded.

2. Certification

2.1 All absences must be certified. Absences of seven calendar days or less may be certified by the employee immediately on their return to work, self-certification forms are available from managers and Human Resources.

2.2 Absences of eight calendar days or more must be supported by a doctor's Fit Note.

2.3 For certification purposes, an absence that starts and finishes either side of non-working days is assumed to include those non-work days (e.g. weekends, public holidays and, for part-time employees, days on which they would not usually work). For example, if an employee is absent on a Friday and Monday and they usually work both days their absence is continuous for four days.

2.4 In some situations, in line with government guidance, an extension of self-certification of absence will be temporarily accepted. You will be informed of any such changes should these apply.

3. Maintaining contact

3.1 It is important that the employee and the manager maintain regular contact during a period of absence. The employee must keep their manager informed as to the prognosis for their illness and the likely duration of the absence.

3.2 Additionally, the manager may also initiate contact to:

- enquire after the employee's health;
- determine when the employee is likely to return, to facilitate work planning;



- resolve any urgent work-related queries, if absolutely essential;
- update the employee on work developments; and
- discuss any temporary measures required to facilitate the employee's return to work (e.g. shorter working hours for a specific period.)

3.3 The College has a contractual sick pay scheme which provides payment during periods of certificated sickness as follows:

| CONTINUOUS SERVICE | MAXIMUM PAYMENT IN ANY 12 MONTH PERIOD | |
|---|--|-----------------|
| | <u>Full Pay</u> | <u>Half Pay</u> |
| Less than 3 months service | 1 week | 1 week |
| 3 months but less than 2 years' service | 1 month | 1 month |
| 2 years but less than 5 years' service | 2 months | 2 months |
| 5 years but less than 8 years' service | 3 months | 3 months |
| 8 years' service or more | 6 months | 6 months |

3.4 Staff who are absent from work because of sickness or injury must phone and speak to their line manager as soon as possible on the first day of absence and each day of their absence (unless otherwise agreed). Staff will continue to accrue annual leave during sickness absence, at the statutory rate. Once the above payments are exhausted statutory sick pay will apply.

For information about Statutory Sick Pay please follow the link to the Government website <https://www.gov.uk/statutory-sick-pay>

4. Return to Work Discussions

4.1 On an employee's return from sickness absence, the manager must **always** have a Return to Work Form (RTW) discussion with the employee, **irrespective of the length of absence**. This will usually be on the employee's first day back from absence.

4.2 On most occasions this is an informal discussion intended to ensure that the employee is fit to be back at work and to bring them up to date with anything they have missed while they were absent. However, if the employee's attendance record is poor and/or the latest absence has been a long one and/or the illness was a serious one, the following should be included:

- measures required to assist the return (this information may be assisted by comments on any Fit Note provided by a GP);
- overall attendance record and the actions required to improve attendance;
- any pattern of absence; and
- whether there are any other underlying causes (personal or work-related) which may have contributed to the absence or poor health.

4.3 The Return to Work meeting is part of the informal management of absence as described in the Capability Policy and procedure. The line manager must make a note summarising the discussion and outcomes which should be kept with other informal 1-1 meeting notes, and a copy provided to the employee.



5. Triggers for attendance action

5.1 The triggers at which absence is of concern are set out below. Managers are required to consider what/whether further action under the **Capability Policy** and procedure is appropriate and should seek advice from Human Resources if these triggers are reached.

- 10 working days' absence in a rolling 12 month period;
- 4 separate occasions of absence in a rolling 12 month period;
- 2 continuous weeks of absence in any given period; and/or
- a pattern of absence, for example, repeated absence on days before and/or after weekends or periods of annual leave.

The trigger points will be considered on a pro rata basis for part time employees.

5.2 Exceeding a trigger point will not necessarily lead to management action, the decision to initiate such action will depend on the nature of the absence/s.

5.4 Pregnancy related sickness absence is disregarded for monitoring purposes.

5.5 Managers are responsible for monitoring and managing attendance within their teams and for taking action under the Capability Policy and procedure where appropriate. Advice on action will be provided by Human Resources.

6. Management of sickness absence

6.1 Short term sickness absence management

6.1.1 Where an employee's sickness absence reaches or exceeds the triggers, the manager should have a specific discussion with the employee about this. The discussion should determine whether there is any underlying cause; whether they require any additional support and whether a referral to Occupational Health is appropriate.

6.1.2 High levels of sick absence, in terms of episodes or duration cannot be sustained because of the impact on colleagues and overall performance. If an employee's sickness absence reaches an unacceptable level and the employee's attendance and/or performance does not improve following informal discussions this should be addressed in line with the Capability Policy and Procedure.

6.2 Long term sickness absence management

6.2.1 Long-term absence is any period of 20 working days or more in one spell. Absence that looks likely to reach this level should be discussed formally with Human Resources, the College will consider making a referral to Occupational Health.

6.2.2 Employees should maintain regular contact with their manager throughout their absence, fully co-operate with the College's occupational health processes and work positively with the College to find solutions which will enable a return to work.

6.2.3 Reasonable adjustments will always be considered to assist a disabled employee to return to their role. However, it may not always be possible to make reasonable adjustments which will be effective in facilitating a return to work or in achieving improved attendance. In these circumstances, the case will move to the formal stages of the Capability Procedure.



7. Returning to work on a phased basis

- 7.1 When an employee has had a period of long term absence, it may be appropriate for them to return to work on a phased basis, in order to build up to their normal contracted hours. Managers should discuss this with Human Resources.
- 7.2 A phased return should not be longer than 4 weeks, although in exceptional circumstances the period may be extended by another 2 weeks.
- 7.3 During the period of a phased return, the employee will receive their usual full pay for the hours that they work. Normal working hours not worked for the period of the phased return are sick leave and will be covered by sick pay, providing the employee's enhanced or statutory sick pay has not been exhausted.

8. Occupational Health

- 8.1 A referral seeking advice on an employee's health may be made to Occupational Health at any time if it is thought that it will assist the employee and manager in managing a specific situation. However, when absence reaches 20 working days or more, a referral will usually be initiated.
- 8.2 In the event that an employee withholds their consent for an approach to their GP/specialist or declines to co-operate in other ways with the Occupational Health assessment procedure, the College may have to reach a decision about the employees continued employment based on incomplete information.

9. Disciplinary action

- 9.1 The College assumes that all employees aim for 100% attendance and that any sickness absence is taken for genuine reasons. However, if it can be reasonably established on the balance of probabilities that an employee has abused the system, this will be dealt with in accordance with the Disciplinary Policy.
- 9.2 Employees may be subject to disciplinary action and/or have sick pay withheld if:
- claim sick pay or sick leave when they are not ill;
 - repeatedly fail to follow sickness absence procedures;
- or, if during sickness absence they:
- undertake any form of employment, whether paid or unpaid, without seeking agreement from the College in advance;
 - participate in activities that could aggravate the illness or injury or delay recovery.

10. Medical appointments

- 10.1 Employees are expected to make every attempt to arrange medical (including hospital and dental) appointments outside of working hours. Where this is not possible they should be at the start or end of the day to maximise their attendance.
- 10.2 Where the employee has no alternative but to attend a medical appointment during their usual working hours they must obtain approval from their manager in advance of the appointment. If the absence is short and infrequent (less than half a day) the employee will not usually be



required to take annual or flexi-leave to cover the absence. However, if the employee is absent from work for half a day or more this should be recorded as sick absence, TOIL or annual leave.

11. Sickness and annual leave

- 11.1 Employees continue to accrue annual leave during sickness absence, at the statutory rate. In exceptional circumstances where accrued leave cannot be taken before the end of the annual leave year it may be carried over to the following leave year.
- 11.2 An employee may request annual leave during a period of long term sickness absence, although this cannot be used as a substitute for recording sickness absence.
- 11.3 If an employee is ill on days where they had previously booked annual leave they may claim back those annual leave days provided they:
- follow normal notification procedure (i.e. contact their manager on the first day of illness); and
 - provide a Fit Note or doctor's letter to support that sickness occurred for the period of their illness, regardless of its duration.
- 11.4 If an employee is unable to return to work from annual leave because they fell ill during their holiday, they are expected to provide a Fit Note or doctor's letter to support that sickness occurred during this period.
- 11.5 If sickness absence falls immediately before or after a period of annual leave, a medical certification is required for the period of illness.
- 11.6 The College reserves the right to terminate an individual's employment prior to the expiry of an employee's paid sick leave.

12. General

- 12.1 Submission of a medical certificate or sickness self-certification absence form, although giving us the reason for your absence may not always be regarded by us as sufficient justification for accepting your absence. Sickness is just one of a number of reasons for absence and although it is understandable that if you are sick you may need time off, continual or repeated absence through sickness may not be acceptable to us.
- 12.2 We will take a serious view if you take sickness/injury leave which is not genuine, and it will result in disciplinary action being taken. In addition, we will take a serious view if you are found to be undertaking any activity during sickness absence which we reasonably believe is inconsistent with being incapable of work at that time despite the presence of an illness, injury or medical condition. Disciplinary action will be taken in this instance.
- 12.3 Where the circumstances of your incapacity are such that you receive, or are awarded, any sum by way of compensation or damages in respect of the incapacity from a third party, then any payments which we may have made to you because of the absence (including SSP) shall be repaid by you to us up to an amount not exceeding the amount of the compensation or damages paid by the third party and up to, but not exceeding, any amount paid by us.