



Absence Management Policy

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1. INTRODUCTION

This policy outlines actions to be taken by the manager or a member of staff when a concern arises in relation to absence management staffing issues.

Please refer to Appendix 1 – Policy Route Guidance Flowchart

This policy does not form part of the employee contract of employment, however outcomes following a formal process may then become relevant to an employee's terms and conditions of employment.

This policy may be amended from time to time. Southern Hampshire primary Care Appliance (SHPCA) may also vary any parts of this procedure, including time limits, as appropriate, depending on the circumstances of particular cases.

2. SCOPE

This policy is applicable to all employed staff working within SHPCA, interim (off payroll) workers and volunteers.

3. ROLES AND RESPONSIBILITIES

Line manager's Responsibilities

- To ensure that they themselves and employees are aware of this policy.
- To ensure that the policy and its supporting standards and guidelines are built into local processes and that there is on-going compliance
- To adhere to the timescales within the policy to ensure that matters are dealt with quickly, reasonably and as fairly as possible
- To ensure that the informal stage is used wherever possible prior to any formal action being taken
- To involve the SHPCA manager for advice and support when an issue has been raised
- To respond to any concerns raised by employees, consider them fully, sympathetically and fairly in accordance with this policy.
- To treat all employees fairly by applying the policy consistently and ensuring that any personal information is kept in complete confidence in line with the information governance requirements
- To act with integrity, in line with SHPCA Values and in line with any applicable professional codes of conduct.

Employee's Responsibilities

- To ensure they read, understand and comply with this policy
- To contact SCW HR, their trade union representative or appropriate professional body for advice and guidance
- To try and deal with matters at the nearest point of origin and where appropriate first approach the manager in order to discuss the problem informally
- To attend meetings as required
- To maintain confidentiality.

SCW HR's Responsibilities

- To assist managers and employees in the fair and consistent application of the policy
- To provide advice to employees and managers concerning individual issues, including advice on the range of options or courses of action that may be taken
- To facilitate informal meetings on request
- To provide coaching and training to managers on the application of this policy
- To provide support at formal meetings
- To provide template letters/documents to managers
- To maintain confidentiality.

4. OVERVIEW

SHPCA is committed to the health and well-being of all our employees. It is our policy to support employees who are genuinely sick and unable to come to work. We recognise that sickness impacts on an employee's capability to perform their duties at work, and we aim to address these issues proactively by providing appropriate levels of support to help the employee minimise sickness absence, and to ensure their welfare. SHPCA also recognise the impact of repeated short-term absence on our service and, wherever possible, will work with employees to reduce their absence.

Employees are expected to provide consistent and regular attendance at work and to make every effort to attend work during their normal working hours.

The absence management procedure will not apply to those on a probationary period, as the Probationary Period Policy will apply. However, appropriate support mechanisms will continue to be offered to employees.

Confidentiality will be maintained throughout the absence management procedure in accordance with the Data Protection Act 2018.

5. REPORTING SICKNESS ABSENCE – CONTRACTED STAFF

If an employee recognises they are unfit to attend work, they must comply with the following procedure (failure to follow this procedure may result in a breach of contract and therefore subject to disciplinary procedures).

- Contact their line manager, or nominated deputy, by telephone no later than 30 minutes before their scheduled start time on their first day of absence.
- They should not leave a message with a colleague unless instructed to do so by their manager. If a message is left on their manager's answer phone, this must be followed by a phone call on the same day, so that they can speak directly to their manager.
- They must state the reason for their absence and the date on which they expect to return to work.
- During their absence, they are required to keep their manager regularly updated as to their progress; the frequency of this will be agreed on an individual basis, but, in the absence of such an agreement, this update should be daily.

If an employee is deaf (sign language user) they should report sickness to their manager (as set out in 5.2 above) using their preferred method. This might be by text, email or text phone (sometimes called Minicom).

The line manager is responsible for ensuring all sickness absences are recorded on ESR on the first day of the employee's absence and ending this when the employee returns to work.

If the employee is unable to return to work on the date expected they must call their manager again as outlined above. It will not be acceptable to send a text message, email or to leave a message unless agreed with the manager in advance (unless the employee is deaf – see 5.3 above).

If an employee becomes unwell at work

If an employee becomes unwell whilst at work and needs to leave early then they need to seek permission from their line manager or nominated deputy to go home. If an employee leaves work before completing 50% of their working day then this is counted as a full sick day. If an employee leaves work after completing 50% of their working day this is recorded locally

Absence for more than Seven Days

If the employee's absence lasts for more than seven consecutive calendar days then they must get a Fit Note from their GP that commences from the eighth day of sickness absence. This form must be sent to their manager as soon as the employee receives this from their GP. The line manager is responsible for sending the Fit Note to SCW HR to be placed on the employee's personal file.

This medical certificate will indicate whether they are 'unfit for work' or 'may be fit for work', in which case the doctor may give advice as to adjustments that would aid their immediate return to work. If they are judged to be fit for work they must notify their manager immediately. Any advice from their GP will be adhered to, by their manager, where the business can support such action. If this is not possible then they may remain on sick leave until the medical certificate expires.

Should an employee feel well enough to return to work, with or without adjustments being made, prior to the expiry of the certificate, then with the agreement of their manager and GP, they may be allowed to do so.

If they cannot return to work when their medical certificate expires, they must obtain another medical certificate from their GP and send it to their manager immediately and/or no later than seven days. Certificates are required to cover the total period of their absence.

Phased Return

A phased return to work may be agreed to support them back into the workplace. A phased return will be over a short period of time, gradually increasing to normal duties / hours. A return to work programme may include work at reduced hours, in this instance annual leave will be used for any unworked hours including when recommended on a GP Fit Note, restricted duties and / or temporary redeployment to an alternative role.

Working whilst on Sick Leave

Employees should not work for another employer whilst absent on sick leave unless approved by their line manager.

If an individual undertakes unauthorised work for another employer during a period of sickness absence then the matter may be dealt with in accordance with the disciplinary procedure and may be reported to the organisation's local counter fraud specialist which may lead to criminal action being taken.

Compliance with Absence Procedure

Failure to comply with this absence management procedure will be dealt with under our Disciplinary Policy. It may lead to disciplinary action being taken and may affect the payment of non-statutory sick pay.

SHPCA reserves the right to suspend an employee, on full pay, on medical grounds pending further medical guidance in relation to their health. This might arise if we are concerned that they may not be fit to be at work or return to work as planned.

6. Reporting sickness absence – Sessional/Locum staff (e.g. IPCAS)

Any sessional staff who are unfit to work a booked session must inform The Service Manager with as much notice as possible to maximise the opportunity to find alternative staff to cover a session and avoid any cancellations of patient appointments.

Staff must cancel any sessions booked via the Sensei application and inform the shift supervisor/reception supervisor as per guidance.

7. DENTISTS, DOCTORS, OPTICIANS AND OTHER HEALTH APPOINTMENTS

Whenever possible appointments to visit the dentist, doctor, optician, or other health professional should be outside of normal working hours. Where this is not possible, disruption must be kept to a minimum by arranging the appointment at a time which will result in least impact on the service and agreed with the line manager.

Recognising there is less flexibility for hospital appointments, employees will be released with pay if these fall at a time when the individual would have normally been working, evidence of appointments may be requested by the line manager.

For any other appointment in working time, staff will be required to use lieu time, make up time or take annual leave by agreement with the line manager.

8. SICK PAY SCHEME

An employee's sick pay entitlement is as follows:

LENGTH OF SERVICE	Full Pay Period	Half Pay Period
Less than 6 months	Nil	-
6 months but less than 3 years	4 weeks	8 weeks
3 years but less than 5 years	8 weeks	8 weeks
5+ years	16 weeks	16 weeks

These provisions are the maximum that can be paid within any 12 calendar months. Payments are made on a rolling year basis with the days taken sick within the preceding 12 months subtracted from the total available.

In exceptional circumstances, SHPCA may consider an extension to these sick pay entitlements.

If the employee's sick pay entitlement has expired, they must continue to submit a copy of their GP medical certificate to their manager. This will prevent the absence being considered unauthorised and allow us to continue to support them during their absence.

9. SICK PAY AND NON WORK RELATED ACCIDENTS

Should an employee sustain an injury whilst undertaking a sporting activity in a professional capacity or as a result of any secondary employment that results in their sickness absence from work, then sick pay is not normally payable for this period of absence.

An employee who is absent from work as a result of an accident is not entitled to sick pay if loss of earnings are received from a third party. SHPCA will normally advance to the employee a sum equivalent to their sick pay entitlement; however, SHPCA will reclaim this money from the employee when damages are received. Once these monies have been received by SHPCA, the absence will not be taken into account for the purposes of sick pay allowances.

10. SICKNESS ABSENCE AND ANNUAL LEAVE

Annual leave is accrued throughout the period of sickness absence regardless of whether it is paid or unpaid sickness absence.

Should an employee not be able to use their accrued annual leave as a result of sickness up to four weeks annual leave can be carried over automatically into the next leave year.

Staff will not be entitled to an additional day off if sick on a public holiday.

In the event that a member of staff reports absence due to sickness directly prior to or following a period of annual leave (that is, the member of staff is unable to attend work as planned, and has reported their absence due to sickness), they must notify the manager using the local absence reporting protocol. A medical certificate is required to be submitted to the manager from the first day of sickness irrespective of the length of sickness absence and must remain in place until the employee returns to work unless they have notified SHPCA that they would be unfit for work.

If a certificate is not provided, then this matter must be discussed with the member of staff by the manager upon their return. The manager may consider the period of sickness to be unauthorised absence, and as such will be unpaid and may be subject to disciplinary action. The member of staff should be advised as such and this should be detailed in writing by the manager accordingly.

If sickness results in cancellation of annual leave, the individual may substitute sick leave for annual leave on production of a medical certificate and provided the normal reporting of sickness absence process has been followed.

Employees may take paid annual leave during sickness absence. Requests to do so should be by agreement with the line manager with support from SCW HR and occupational health.

11. WORK RELATED ACCIDENTS

When an accident takes place in the work place or on official work business, it is the responsibility of the employee to report the incident / accident as soon as possible to their line manager who will then complete appropriate risk forms and submit these to the risk manager.

In accordance with RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995) legislation, those accidents which result in absence from work continuing over seven calendar days must be reported to the Health and Safety Executive by SHPCA.

12. RETURN TO WORK INTERVIEWS

When the employee returns to work from any sickness absence, their manager will carry out a 'return to work interview' with them on the first day of their return to work, or as soon as is practicable. Forms can be found on the HR Portal. Forms need to be submitted to the SHPCA Business Support for entering on to IRIS and secure filing. A copy will be provided to SCW HR Should additional HR advice be required.

The purpose of a 'return to work interview' is to allow their manager to understand their illness and to see if any adjustments need to be made to help in their return. This will include:

Their state of health (for example, that they are fully able to work or whether they are in need of temporary adaptations to their duties) and whether there is anything that needs to be done to avoid a recurrence of the condition causing their absence. If so, SHPCA will consider suggested actions or issues in line with operational feasibility

It may be necessary for a risk assessment to be carried out in order to establish whether any adjustments need to be made in the short term.

Their manager also needs to be made aware of any medication that they are taking or have been prescribed that may affect their performance at work.

Their manager will give the employee the opportunity to raise issues that may underlie their sickness (for example bullying or harassment, or issues outside of work) so that proactive action and support can be implemented if needed

Reasons for absence will only be discussed by managers with third parties on a need to know basis, such as SCW HR or a more senior manager.

13. OCCUPATIONAL HEALTH AND THE EMPLOYEE ASSISTANCE PROGRAMME

SHPCA may refer an employee to our occupational health provider for an independent medical assessment (IMA); however, an employee may refer themselves. The aim of an IMA, carried out by an independent occupational health physician, is to fully understand their illness and their functional ability in the context of their job role, so their manager and SCW HR are able to support them appropriately.

Prior to any initial referral, the employee will be asked to sign a consent form, and agree to allow the doctor to provide a medical report to their line manager and SCW HR. This consent form is valid for a six month period.

SHPCA are entitled to make a decision in relation to their health based on the facts available.

A referral to occupational health may be requested by the manager should an employee be close to or hit an absence trigger point.

A 24-hour free confidential, anonymous counselling service and advice telephone service is available to all staff to help improve general wellbeing and personal effectiveness. Health Assured, Employee Assistance Programme (EAP) 0800 783 2808. Managers can also access this service to obtain management advice and guidance to provide appropriate support to staff.

14. MANAGING SICKNESS ABSENCE PROCESS

Monitoring Sickness Absence

Employee's attendance records including the Bradford factor¹ scores will be regularly monitored by their manager to identify areas of concern. Additional HR may advice be sought from SCW HR.

As a general rule, the key triggers for action are as follows:

- Absence caused by persistent episodes of short term sickness, normally three episodes in six months or five episodes in a rolling 12 month period; this may also include trends/patterns of absence
- Absence caused by long term sickness, lasting more than three weeks.
- Inability to fulfil requirements of the post due to either ill health or disability.

15. SHORT TERM ABSENCE PROCEDURE

Informal Action

In the first instance, absence issues should normally be dealt with informally between the line manager and the employee as part of day-to-day management. Where appropriate, a note of any such informal discussions may be placed on the employee's personnel file and will only be considered as part of any future performance meetings if there is direct relevance to the specific issue being raised.

Line Managers should:

- Clarify the required standards
- Identify areas of concern
- Establish the likely causes of the absence and any possible supportive measures needed and/or
- Set targets and objectives for improvement and a time-scale for review.

The formal procedure should be used for more serious cases, or in any case where an earlier informal discussion has not resulted in a satisfactory improvement.

If SHPCA have concerns about the employee's absence, an occupational health assessment will be undertaken to decide if there are grounds for taking formal action under this procedure.

Formal Action

Stage 1 Formal Absence Meeting

If SHPCA consider that there are grounds for taking formal action over poor attendance, the employee will be required to attend a Stage 1 formal absence meeting. We will notify them in writing of our concerns over their absence the reasons for those concerns, and the likely outcome if SHPCA decide after the meeting that the employee's absence has been unsatisfactory. SHPCA will also include the following where appropriate:

- A summary of relevant information gathered so far, as part of any assessment
- A copy of any relevant documents which will be used at the absence meeting
- A copy of any relevant witness statements, except where a witness's identity is to be kept confidential, in which case SHPCA will give as much information as possible while maintaining confidentiality
- To ask the employee to provide details of any witnesses they wish to call
- An outline action plan and objective setting criteria (SMART objectives) to be used during or following the meeting
- SHPCA will give the employee written notice of the date, time and place of the performance meeting. The meeting will be held as soon as reasonably practicable, but the employee will be given a reasonable amount of time to prepare their response based on the information SHPCA have given.

Stage 1 Absence Review Meeting: First Written Warning

At the end of the monitoring period a Stage 1 performance review meeting will be arranged. Possible outcomes include:

- If the manager is satisfied with the employee's attendance, no further formal action will be taken and they will revert to informal monitoring. However if absence returns to unsatisfactory levels or the employee hits another absence trigger within six months the procedure will revert to formal stages at the last level reached
- If the manager feels that there has been some improvement or progress against objectives but not sufficient to meet the required attendance standards, the review period may be extended, usually by one more month.
- If it is decided that the employee's attendance is unsatisfactory, a first written warning will be issued, setting out:
 - The areas which have not met within the required attendance standards
 - Targets for improvement
 - Any support measures, which will be taken with a view to improving attendance
 - A period for review
 - The consequences of failing to improve within the review period, or of further periods absence and
 - Their right to appeal against the sanction

The written warning will normally remain active for 12 months from the end of the review period.

After the active period, the warning will be disregarded in deciding the outcome of future attendance proceedings.

The period for review at Stage 2 will normally be set at one month from the date of the Stage 1 absence review meeting. This review date may be brought forward if there is a substantial deterioration in attendance.

Stage 2 Absence Review Meeting: Final Written Warning

At the end of the monitoring period a Stage 2 absence review meeting will be arranged. Possible outcomes include:

- If the employee's line manager is satisfied with the employee's attendance, no further formal action will be taken and they will revert to informal monitoring. However if attendance returns to unsatisfactory levels within six months the procedure will revert to formal stages at the last level reached
- If the manager feels that there has been some improvement or progress against objectives but not sufficient to meet the required attendance standards, the review period may be extended, usually by one more month
- If it is decided that the employee's attendance is unsatisfactory, a **final written warning** will be issued, setting out:
 - The areas which have not met the required attendance standards
 - Targets for improvement
 - Any support measures which will be taken with a view to improving attendance
 - A period for review
 - The consequences of failing to improve within the review period, or of further unsatisfactory attendance and
 - Their right to appeal against the sanction

The final written warning will normally remain active for 12 months from the end of the review period.

After the active period, the warning will be disregarded in deciding the outcome of future attendance proceedings

The period for review at Stage 3 will normally be set at one month from the date of the Stage 2 performance review meeting. This review date may be brought forward if there is a substantial deterioration in performance.

Stage 3 Absence Review meeting: Dismissal or Redeployment

At the end of the monitoring period a Stage 3 performance review meeting will be arranged, in accordance. Possible outcomes include:

- If the manager is satisfied with the employee's attendance, no further formal action will be taken and they will revert to informal monitoring. However if attendance returns to unsatisfactory levels within six months the procedure will revert to formal stages at the last level reached

- If the manager feels that there has been some improvement or progress against objectives but not sufficient to meet the required attendance standards, the review period may be extended, usually by one more month
- If it is decided that the employee's attendance is unsatisfactory, SHPCA may consider a range of options including:
 - Dismissal
 - Redeployment into another suitable job at the same or a lower grade (no pay protection will apply)
 - Extending an active final written warning and setting a further review period (in exceptional cases where SHPCA believe a substantial improvement is likely within the review period)

The decision to dismiss must be by an authorised senior manager.

The employee will have the right to appeal

Dismissal will normally be with full notice or payment in lieu of notice (PILON)

Standard Procedure for formal performance meetings

The meeting will normally be held by the employee's line manager, supported by a SCW HR representative.

An employee has the right to be accompanied by a trade union representative or workplace colleague

If appropriate relevant witnesses may be asked to attend at the meeting. It is the responsibility of the parties concerned to arrange for the attendance of their witnesses, including external witnesses. In the case of witnesses who are employees of SHPCA, time off work with pay will be granted for them to attend. Witnesses will only be present at the hearing whilst giving evidence.

The employee will be given the opportunity to respond to any information given by a witness. However, they will not normally be permitted to 'cross-examine' witnesses unless, in exceptional circumstances, SHPCA decide that a fair process could not be conducted otherwise.

The employee and their representative (if any) should make every effort to attend meetings (including any appeal). If the employee and their representative (if any) cannot attend at the time specified, they should let us know immediately and SHPCA will seek to agree a reasonable alternative time. They may suggest another time and, so long as it is reasonable and is not more than five working days after the day proposed by the organisation. This five day limit may be extended by mutual agreement. If the employee fails to attend without good reason, or is persistently unable or unwilling to do so, this may result in the meeting being conducted in the employee's absence and a decision made on the information available.

If the individual is unfit to attend the meeting due to a medical condition, medical advice will be sought from the occupational health department to determine when they will be fit to attend. If they are unlikely to be fit to attend in a reasonable time, the individual may provide a written statement to the manager holding the meeting.

While it is acknowledged that employees may find procedural action contributes to feelings of stress, this will not normally be a reason for delaying such action.

The aims of an absence meeting will usually include:

- Setting out the required standards and attendance requirements that SHPCA believe the employee may have failed to meet, and going through any relevant evidence that we have gathered
- Allowing the employee to ask questions, present evidence, call witnesses, respond to evidence and make representations
- Establishing the likely causes of poor attendance including any reasons why any measures taken or support provided so far have not led to the required improvement
- Identifying whether there are further supportive measures which may improve attendance
- Where appropriate, discussing targets for improvement, set SMART objectives, and a time-scale for review
- If the attendance has been sufficiently poor, SHPCA would be seeking at this meeting to establish whether there is any likelihood of a significant improvement being made within a reasonable time (i.e. 1 to 3 months) and whether there is any practical alternative to dismissal, such as redeployment, based on skills and abilities.
- The consequences of failing to improve within the review period or of further unsatisfactory performance.

A meeting may be adjourned if we need to gather any further information or give consideration to matters discussed at the meeting. The employee will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.

SHPCA will inform the employee in writing of our decision and our reasons for it, usually within one week of the absence meeting. Where possible SHPCA will also explain this information to them in person.

The period for review will normally be set at one month from the date of the previous meeting. This review date may be brought forward if there is a substantial deterioration in performance.

16. Long-Term Absence Procedure

SHPCA defines long-term absence as a period of more than four consecutive weeks (21 working days).

SHPCA endeavours to be supportive to employees who have been signed off by their doctor for a period of three weeks or more. The procedure is designed to assist on-going communication and to provide for a review of the situation.

If an employee is absent from work due to a long-term illness of more than three consecutive weeks, SHPCA will support the employee throughout the absence with the aim to assist them to return to work. Managers will maintain contact with the employee in order that they remain fully informed of their progress and also so that they are made aware of any action that SHPCA may be able to take to aid their recovery.

If their absence continues for longer than three weeks we may make arrangements for regular informal meetings with the employee at a mutually convenient time and place and / or an occupational health referral. Formal meetings are held by the line manager, supported by a SCW HR representative. The

employee will have the right to be accompanied by a trade union representative or workplace colleague.

Depending on the nature of the absence, SHPCA reserve the right to make an occupational health referral prior to reaching three consecutive weeks, if we believe the referral would help aid their recovery.

If the employee has a lease car provided by SHPCA, it may be necessary for them to return this to us so that it can be used during their absence. If they have a work laptop, iPad or mobile phone, it may also be necessary for them to return these.

If the absence continues, we may request further home visits, and if SHPCA have not already done so, we will ask for the employee's agreement for occupational health to contact their doctor.

If the absence persists, or it appears unlikely that the employee will be able to return to work within a reasonable period of time, it may be necessary to review their ability to continue in their present role. This will include considering whether an alternative position might be available.

If redeployment due to medical reasons is recommended by occupational health, the redeployment process should be applied within the Organisational Change Policy. However, no pay protection will apply.

In the event that no suitable positions are available, SHPCA may consider whether their employment should be terminated.

17. APPEAL

The employee has the right to appeal against formal action under this procedure

If the employee feels that a decision under this procedure is wrong or unjust they should appeal in writing, stating their full grounds of appeal, to SCW HR within one week of the date on which they were informed in writing of the decision.

They must stipulate their full grounds of appeal in writing, which should be one or more of the following:

- New evidence that was not previously obtainable
- Failure to follow the procedure
- The level of sanction received.

It is not sufficient merely to disagree with the decision made.

If the employee is appealing against dismissal, the date on which dismissal takes effect will not be delayed pending the outcome of the appeal. However, if their appeal is successful, they will be reinstated with no loss of continuity or pay.

If they raise any new matters in their appeal, SHPCA may need to carry out further investigation. If any new information comes to light SHPCA will provide the employee with a summary including, where appropriate, copies of additional relevant documents and witness statements. The employee will have a reasonable opportunity to consider this information before the hearing.

The employee will be given written notice of the date, time and place of the appeal hearing. The appeal hearing will be held as soon as reasonably practicable, but the employee will be given a reasonable amount of time to prepare their case.

At all formal stages of this procedure, employees have the right to be accompanied by a trade union representative or work.

The appeal hearing will normally take the form of a review of the formal stage and not a complete re-hearing

Where possible, the appeal hearing will be conducted by another manager at a more senior level, who has not been previously involved in the case. A member of the SCW HR team will also be present, and if appropriate along with the presence of a lay member of the organisation. The employee may bring a trade union representative or a workplace colleague with them to the appeal hearing.

A hearing may be adjourned if there is a need for SHPCA gather any further information or give consideration to matters discussed at the hearing. The employee will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

Following the appeal hearing SHPCA may :

1. Confirm the original decision
2. Revoke the original decision or
3. Substitute a different penalty.

SHPCA will inform the employee in writing of the final decision as soon as possible, usually within seven days of the appeal hearing. Where possible this will also be explained in person. There will be no further right of appeal.

18. DISABILITY EQUALITY DUTY

The Disability Equality Duty within the Equality Act 2010 provides rights for employees to not be discriminated against due to a disability. In the Act, a person has a disability if they have a physical or mental impairment or the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities. For the purposes of the Act, these words have the following meanings:

- 'Substantial' means more than minor or trivial
- 'Long-term' means that the effect of the impairment has lasted or is likely to last for at least twelve months (there are special rules covering recurring or fluctuating conditions)
- 'Normal day-to-day activities' include everyday things like eating, washing, walking and going shopping.

People who have had a disability in the past that meets this definition are also protected by the Act. People with HIV, cancer or multiple sclerosis are protected by the Act from the point of diagnosis. People with some visual impairments are automatically deemed to be disabled.

The Act imposes a duty on employers to make reasonable adjustments to enable disabled people to access work or to be able to continue to work.

To ensure the manager and SHPCA comply with the equality duty, discussion between the employee and their manager will take place to identify individual needs and what reasonable adjustments can be put in place. The support of SCW HR, occupational health or an access to work adviser should be sought.

19. ILL HEALTH RETIREMENT

In certain circumstances employees may be eligible for ill-health retirement. Any eligibility is subject to the terms of their Pension Scheme and is subject to the support of occupational health.

20. ELECTIVE PROCEDURES

A staff member may request leave to accommodate time-off to undergo an elective procedure. As the request will require prior agreement from the individual's line manager, it is recommended that early discussions take place between the staff member and their manager, to enable both parties to consider how and whether this may be accommodated. During this discussion, the staff member should provide an indication of the likely duration of recovery, based upon advice from their medical practitioner. Managers may seek advice from SCW HR and/or Occupational Health, to assist them in considering requests for time off for elective procedures.

Absence for the elective medical treatment, which is for cosmetic reasons alone, must be taken as annual leave or unpaid leave and not sick leave.

21. EQUALITY AND DIVERSITY

In applying this policy, SHPCA will have due regard for the need to eliminate unlawful discrimination, advance equality of opportunity, and foster 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.

Where English is not the first language or there are difficulties in reading this policy, employees should contact their line/other appropriate manager or senior officer within their organisation, SCW HR or staff representative for advice and guidance.

If there are likely to be understanding or language difficulties during meetings, it may be necessary for an interpreter or friend to be made available. The employee will be responsible for making arrangements for this, or where appropriate, Access to Communications will be contacted with the support of the relevant SCW HR Business Partner/manager.

In line with SHPCA's policy, an Equality Analysis has been completed. It is understood that no employee will receive less favourable treatment on the grounds of disability, age, sex, race, religion or belief, gender reassignment, pregnancy or maternity, marriage or civil partnership, working patterns or Trade Union membership or non-membership in relation to the application of this policy.

22. POLICY MONITORING AND REVIEW

The effectiveness of this policy will be monitored by SCW HR to ensure the correct procedures have been followed and timescales met. Any learning points and trends will be identified by SCW HR who will make recommendations to the SHPCA HR Lead about changes which need to be made. The application and impact assessment of this policy will be monitored by SHPCAs Governance Committee.

This policy may be reviewed at any time at the request of either Staff Side or SHPCA but will be reviewed automatically in the event of new legislation or guidance emerging or annually.

Policy monitoring and review will include analysis of the available equality characteristics of people applicants, interviewees and successful candidates, in order to identify and differential treatment or bias during recruitment. The equality characteristics of leavers will also be monitored.

23. TRAINING IMPLICATIONS

All employees need to be aware of this policy and their responsibilities. This will be achieved by:

New employees will be directed to where policies are located on the SHPCA's website

Promoting the policy through communication routes such as staff newsletters/emails on publication each time it is reviewed

Line managers will be provided with coaching and training on the application of this policy.

This policy is made available to all staff via SHPCAs Intranet Site and on the Management Team Sharepoint Site.

APPENDIX 1 Policy Route Guidance Flowchart

