

Sickness Absence Policy

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1. Introduction

1.1 This Policy sets out the School of Oriental and African Studies' (the School) aims to ensure that School employees who are absent on sick leave are treated fairly, equitably and consistently.

1.2 The School aims to promote the health, safety and welfare of its employees. The School also recognises that, at times, employees will need time off work for domestic, family or religious reasons and operates a variety of types of leave for different circumstances, details of which can be found in the School's Leave and Absence Policies.

1.3 The School recognises that there will be times when employees are unable to attend work due to illness or incapacity and will support and assist staff with health problems. The School offers a number of support mechanisms such as Occupational Health, the Employee Support Programme, Flexible Working Procedure, Leave and Absence Policies to help employees manage their work-life balance and attendance at work.

1.4 The School's core functions of teaching students, carrying out research and providing other services to the community and customers rely on high levels of staff attendance. Frequent and persistent absences will impact on these services and resources and require colleagues to provide cover to compensate.

1.5 This Policy aims to provide a balance between supporting employees with health problems and the School's business needs.

1.6 However, given all of the above, there is no "acceptable" level of sickness absence allowable in the School.

1.7 This Policy is underpinned by the Sickness Absence Procedure which sets the lead responsibility for the management of all absence and ill health issues with line managers who will be supported by HR and Occupational Health professionals.

2. Scope

2.1 This Policy and the supporting Sickness Absence Procedure applies to all staff (employees) employed at the School.

2.2 Please note in relation to the application of this Policy and Procedure, Academic (Teaching & Research) Staff are covered by the SOAS Standing Order X: Academic Staff: Dismissal, Discipline and Grievance Procedures and Related Matters. Those members of Academic (Teaching & Research) Staff who were appointed at SOAS prior to, and not promoted after, 20 November 1987, and who have been continuously employed at the School since then, cannot be dismissed by the School's Governing Body under Part IV (Incapacity on health grounds) of that Standing Order.

3. Principles

3.1 Sick Pay

3.1.1 Employees who are absent from work due to ill-health will be entitled to receive sick pay in accordance with their terms and conditions of employment based on their length of service at SOAS as set out below:

Length of service	Full pay (pro rata)	Half pay (pro rata)
During the first 3 months	2 weeks	2 weeks
3 months to 1 year	2 months	2 months
2nd and 3rd year of service	3 months	3 months
4th and 5th year of service	5 months	5 months
After 5th year of service 6 months 6 months	6 months	6 months

3.1.2 Occupational sick pay is an employee benefit aimed at enabling an employee to take time off work to recuperate without financial difficulties.

3.1.3 Entitlement to both statutory and occupational sick pay is subject to employees fully complying with their responsibilities with regard to sickness absence notification and certification (see below).

3.1.4 Failure to comply with sickness notification and certification requirements will lead to loss of sick pay entitlements and any such absence may be treated as unauthorised absence in accordance with the School’s various leave policies and the appropriate Disciplinary Procedure.

3.2 Sickness absence notification and certification

3.2. 1 All employees are required to report any sickness absence to their line manager (or agreed nominated representative e.g. Faculty Office administrators) normally by telephone by 10am on the first day of absence in accordance with the Sickness Absence Procedure and as required in their terms and conditions of employment. Employees who do not work the School’s standard working day should report their sickness absence to their line manager (or agreed nominated representative) by no later than one hour after their normal start time.

3.2.2 Employees who are absent for more than 7 seven days' continuous sickness absence (pro-rata for part-time employees) are required to provide the School with a GP's Fitness for Work medical certificate. This should be given to their line manager in the first instance who should then forward it to their Employee Relations Consultant.

3.2.3 Employees must report their absence and return to work on the School's [MyView](#) Staff Self-Service system, which will be regarded as self-certification for absences of 7 days or less. This can be done on their return to work or whilst on sick leave depending on their circumstances.

3.2.4 Employees on long-term sick leave (which is generally accepted by employers' associations, trade unions and the Department for Work and Pensions (DWP) to be more than 20 days continuous absence) are required to keep in regular contact with their manager to inform them of their prognosis, progress and to enable plans to be made to support their return to work.

3.2.5 As stated above, failure to comply with the School's requirements on the notification and certification of sick leave, could lead to a loss of sick pay entitlement, and any such absence may be treated as unauthorised absence in accordance with the appropriate Disciplinary Procedure.

3.3 Return to Work Interviews

3.3.1 Line managers should conduct Return to Work Interviews (RTWI) with individual employees following their return to work from sick leave as quickly as possible.

3.3.2 The RTWI should be carried out sensitively and promptly in accordance with the School's Sickness Absence Procedure (section 4.1 of that procedure).

3.3.3 The aim of the RTWI will be to:

- show a genuine concern in the well-being of each employee
- help prevent further absences
- check if support is needed
- identify problems which may be contributing factors to the absence
- update the employee on any work issues that occurred in their absence.

3.3.4 Managers should carry out the RTWI consistently across their department/directorate/team.

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3.4 Sickness absence reporting and monitoring

3.4.1 Each Dean of Faculty/Academic Head of Department/Director of Professional Services and all line managers are responsible for reporting sickness absences to the HR Directorate using [MyView](#); they can delegate this responsibility to a colleague (Departmental Sickness Absence Recorders).

3.4.2 Individual employees can view their sickness absence records through [MyView](#).

4.3 Deans of Faculty/Academic Heads of Departments/Directors of Professional Services (or their delegate) are responsible for monitoring sickness absences in their area and ensuring the fair and consistent operation of this Policy.

3.4.4 The School recognises that disabled employees may be likely to have higher levels of sickness absence and/or require time off work to attend regular medical appointments. When monitoring sickness absences, line managers of disabled employees must take these factors into consideration.

3.5 Occupational Health

3.5.1 The Occupational Health Service provides a key service in supporting the health and safety of employees at work and provides managers and employees with guidance on a range of issues from advising the School on reasonable adjustments for disabled employees to supporting employees on their return from long-term sick leave.

3.5.2 Line managers should discuss the reasons for an Occupational Health referral with employees; the HR Directorate will liaise with Occupational Health to arrange the referral.

3.5.3 If an employee refuses to attend an Occupational Health referral or to consent to Occupational Health obtaining a medical report from their GP or consultant, the School will make decisions on the employment of the individual based on the limited information available to it. Such decisions may be detrimental to the individual as it will not be based on informed medical opinion and could in some instances affect the continuing employment of the individual.

3.6 Frequent, short-term sickness absences

3.6.1 Sickness absence will be monitored and reviewed by the School in order to identify high levels of frequent, short-term absences or any trends or patterns of absence where there does not appear to be an underlying medical reason for the absence.

3.6.2 Frequent, short-term sickness absences will generally be for relatively minor illness or injury e.g. colds, stomach upset, back pain etc. The absences may be due to a variety of

reasons or due to a persistent medical condition. The triggers for reviewing sickness absence are defined as:

- 3 days of sickness absence in a rolling 12 month period, or
- 3 separate periods of sickness absence within a rolling 12 month period where a period of absence is defined as any period of absence lasting one day or more, and/or
- regular sickness absence on certain days, e.g. Mondays or Fridays, before or after Bank Holidays, known busy days etc.

As a general rule when assessing trigger points for disabled employees, line managers should separate absence as a result of disability from other sickness absence.

When considering an employee's sickness absence levels, the above is intended as a guide and managers should take into account the individual circumstances of each case and the nature of the illness and be sympathetic towards serious illness including mental health, chronic conditions and absence as a result of surgery. Managers should also be sympathetic to disabled employees or employees with pregnancy related illnesses. It is essential that line managers assure employees that this is the case.

3.6.3 There is no "acceptable" level of sickness absence allowable in the School.

3.6.4 Absence records in line with 3.6.2 which indicates a pattern (such as sick leave before or after weekends or holidays) may lead to further action, including an Occupational Health report to provide further information to the School and the Sickness Absence management process as appropriate.

3.6.5 Informal counselling by the employee's line manager will normally initially be used to address frequent, short-term sickness absences.

3.6.6 Where frequent, short-term sickness absences persist and there is no underlying medical reason affecting attendance, a series of formal meetings, warnings and monitoring which form part of the Sickness Absence management process will be used to try to improve attendance.

3.6.7 Employees will have the right to be accompanied by a work colleague or trades union representative at any formal Sickness Absence management process meeting held in accordance with the School's Sickness Absence Policy.

3.6.8 Termination of employment for frequent, short-term absences will only take place after three formal warnings and Sickness Absence management process meeting or meetings with a senior representative of the HR Directorate present, to ensure that the employee has had every opportunity to address the problem.

3.6.9 Employees will have the right to appeal against dismissal as part of the Sickness Absence management process.

3.7 Long-term sickness absence

3.7.1 Employees on long-term sick leave will be referred to Occupational Health for advice on the likely duration of the absence and possible adjustments that may be needed to help facilitate their return to work.

7.2 Following the receipt of the Occupational Health report and before an employee returns to work, line managers will consult with the individual employee and devise a Return to Work Plan to provide support on their return.

3.7.3 In cases of lengthy absences where there is no foreseeable prospect of the employee returning to work in their current role, or when the employee's occupational sick pay is due to expire and the absence can no longer be sustained for operational reasons, consultation will be carried out with the employee on the possible alternatives to dismissal, including redeployment and ill-health retirement.

3.8 Disabled Employees

3.8.1 The School is committed to supporting and retaining its disabled employees. Employees are encouraged to disclose any disability they may have to the HR Directorate in order to access support. Employees who are unsure if their illness or condition is considered to be a disability can contact their HR Employee Relations Consultant for confidential advice.

3.8.2 New employees with disabilities or existing employees who become disabled should be referred to Occupational Health for advice on what adjustments that School can make to their responsibilities, equipment or workplace, to enable them to carry out the functions of their post.

3.8.3 In accordance with the School's Disability Policy, consultation will be carried out with disabled employees on any reasonable adjustments that are required, and the effectiveness of these, should be monitored over time (e.g. during the annual Staff Development Review).

3.8.4 Where a disabled employee's condition is likely to lead to frequent, short-term sickness absences, this will be taken into consideration by their line manager and by the School when monitoring attendance.

3.9 Medical Appointments

3.9.1 Employees should endeavour to make medical appointments outside of normal working hours where possible or at the start or end of the working day.

3.9.2 Line managers may ask to see appointment cards/letters.

3.10 Annual leave

3.10.1 An employee who falls sick whilst on annual leave and would like the School to treat the absence as sick leave, must provide a GP's Fitness for Work medical certificate confirming that they would not have been fit to attend work during the affected period of their annual leave.

3.10.2 Post-dated Fitness for Work medical certificates (i.e. which cover a period of absence which concluded prior to the employee's appointment with their GP), will not normally be accepted.

3.10.3 During periods of ill health, employees will continue to accrue annual leave. However, unused leave can only be carried forward from one leave year to the next in accordance with School procedures.

3.10.4 Employees who are ill during public holidays and customary holidays or during other times that the School is closed cannot re-claim annual leave.

3.11 Confidentiality

3.11.1 Sickness absence information and information about medical conditions relating to employees will be treated with the utmost sensitivity and confidentiality.

3.11.2 Medical information is subject to the provisions of the Data Protection Act (DPA) 1998, as appropriate. Employees will have the right to access any documentation held on them that fall within the scope of the DPA. Such information is designated as "sensitive" under the DPA and is subject to additional criteria for storage (etc). Advice on the Data Protection issues can be obtained from the SOAS Information Compliance Manager

3.12 Abuse of Sick Pay Entitlement and the School's Sickness Absence Policy

3.12.1 The School's sick pay entitlement and leave provisions only apply to occasions where employees are unable to attend work for a genuine medical reason relating to their health.

3.12.2 Sick leave should not be used to care for dependants, partners, children or friends who are unwell. Annual leave or dependants' leave should be used in such circumstances in accordance with the School's various leave and absence policies.

3.12.3 The School operates a range of different types of leave which can be used when employees need time off for domestic, personal or similar reasons. Details can be found in the School's leave and absence policies.

3.12.4 The School reserves the right to take disciplinary action if it comes to light that an employee has taken sick leave but was not suffering from ill-health or had no genuine medical reason for their sick leave.

4. Definitions

Area: the term area means the relevant Academic Department or Faculty or relevant Professional Services Directorate.

Director of Professional Services: e.g. Academic Development Directorate; Estates and Facilities Directorate; Human Resources Directorate etc.

Disability: The Equality Act 2010 defines disability as a physical or mental health condition which has a significant, adverse and long-term effect on their ability to do everyday activities. For legal purposes, long-term refers to conditions which have already lasted or are expected to last at least one year or those conditions which are considered to be terminal. Substantial effects are said to be “more than minor” effects.

Line manager: the line manager will be the individual nominated by the Dean of Faculty, Academic Head of Department or Director of the appropriate Professional Services Directorate who has supervisory responsibility over the employee.

Long-term sickness absence: relates to sick leave of 20 or more consecutive days.

Short-term sickness absence: an absence of 7 days or less which does not require a GPs' Fitness for Work medical certificate.

Pattern of absence: where monitoring sick leave reveals a trend or tendency in the absences, typically after or before a weekend or holiday or on a particular day (such as each time a specific meeting is due to occur).

Reasonable adjustments: a legal term arising out of the Equality Act 2010, which refers to the adjustment of a provision, criterion, practice or physical feature of an employer's premises, which without said adjustment places a disabled person at a substantial disadvantage in comparison to a non-disabled person. In such cases, it is the employer's responsibility to take reasonable steps to prevent the criterion, provision, practice or physical feature having that disadvantage. Examples of reasonable adjustments are:

- Providing training or mentoring
- Altering working hours
- Allocating some of the disabled person's duties to another person
- Acquiring or modifying equipment (e.g. voice recognition software)
- Modifying work environment (e.g. lightening, temperature, accessibility)
- Redeployment

5. Review

5.1 Reports and statistics on the operation of this Policy will be made available to the School's HR Committee and Health & Safety Committee and School recognised trade unions.

5.2 To ensure compliance with this Policy and accompanying procedure, the HR Directorate may choose to be involved in particular stages.

5.3 This Policy will be reviewed regularly in line with any changes in employment or other legislation and discussed with the School’s recognised trade unions.

6. Table of Responsibilities

Dean of Faculty/Academic Head of Department/Director of Professional Services	Nominating individuals responsible for reporting sickness absence to HR Monitoring the operation of this Policy in their area
Line Managers	Ensuring all employees are fully aware of this Policy and associated Procedure, particularly during induction Reporting sickness absence directly on MyView (e.g. where an employee has not done so) or ensuring that the responsible person in the department reports absences on their behalf. Conducting Return to Work Interviews (RTWI) informal sickness absence review meetings and Capability Employment meetings Consulting employees on Occupational Health assessments
Employees	Notifying their line manager of all sick leave in accordance with the School’s Sickness Absence Procedure Providing their GP’s Fitness for Work medical certificates for all absences over 7 days Accurately reporting their sickness absences on MyView which counts as a Self-Certification form Attending Return to Work Interviews, informal sickness absence review meetings and Capability Employment meetings Consenting to Occupational Health referrals in line with section 3.5.2 Attending Occupational Health assessment appointments
Human Resources Directorate	Providing advice, support and training on the operation of this Policy and supporting Procedure Referring employees to Occupational Health following a management request Monitoring sickness absence records on the HR/Payroll system (ResourceLink)
Trade Union representative	Providing support if asked for by an employee who is a member of the local branch of the appropriate trade union who may be required to attend an Occupational Health assessment

	<p>Attending a formal Capability Employment meeting representing a branch member if requested by that member</p> <p>Representing a branch member if requested if the School has taken up its reserved right to take disciplinary action as a result of an alleged breach of the Sickness Absence Policy</p> <p>Helping to review this policy with HR Directorate colleagues in line with any changes in employment legislation</p>
Colleague	<p>Attending a formal Capability Employment meeting supporting an employee if requested by that person</p> <p>Supporting a colleague if requested by that person if the School has taken up its reserved right to take disciplinary action as a result of an alleged breach of the Sickness Absence Policy</p>

7. Associated Policies and Procedures

1. Equality and Diversity Policy
2. Disability Policy
3. Various School Leave and Absence Policies
4. Standing Order XI, Part IV and associated Sickness Absence Procedure for Academic Staff
5. Sickness Absence Procedure
6. Disciplinary Procedure for Academic-Related, Other-Related, Research, Clerical and Certain Related Administrative, Technical, Fractional Teaching and Casual Staff Groups.
7. Redeployment Policy

8. Agreement

8.1 This Policy together with the School's Sickness Absence Procedure was discussed with the School's recognised trade unions, UCU and UNISON, in a Sickness Absence Working Group and in HR/TU Joint Interest Group meetings over the period July 2010 to May 2011. Both trade unions wish it to be recorded that they did not agree with this Policy as laid out.

8.2 The Sickness Absence Policy and Procedure was also considered by the HR Committee on 26 May 2011.

8.3 The Sickness Absence Policy and Procedure was approved by the School's Executive Board on 26 September 2011.

HR Directorate

Updated September 2016 to reflect the introduction of MyView to report sickness absence data.