

**Request**

**From:** RNN Group <noreply@rnngroup.co.uk>

**Sent:** 01 February 2023 12:00

**To:** RNN FOI <foi@rnngroup.co.uk>

**Subject:** New submission from: Policy Request Form

**Policy Required**

Staff absence policy and staff disability/absence policy

**Our Ref:** FOIA214

**Your Ref:** N/A

**Date:** 2<sup>nd</sup> February 2023

Dear [REDACTED]

**FREEDOM OF INFORMATION REQUEST (FOI): Policy Request - Staff Absence Policy and Staff Disability/Absence Policy**

Thank you for your request for information, which we received on 1<sup>st</sup> February 2023. We have handled your request under the Freedom of Information Act 2000 (FOIA).

Any correspondence regarding this should be addressed to [FOI@rnngroup.ac.uk](mailto:FOI@rnngroup.ac.uk)

Please note that we will be providing a response on behalf of the RNN Group as a whole, rather than any individual college or organisation within the Group.

The RNN Group main centres of operations are located at the following sites:

Site Name	Address
Rotherham College	Eastwood Lane, Rotherham. S65 1EG
North Nottinghamshire College	Carlton Road, Worksop. S81 7HP
Dinnington Campus	SITE NO LONGER IN OPERATION*
Dearne Valley College	Wath upon Dearne, Swinton. S63 7EW
University Centre Rotherham	Doncaster Gate, Rotherham. S65 1DJ
RNN Training	Carlton Road, Worksop. S81 7HP
Idle Valley Rural Centre	North Road, Retford. DN22 8SG
Construction Centre Rotherham	Rawmarsh Road, Rotherham. S60 1RU
Skills Centre Shireoaks	SITE NO LONGER IN OPERATION*
National Fluid Power Centre	Carlton Road, Worksop. S81 7HP
Create Skills Ltd	SUBSIDIARY COMPANY CEASED TRADING*
Charnwood Training	SUBSIDIARY COMPANY CEASED TRADING*
Aston Recruitment & Training	NO LONGER OWNED BY THE RNN GROUP*
Rotherham Education Services	Eastwood Lane, Rotherham. S65 1EG
Retford Post 16 Centre	Old Hall Drive, Retford. DN22 7EA
Nottinghamshire Children & Family Partnership	PARTNERSHIP HAS CEASED*

\*Data from these sites have been re-located to other centres within the RNN Group, and if applicable, have formed part of the search for the information requested.



The RNN Group has a Sickness Absence: Policy and Procedure, this is attached.

Please note, whilst you have exercised your right to information under FOI, the RNN Group may not release some data it has on record. For example, if it contains personal details of individuals or if other exemptions apply, as detailed within the FOI legislation. See the Information Commissioners Office (ICO) website for further details as to what this means to you and the request you have made:

<https://ico.org.uk/for-organisations/guide-to-freedom-of-information/what-is-the-foi-act/>

In keeping with the spirit and effect of the FOIA, and in keeping with the RNN Group's transparency agenda, all information is assumed to be releasable to the public unless exempt. Therefore, the information released to you may now be published on the Group's website at [www.rnngroup.co.uk/IG](http://www.rnngroup.co.uk/IG) together with any related information that will provide a key to its wider context. Please note that this will not include your personal data.

Attached is Appendix A, giving contact details should you be unhappy with the service you have received from the RNN Group in regards to this FOI request.

If you have any queries about this letter then please do not hesitate to contact us.

Yours sincerely

The RNN Group Information Governance Team

Enc.

## Appendix A

If you are unhappy with the service you have received in relation to your request, you may make a complaint or appeal against our decision under chapter 36, part 1, section 17 (7) of the Freedom of Information Act or under chapter 12, part 6, section 165 of the Data Protection Act (Article 57(1)(f) and (2) and 77 of the General Data Protection Regulations), within 40 working days of the date of this letter.

A copy of our complaints process can be found on the RNN Group website by following the link below and selecting the Feedback and Complaints section:  
<https://www.rnngroup.co.uk/IG>

If you are not content with the outcome of the internal review of your complaint, the DPA gives you the right to apply directly to the Information Commissioner for a decision.

Please note that generally the Information Commissioner cannot make a decision unless you have first exhausted the RNN Group's own complaints procedure.

The Information Commissioner can be contacted at:  
Information Commissioner's Office  
Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

## Sickness Absence: Policy and Procedure

SLT responsibility:	Director of Human Resources, Organisation Development & Marketing		
Applies to:	<ul style="list-style-type: none"> <li>All RNN Group Employees</li> <li>National Fluid Power Centre Employees</li> </ul> Note: Excluding RES Employees, Nottinghamshire Children's and Family Partnership Employees and Aston Training Employees		
Implementation date:	1 <sup>st</sup> May 2020	Review date:	May 2023
Approved by:	<ul style="list-style-type: none"> <li>Joint Consultative and Negotiating Committee</li> <li>Executive Leadership Team</li> </ul>	Approval date:	1 <sup>st</sup> April 2020
Approved by:	<ul style="list-style-type: none"> <li>Board Approval</li> </ul>	Approval date:	29 <sup>th</sup> April 2020
Related documents:	<ul style="list-style-type: none"> <li>Absence Reporting Procedure</li> <li>Leave of absence Policy</li> <li>Capability Policy &amp; Procedure</li> <li>Disciplinary Policy &amp; Procedure</li> <li>Appeals Policy &amp; Procedure</li> <li>Parental Bereavement Policy</li> <li>The role of companion statement</li> <li>Supportive Measures Statement</li> <li>Formal Hearing Procedure</li> </ul>		
<b>EQUALITY IMPACT ASSESSMENT</b>			
Approved by:	Impact Assessment Meeting	Approval date:	8 <sup>th</sup> April 2020
<b>DATA PROTECTION IMPACT ASSESSMENT</b>			
Impact assessment (date):	10 <sup>th</sup> February 2020		
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## **1 Scope and purpose**

- 1.1 This policy and procedure shall apply to all employees including “designated senior post holders” as defined in the Corporation’s Articles of Governance and those newly appointed and in their probationary period, however we reserve the right to depart where necessary for probationers.
- 1.2 The policy and procedure will be applied in accordance with relevant European and UK legislation.
- 1.3 The policy and procedure aims to set out rights, entitlements and obligations of all employees and help and encourage them to achieve acceptable standards of attendance at work and to ensure that a fair and consistent approach is taken in relation to absence from work.
- 1.4 This policy and procedure does not form part of the employee’s contract of employment and so the right is reserved to depart from it where appropriate.
- 1.5 This policy and procedure also explains what we expect from managers when handling absence.

## **2 General Principles**

- 2.1 The Governors and Senior Leadership are committed to improving the health, wellbeing and attendance of all employees. We value the contribution our employees make to our success. So, when any employee is unable to be at work for any reason, we miss that contribution and will take steps to:
  - investigate the reason(s) for the absence, and
  - work with the employee and provide support and encouragement to return to work as soon as is reasonably practicable.
- 2.2 We recognise that employees are sometimes too unwell to attend work so policy and procedure applies where an employee has a poor work attendance record but notification of sickness is being carried out correctly and all periods of sickness appear to be genuine. Therefore, a persons’ capability to carry out the job where high levels of sickness absence exist are in question, not the sickness itself. It may also be that the reason for absence prevents them for carrying out their job role.
- 2.3 We are committed to supporting the health and wellbeing of employees and have a number of initiatives providing support to employees as part of our on-going commitment to support all employees to be healthy and able to attend work.
- 2.4 If an employee is absent from work due to sickness or injury, we would not expect the employee to participate in any activities which are in any way inconsistent with the illness or injury which could aggravate the illness / injury or delay recovery, this may be treated as a disciplinary matter.
- 2.5 Sickness absence represents a significant cost to the organisation each year and can greatly increases the workload on others, therefore it is important that this provision is not abused. If an employee deliberately gives false information concerning their sickness absence, this will be treated as a disciplinary matter.
- 2.6 On the rare occasion where the sickness absence is reasonably not deemed as genuine then RNN Group reserves the right to withhold sick pay.
- 2.7 Partial days sickness are calculated as follows:
  - if go home sick in the first half of the working day, this is classed as a full day’s sickness
  - if go home sick in the second half of the working day, this is classed as half a day’s sickness

- 2.8 Employees are responsible for ensuring that they do their best to ensure that they are fit and well to attend work and in the event of illness, their absence is reported correctly and they engage with us during their absence as required.
- 2.9 Line Managers are responsible for supporting their employees, monitoring absence levels on an ongoing basis via the monthly absence data provided by HR and managing the return to work and absence trigger meetings (where applicable).
- 2.10 HR are responsible for providing support and guidance to both employees and line managers in all matters relating to absence; as well as ensuring there is a fair and consistent application of the policy. HR are responsible for maintaining and monitoring employee absence records, preparing payment information for payroll on a monthly basis and monitoring absence triggers in conjunction with the line manager.
- 2.11 Occupational Health is responsible for advising employees, Line Managers and HR of health aspects in relation to work and reasonable adjustments for consideration.

**3 Occupational sick pay (OSP) & statutory sick pay (SSP)**

- 3.1 Payment for sickness absence is reliant upon the sickness absence reporting procedure being followed correctly.
- 3.2 OSP applies to relevant employees as per the grid below. OSP will be based on normal basic remuneration, i.e. excluding any irregular overtime or bonus.
- 3.3 The entitlement to OSP increases according to the length of the employee’s continuous service. The date from which continuous service will be calculated is as stated in the employee’s contract of employment.
- 3.4 Subject to the provisions of OSP, employees will be entitled to the following payment of OSP:

<b>Amount of Service</b>	<b>Full Pay</b>	<b>Half Pay</b>
Before 6 months service	No Occupational sick pay (Statutory Sick Pay only)	
After 6 months and up to 1 year	1 month	No sick pay
After 1 year and up to 2 years	1 month	1 month
After 2 years and up to 3 years	2 months	2 months
After 3 years and up to 4 years	3 months	3 months
After 4 years and up to 5 years	4 months	4 months
After 5 years	6 months	6 months

- 3.5 For the purpose of OSP, entitlement is based on service completed as at the first day of sickness absence. Account is taken of all periods of sickness absence during the preceding 12 months as at the first date of sickness absence and deducting this amount from the total entitlement. One month is equivalent to a calendar month. For clarity, the number of calendar days absent are taken into account when considering the previous 12 months sickness, not the sick pay that was paid at the time.
- 3.6 If the employee is entitled to receive SSP, this will be offset against any entitlement to OSP. SSP is paid to employees for a period of 28 weeks, and applies to all employees who are eligible to receive it based on the receipt of medical evidence.
- 3.7 If a public holiday or efficiency closure day occurs during a period of sick leave, the employee will continue to receive sick pay.

- 3.8 There is no entitlement for employees to exhaust their SSP / OSP before dismissal regarding absence levels or capability where there is clear evidence that an employee won't be fit to return within a reasonable timeframe.
- 3.9 Where an employee is absent because of an injury through a violent crime which results in a payment from the Criminal Injuries Compensation Authority, they will not be required to refund any sick pay received.
- 3.10 An employee who is absent as a result of an injury from an accident, will not be eligible to receive occupational sick pay if damages might be receivable from a third party. However, sick pay may be paid to the employee and recovered once damages are paid.
- 3.11 RNN Group has the discretion to extend an employee's entitlement to paid sick pay in exceptional circumstances. This can only be agreed by the HR, OD and Marketing Director (or HR Business Partners in the absence of the Director). In exercising this discretion, the seriousness of the case will be considered, and the likely beneficial effect of such action in relieving anxiety and therefore speeding recovery.
- 3.12 Where sickness absence is deemed to be related to the commencement of a formal process, RNN Group reserves the right to withhold OSP (see section 12).

#### **4 Fit to Work Notes**

- 4.1 Any absence up to 7 days will be covered from when the absence is reported, there is no need to send a self-certification.
- 4.2 If the absence continues beyond 7 days a 'fit to work note' (fit note) or medical certificate must be provided from a medical professional. This should be sent to the HR Department as soon as possible but no later than the 10<sup>th</sup> working day of the absence.
- 4.3 Where a new fit note cannot be provided upon the expiry of a previous fit note the employee must contact HR to inform them that they will remain absent and indicate when the new fit note is expected to arrive. Please note that the new note should continue from the end date on the previous fit note. Fit notes must be renewed to cover every day of absence until the employee is fit enough to return to work.
- 4.4 Failure to provide a fit note whilst absent or report absence correctly, may mean that the absence is considered unauthorised and we reserve the right to withhold occupational sick pay and may consider disciplinary action.

#### **5 Medical/Occupational Health Reports**

- 5.1 We will use occupational health advice, where appropriate, to:
- help identify the nature of an employee's illness,
  - objectively advise the employee and their manager on the best way to improve the employee's health and wellbeing,
  - determine if any reasonable adjustments may be necessary to aid return to work,
  - advise on return to work recommendations.
- 5.2 RNN Group has an internal Occupational Health Department that will be the first point of referral, however additional reports can be requested from a Doctor, Specialist or an Occupational Health Physician. This is to be determined by OH / HR depending on what would be most relevant.
- 5.3 A request for further information is a normal part of the process and assists managers and HR in providing appropriate support and reasonable adjustments in line with the equality act, for employees with a disability or an underlying medical condition.



- 5.4 Internal OH appointments require at least verbal consent from the employee. For external OH or medical reports, the employee's written consent must be given.
- 5.5 If you fail to attend the Occupational Health appointment without good reason or without giving reasonable notice, we reserve the right to deduct the cost of the rearranged appointment from your salary or recover it using an alternative method in the event that there are insufficient earnings from which to deduct the payment from your salary.

## **6 Contact during absence from work**

- 6.1 In order to gain a better understanding of the reason for absence and look for ways in which we can support the employee during sickness absence, HR and / or Line Manager will keep regular agreed contact with the employee during absence periods (the process for absence management is explained further later in the policy). It is important that employees ensure that their contact details are correct.

## **7 Return to work discussion**

- 7.1 The purpose of the return to work discussion (RTW) is to welcome the employee back to work and find out how they are doing. A RTW discussion will take place with the line manager upon the employees return to work from any period of absence. Normally this would be by the third day of return from absence but due to work commitments / patterns this may not always be possible.
- 7.2 The RTW will involve discussion around the reason for absence, if there are any underlying reasons or problems that may be causing the time off work, reviewing absence levels and looking at support that may be required.
- 7.3 The RTW will normally be conducted by the line manager alone, however in cases of long-term or recurrent short-term absence, and any absences that are work-related, advice from a 'fit to work' note or due to a reason that may require workplace adjustments (where this is known or anticipated) or a phased return to work, HR may also attend.
- 7.4 Where the absence is reported as work-related, and in other circumstances where deemed necessary, a referral to Occupational Health may occur at this point (and/or where necessary, an OH Physician). This will enable all parties to consider any reasonable adjustments that may be required.
- 7.5 A RTW will be completed and returned to HR, which will be placed on the employee's HR file. The HR system will be updated to accurately reflect the period of absence. In cases of long-term absence, the RTW plan template may be used to clearly outline the agreed return details.
- 7.6 In circumstances where upon returning to work concerns persist regarding the employee's fitness to work, the employee may be suspended on medical grounds (on full pay) pending further information. This would be a decision by either Occupational Health or HR after fully considering all circumstances.

## **8 Sickness Monitoring**

### **8.1 Trigger points**

- 8.1.1 Managers may take appropriate informal or formal action to manage an individual's sickness absence if the employee's absence is of concern.
- 8.1.2 Absence triggers are offered as a guide and there may be other instances when absences need investigation via a health and wellbeing meeting. The duration/amount

of absence will also be a factor that is taken into account when considering trigger points. As general guidance the following absences will trigger a Health and Wellbeing meeting:

- 5 days of absence during a 12-month rolling period (either continuous days or separate occasions totalling this); and/or
- If there is a pattern in an employee's absence record. I.e. sickness falls on the same day of the week, sickness following annual leave/public holidays or absences that have differing reasons but follow one another during a 12-month rolling period; and/or
- Reoccurring periods of long-term absences over a longer period of time.

8.1.3 Where it is identified that an employee has reached a trigger point, normally through HR trigger reports, then the relevant line manager arranges a Health & Wellbeing meeting.

## **8.2 Short term sickness absence procedure**

8.2.1 Short-term sickness absence is defined as 'odd days / periods off' not necessarily with related reasons. It is dealt with through several stages of Health & Wellbeing meetings as outlined below.

8.2.2 There are 4 stages to the absence reviews:

- Health and wellbeing meeting – Informal
- Absence Review Hearing – Formal Stage 1
- Absence Review Hearing – Formal Stage 2
- Absence Review Hearing – Formal Stage 3

8.2.3 Please note that at all formal stages of the absence review procedure the employee has the right to be accompanied by a Trade Union representative or a work colleague.

## **8.3 Health & Wellbeing Meeting - Informal**

8.3.1 Employees who have hit a trigger will be invited to an informal health and wellbeing meeting, with a minimum of 2 working days' notice (unless the employee agrees to meet prior to this notice).

8.3.2 The purpose of the Health & Wellbeing meeting is to establish the reasons for the employee's absence, to make clear to the employee the expected level of attendance, and to discuss appropriate support to assist the employee in improving their attendance, including an occupational health review where appropriate.

8.3.3 The line manager will produce a record of the meeting on a health and wellbeing meeting form, a copy of which will be given to the employee upon request and the original will be kept on the employee's HR file.

8.3.4 If, as a result this meeting, an employee's absence is judged to be unreasonable, a Formal Stage 1 may be arranged immediately.

## **8.4 Absence Review Hearing – Formal Stage 1**

8.4.1 If further to an informal health and wellbeing meeting the employee's absence remains a concern or a new trigger point is reached (within the next 12 months) then the employee will be asked to attend a formal stage 1 hearing.

8.4.2 The employee will be invited to a formal stage 1 hearing (in writing) and will be given a minimum of 5 working days' notice. Please note, the process at this stage is as listed below (not as per the formal hearing procedure).

### 8.4.3 Process

- The hearing will be chaired by the Employees Line Manager, HR will be present as Advisor to the Chair on matters of law and procedure, along with the employee and Work Colleague or Trade Union Representative (where requested by the employee).
- At the hearing, all circumstances will be discussed including any occupational health / medical reports, details regarding the individual's attendance records, reasons for absence and any support provided to date.
- The content of the hearing and outcome will usually be notified verbally to the employee within 5 working days and in writing within 10 working days, including timescales for improvement.

### 8.4.4 Possible outcomes from a formal stage 1 hearing:

- Issuing of a written warning for absence, which would remain on file for 9 months;
- No formal action may be taken, while being reminded of the expectations in terms of improvement and any support recommendations such as counselling, reasonable adjustments or a further occupational health review.

## **8.5 Absence Review Hearing – Formal Stage 2**

8.5.1 If further to a formal stage 1 hearing, the employee's absence remains a concern or a new trigger point is reached (within the next 12 months) then the employee will be asked to attend a formal stage 2 hearing, following the same process as formal stage 1. The employee will be given a minimum of 5 working days' written notice.

### 8.5.2 Possible outcomes from a formal stage 2 hearing:

- Issuing of a second written warning for absence, which would remain on file for 12 months;
- No formal action may be taken, while being reminded of the expectations in terms of improvement and any support recommendations such as counselling, reasonable adjustments or a further occupational health review.

## **8.6 Absence Review Hearing – Formal Stage 3**

8.6.1 If further to a formal stage 2 hearing, the employee's absence remains a concern or a new trigger point is reached (within the next 12 months) then the employee will be asked to attend a formal stage 3 hearing. The employee will be given a minimum of 5 working days' written notice.

### 8.6.2 Process

- The hearing will be chaired by a more Senior Line Manager (where available) or an equivalent Manager that has had no previous involvement in the matter. HR will be present as Advisor to the Chair on matters of law and procedure, along with the employee and Work Colleague or Trade Union Representative (where requested by the employee).
- At the hearing, all circumstances will be discussed including any occupational health / medical reports, details regarding the individual's attendance records, reasons for absence and any support provided to date plus previous absence meeting / hearing information.
- The content of the hearing and outcome will usually be notified verbally to the employee within 5 working days and in writing within 10 working days, including timescales for improvement.

### 8.6.3 Possible outcomes from a formal stage 3 hearing:

- Issuing of a final written warning for absence, which would remain on file for 15 months and outline that failure to improve their absence may result in dismissal;
- No formal action may be taken, while being reminded of the expectations in terms of improvement and any support recommendations such as counselling, reasonable adjustments or a further occupational health review.
- Redeployment into a different role (where available)

## **8.7 Absence Review Hearing – Formal Stage 4**

8.7.1 If further to a formal stage 3 hearing, the employee's absence remains a concern or a new trigger point is reached (within the next 12 months) then the employee will be asked to attend a formal stage 4 hearing. The employee will be given a minimum of 5 working days' written notice.

### 8.7.2 Process

- The hearing will be chaired by a member of the Senior Leadership Team (different to that of stage 3), HR will be present as Advisor to the Chair on matters of law and procedure, along with the employee and Work Colleague or Trade Union Representative (where requested by the employee).
- At the hearing, all circumstances will be discussed from previous absence meetings including any occupational health / medical reports, details regarding the individual's continued attendance records, reasons for absence and any support provided to date.
- The content of the hearing and outcome will usually be notified verbally to the employee within 5 working days and in writing within 10 working days, including timescales for improvement.

### 8.7.3 Possible outcomes from a formal stage 4 hearing:

- Redeployment into a different role (where available)
- Adjournment of the hearing if it is felt that any further medical information is required before a decision can be made.
- Extension of previous warning length, while being reminded of the previous expectations in terms of improvement.
- Dismissal (if dismissal does occur at this stage the employee's contractual notice period will apply).

## **8.8 Appeal Stage**

8.8.1 If the employee is not satisfied with the outcome of a formal absence hearing, he or she may appeal. Any such appeal must be submitted in writing, setting out the full grounds for the appeal (see Appeals Policy for further guidance), and sent to the HR, OD and Marketing Director within 8 working days of receipt of the decision.

8.8.2 The Appeal Policy will then will be followed.

## **8.9 Long term sickness absence procedure**

8.9.1 Long-term sickness absence is 'continuous absence through ill health', usually considered to extend beyond a month. It is dealt with differently to short term absences through several stages of supportive contact / meetings as outlined below.

8.9.2 Employees who are absent for sustained periods of time (e.g. long term sick and maternity) have the same access to apply and be considered for new vacancies, as all

other applicants. Vacancies can be found on the staff portal or website. If individuals who do not have access to the portal/internet, inform us of this we can make alternative arrangements. We will then endeavour to make all reasonable adjustments and accommodations to support such individuals ensuring they are not disadvantaged in any way.

- 8.9.3 Long term sickness absence by its nature needs to be dealt with supportively, flexibility and on an individual basis. Initially, when a person's absence becomes long term a member of the HR Department will be assigned as the absence contact.
- 8.9.4 Various forms of supportive contact may take place with (or in conjunction with) the HR contact and the employee's line manager. Contact may be in the form of a telephone conversation, or a health and wellbeing meeting either at work, the employee's home address or a mutually convenient venue suggested by either party and agreed. Ongoing reasonable contact by telephone, written or email correspondence and home visits will take place either by the HR contact or employee's line manager in order to offer ongoing support as required and to monitor and review the progress of the employee.
- 8.9.5 An occupational health appointment may also be arranged (with the employees' consent) to gain further information on the illness in order to support the employee during their absence and preparation for a return to work. In addition, a Doctor's report may be requested to gain further information on the illness.
- 8.9.6 Where an employee fails to attend an Occupational Health appointment or provide permission for RNN to obtain a Doctor's report then it will have to make decisions about the absence on the basis of the information in its possession which may not include a medical opinion.

#### 8.9.7 Phased returns to work

- A phased return to work is a supportive arrangement which is put in place to assist the employee's rehabilitation if they have had a long period of absence from work as a result of illness or injury. The purpose is to rehabilitate the employee to their full duties on a gradual basis within an agreed timeframe. This will usually be recommended following occupational health advice or a fit to work recommendation.
  - Phased returns are time limited to a maximum of 4 weeks. In exceptional circumstances this may be extended where medical advice suggests this.
  - Employees will receive basic (normal) pay for the hours that they attend work but will receive Occupational or Statutory sick pay for the time they are not at work (depending on sick pay entitlement).
- 8.9.8 In some circumstances, long term sickness absence may raise a question of whether an employee is capable of doing the job for which the employee was appointed. In these cases, the absence will revert to being managed under the Capability Policy.

This may result from:

- The employee's absence has continued for a sustained period of time and through health and wellbeing meetings and contact during the absence it is not likely, or the employee is incapable of returning to work
- The employee is unable to return to work within a reasonable timeframe, which is supported (where consented) by occupational health / medical advice
- The possibility of any reasonable adjustment to the employees work role or work environment has been explored and found not to be viable
- Reasonable adjustments have been put in place but have had no impact on the individual returning to work / absence once returned to work

## **9 Reasonable adjustments under the Equality Act**

- 9.1 We are committed to providing equal opportunities and diversity and recognise the valuable contribution of all employees and acknowledge that those with a disability, health condition, mental health condition or long-term injury may need reasonable adjustments in order to perform their work duties.
- 9.2 Where Occupational Health recommend reasonable adjustments to the employees' role, the company will seek to accommodate this. We may also seek to encourage the use of external agencies, such as access to work.
- 9.3 It is still necessary to monitor attendance targets even where disabled employees are concerned but all reasonable adjustments will be considered on a one to one basis, which may include adjusting the absence triggers.
- 9.4 Any reasonable adjustment will be documented and reviewed regularly. Employees are encouraged to discuss challenges and needs with their line manager.
- 9.5 In deciding on whether an adjustment is reasonable for a department to accommodate, line managers must consider the following factors in conjunction with advice from OH and HR:
- How the adjustment will prevent or reduce the disadvantage to the disabled employee and help them to maintain good attendance
  - The practicality of the recommendations
  - The cost of the recommendations
  - Any potential impact on service delivery, colleagues and students
  - Ability to accommodate the adjustments alongside adjustments already made for other employees in the same team / role

## **10 Sickness absence and annual leave**

- 10.1 If an employee falls ill while on annual leave (this means they are unfit to do their job and not just that the holiday cannot be enjoyed as expected). At the employees request, it could be regarded as sickness absence from the first date of sickness and annual leave can be claimed back IF the employee follows the usual absence reporting procedure on their first day of absence. In addition, employees will be responsible for contacting the HR helpline to amend the holiday to sickness on their first day of absence. HR will ask a number of questions regarding the absence to ensure eligibility.
- 10.2 Annual leave cannot be used to substitute sickness absence leave unless in exceptional circumstances and agreed by HR.
- 10.3 Employees will continue to accrue their annual leave entitlement during periods of long-term sickness absence.

Where the employee returns to work in the same holiday year in which their sickness commenced, they are entitled to take their contractual annual leave entitlement in that leave year.

Where a period of sickness of more than 6 months extends over the start of a new holiday year and the employee does not return to work in the same holiday year then they will be entitled to carry over their entitlement (less any holidays that have already been taken in any subsequent holiday years) in their returning year. Employees will have 15 months in which to take the carried over holiday entitlement before it ceases.

## **11 Employees who fall sick while abroad**

- 11.1 If an illness prevents the employee from returning to the UK then this must be communicated by the employee and all reasonable attempts must be made to keep RNN Group up-to-date as per the normal absence reporting procedure.
- 11.2 The employee must give their designated contact a contact email address, social media link or telephone number through which communications can be directed.
- 11.3 Fit notes to verify a certifiable period of illness must be obtained from a recognised medical practitioner or hospital consultant in the country in which the illness has occurred. This will be sent to HR by the tenth day of absence and at regular intervals thereafter.
- 11.4 If possible, a statement of fitness to return to work should be obtained if the employee is still abroad at that time.
- 11.5 If an employee returns to this country whilst still ill they must then obtain appropriate fit notes to certify the absence, as per the absence reporting procedure.

## **12 Sickness absence when an employee is subject to formal procedures**

- 12.1 If an individual goes off sick when subject to a formal procedure, their occupational sick pay may be withheld. Pay will resume on their return to work. In reaching such a decision, account will be taken of the nature of the individual's condition and of any disability (where relevant medical advice such as occupational health may be sought). Such formal proceedings include, although the list is not exhaustive:
- Disciplinary/grievance investigation, suspension, hearing or appeal
  - Capability investigation, suspension, hearing or appeal

## **13 Holding the Hearing in the employee's absence**

- 13.1 RNN Group believes that, in the vast majority of cases, it should be possible by using any or all of the measures outlined in the supportive measures statement to conduct a fair process in which the employee fully participates. However, there may be exceptional circumstances when the employee will not be able to attend a formal absence hearing, whatever measures are taken.
- 13.2 In such circumstances, RNN Group reserves the right to proceed with a formal absence hearing in the employee's absence, although full consideration will be given as to whether or not this is necessary in the circumstances.
- 13.3 Where this is the case, the employee and their representative will be informed of the time and location of the hearing and will remain free to attend. The representative will be free to attend, even if the employee is not present.
- 13.4 Outcomes will usually be notified verbally to the employee within 5 working days and in writing within 10 working days.
- 13.5 The employee will be given a full opportunity to appeal against any decision in accordance with the Appeal Policy.

## **14 Dying to work Charter**

- 14.1 RNN Group agree to sign the Dying to work Charter, which sets out an agreed way in which RNN Group employees will be supported, protected and guided throughout their employment, following a terminal diagnosis. We recognise that terminal illness requires

support and understanding and not additional and avoidable stress and worry and vow to not dismiss any person with a terminal diagnosis because of their condition.

- 14.2 Terminally ill workers will be secure in the knowledge that we will support them following their diagnosis and we recognise that, safe and reasonable work can help maintain dignity, offer a valuable distraction and can be therapeutic in itself. We will provide our employees with the security of work, peace of mind and the right to choose the best course of action for themselves and their families which helps them through this challenging period with dignity and without undue financial loss. We support the TUC's Dying to Work campaign so that all employees battling terminal illness have adequate employment protection and have their death in service benefits protected for the loved ones they leave behind.