

Sickness Absence Policy and Procedure

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Person Responsible	Vice Principal
Approval/review bodies	SLT/JNC/Corporate Board (for changes to contractual sick pay)
Frequency of Review*	36 months

** Policies will be reviewed more frequently if legal changes or good practice require*

Review History:		
Date of review	Reviewed by	Reason for review
May 2010	DCQHR	Separate policies/procedures into one document
January 2011	Compliance & Policy Manager	Title change of Person Responsible, change of committee name
July 2013	HR Manager	Minor changes to post names and sickness absence reporting procedure (Appendix 1)
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Related policies/documents:

- Sickness Absence Self Certification Form
- Return to Work Interview Form
- Sickness Absence Procedure
- Absence from Work Request Form
- Wellbeing policy

1. Arrangements and Conditions for Payment of Sick pay and Sick Leave

1.1. Introduction

North Kent College (the “College”) does not expect its staff to attend for work when they are medically unfit to do so but it does require staff to account for their absences.

It is important that a consistent approach to managing sickness absence is adopted, providing support to staff and recognising individual circumstances while facilitating their return to work. It is recognised that factors in the workplace can contribute to sickness absence and that fair and consistent management practices can contribute to a reduction in absence levels.

The Policy follows the principles established by ACAS and The Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) Amendment Regulations 2010. It will be reviewed periodically in consultation with recognised trade unions and managers to ensure that it is effective.

Notes and records of matters dealt with under the Sickness Absence Policy and Procedure will be held in accordance with the Data Protection Act 1998. Paperwork will be handled on a confidential basis and stored securely.

1.2. Impact Assessment

The College recognises its responsibility to ensure that no one is discriminated against or disadvantaged either through membership of any particular group or on the grounds of age, disability, gender, race, religion, or sexual orientation. This policy is a key component in ensuring the College fulfils its duties under anti-discrimination legislation and will review its impact on equality and diversity through regular monitoring and will take action where necessary.

2. Conditions for Pay and Support

2.1. Support for Staff

The College is committed to protecting the health, welfare and safety of its staff and encourages regular review of job design and the working environment. It is also keen to support staff in balancing work and home responsibilities. Details of provision for carers are available in the College’s family friendly Policy.

The College Occupational Health Service conducts pre-employment health screening, offers advice to staff and managers on medical issues related to work, including when interpretation is required of medical Fit Notes, advising that a member of staff may be fit for work with proposed adjustments. It provides appropriate vaccination and health monitoring to protect against health risks in work.

Staff members can seek confidential help and advice from the College's Employee Assistance Programme (EAP). Advice can cover a variety of areas including financial, legal and counselling (both telephone and face to face). Details are available from Human Resources or via the College intranet/HR Sharepoint site.

2.2. College Board/Senior Managers Responsibilities

The College Board and SLT are responsible for providing the strategic framework for managing ill-health and injury along with monitoring absence levels within the College.

2.3. Line Manager Responsibilities in General

- 2.3.1. effective management of this and related policies;
- 2.3.2. provision of a safe working environment by ensuring risk assessments are undertaken and prompt action is taken when risks are identified;
- 2.3.3. awareness of health issues during recruitment and probation;
- 2.3.4. monitoring and review of sickness levels and patterns on a monthly basis;
- 2.3.5. assessment of the impact of ill-health and injury on staff remaining at work and managing absence in a timely way in order to alleviate pressures on other staff; and
- 2.3.6. ensuring that correct reporting and notification procedures are followed in terms of sickness reporting and H&S issues.

2.4. Line Manager Responsibilities to Individual Staff Members

- 2.4.1. ensuring staff are aware of their own responsibilities under this and related policies;
- 2.4.2. maintenance of appropriate contact and communication with staff members during and after sickness absence;

- 2.4.3. maintenance of a sensitive and supportive manner when dealing with cases of ill-health and injury;
- 2.4.4. raising concerns with staff members as soon as they become apparent;
- 2.4.5. keeping accurate notes of meetings with the staff member when raising sickness related issues; and
- 2.4.6. making appropriate and timely reference to HR in order to refer the staff member to the College Occupational Health Service.

2.5. HR Responsibilities

- 2.5.1. ensure an appropriate match between the staff member and their job by arranging and monitoring an effective recruitment process which includes referral to the College Occupational Health Service;
- 2.5.2. provide training to managers on effective management of absence;
- 2.5.3. maintain College sickness records and provide HR sickness metrics with analysis to SLT and/or the College Board on a regular basis;
- 2.5.4. assist line managers to monitor sickness levels within their areas and identify potential issues; and
- 2.5.5. advise and support managers on this policy and the College capability procedure

2.6. Staff Member Responsibilities

- 2.6.1. attending work when fit to do so;
- 2.6.2. compliance with this policy especially in relation to sickness notification;
- 2.6.3. approaching their line manager or HR when they have a health problem which affects or is affected by their work or work environment;
- 2.6.4. valuing the importance of mutual trust and responsibility in the operation of the College sick pay scheme;

- 2.6.5. maintenance of communication with their line manager during periods of sick leave;
- 2.6.6. notification of any absence as a result of an incident/accident at work under the appropriate reporting procedures;
- 2.6.7. attending appointments with the College Occupational Health Service when required;
- 2.6.8. act upon advice given by Occupational Health, or appropriate medical professionals; and
- 2.6.9. provision for Sick Pay and Sick Leave.

When there are problems with ill-health the College will take a sympathetic approach. To this end, the College operates a sick pay and leave provision above the statutory entitlements. Exact entitlements are shown in the terms and conditions of service and depend upon employment type, role and service length. The purpose of the sick pay and leave scheme is to allow staff time off from work to recuperate or to have a gradual return to work on medical advice, without the pressure of immediate financial worries.

In the majority of cases, the sick pay and leave provision should be sufficient to enable staff to recover and make a full return to work. Receipt of sick pay is subject to staff following the College's notification and certification requirements.

2.7. Notification of Sick Leave

The College Sickness Absence Procedure is attached at Appendix 1.

Failure to make contact will be recorded as unauthorised absence and may not be paid unless it is later established that there was a good reason for not reporting the sickness absence in accordance with procedures.

In all cases, staff reporting sickness absence are required to:

- 2.7.1. provide information regarding the reason for their absence, 'sick' or 'unwell' is insufficient detail. Where the reason for the sickness absence is of a sensitive or personal nature, exceptionally, details may be provided in confidence to a member of Human Resources;
- 2.7.2. keep in regular contact, as agreed with their department and usually weekly in the cases of extended absence. The

purpose of this contact is to advise of the progress of the ill-health and the likely date of return to work. Where the member of staff is incapacitated to the extent that they cannot make contact personally, a family member or friend may keep in regular contact with the College on their behalf.

2.8. Certification of Sick Leave

All staff should complete a Sickness Absence Self Certification Form on their return to work (Appendix 2), even if the absence was for one day. Where the absence exceeds seven days (including Saturdays and Sundays, Public Holidays and College Closure Days), the member of staff must send a medical fit note issued by their GP to their line manager/HR, to be provided as soon as reasonably practicable. Photocopies are not acceptable.

Exceptionally, the College may accept medical certificates from other medical practitioners, such as osteopaths. Clarification of the appropriateness of such certificates should be sought from HR in the first instance.

If a member of staff does not attend work, and makes no contact in accordance with the reporting procedure, the line manager or HR should attempt to contact them. Where no contact can be made, or if the member of staff fails to maintain regular communication throughout the period of sickness absence, the line manager should contact HR to discuss the situation. In such circumstances, the College may decide to stop the payment of College sick pay. This will be confirmed in writing by HR.

If a member of staff fails to follow the notification and certification procedures, the College reserves the right to stop or reduce pay and consider disciplinary action which could include dismissal.

2.9. Payment of Sick Pay

Sick pay is processed through payroll with the usual monthly pay cycle.

College sick pay entitlement is dependant upon employment type and length of service.

For all permanent staff the following College sick pay is:

Service Length	Sick Pay
From joining date to 4 months	Nil
4 months to 1 year	1 month full pay, followed by a further 2 months half pay*
During second year	2 months full pay, followed by a further 2 months half pay*
During third year	4 months full pay, followed by a further 4 months half pay*
During fourth year	5 months full pay, followed by a further 5 months half pay*
During fifth year	6 months full pay, followed by a further 6 months half pay
NB: One month = one calendar month *followed by nil pay	

Casual staff and sessional staff are entitled to College sick pay based upon the average work pattern/pay from the previous three months. There may be some exceptions whereby the staff member is not eligible to receive College sick pay. This will be detailed in the employment contract.

HR will write to the staff member to inform them when they will reduce to half pay or nil pay in accordance with the College sick pay scheme.

If a staff member is on long-term sick leave and has exhausted College sick pay and SSP, the period of unpaid employment will not be reckonable for pension purposes. Individual or College contributions to the pension scheme will not be made until the staff member returns to work.

Staff members on long-term sick leave who receive shift allowances, mentor allowances etc will receive the full allowance for three months of the absence and half the allowance for a further three months. Thereafter, no further allowance payment will be made until the staff member returns to work.

Maternity leave will automatically commence if a pregnant staff member is absent from work for a pregnancy related illness during the four weeks before the EWC (expected week of confinement). More information is located in the College's Family Friendly Policy.

If a member of staff is absent due to an accident which occurred outside work then normal sick pay provisions would apply. Insurance compensation

may include reimbursement of College sick pay and this is repayable to the College.

Entitlement to College sick pay is calculated on a 'rolling year' basis. This means that a staff members' sick pay entitlement is based on the amount of paid sick leave taken in the twelve months preceding the current period of sick leave. For example, if the first sick absence is on 1 June 2010 then the sickness absence record since 31 May 2009 is checked. If the staff member has received College sick pay during this period, it will count towards the sick pay entitlement now.

2.10. Statutory Sick Pay

All staff are entitled to receive Statutory Sick Pay (SSP) subject to the College receiving a valid GP's medical fit note and the staff member meeting the SSP requirements.

SSP conditions are controlled by Government legislation. The following are the conditions for payment in force at the time of drafting this policy:

- 2.10.1. sick leave must not exceed twenty-eight weeks;
- 2.10.2. a contract of employment must be in place for at least a further six months;
- 2.10.3. the salary is above the lower earnings limit;
- 2.10.4. aged between 16 and 65 years;
- 2.10.5. SSP is not payable for the first three days of absence; and
- 2.10.6. SSP is not payable if the staff member falls ill outside of the EEC or goes on holiday outside of the EEC.

SSP is included in the full and half pay element of the College sick pay.

During the first four months of employment only SSP will be paid to the staff member; subject to meeting the SSP conditions detailed above.

If the staff member remains on sick leave over twenty-eight weeks the payroll function will issue a SSP1 form to the individual. The SSP1 form can then be submitted to the Contributions Agency in order to apply for Government benefits.

2.11. Terms and Conditions of Employment

Sickness absence counts as continuous service.

Staff will accrue annual leave entitlement as normal during any periods of sick leave. Staff on long term sick leave (defined as twenty continuous days' sick absence or more) may request paid annual leave in line with normal departmental procedures on their return to work.

Where a staff member is on long-term sick, which continues into the new College leave year or the sick leave has occurred late in the leave year, only **statutory leave** may be carried over into the new leave year. Such cases will be reviewed on an individual basis. Any such carry over leave must be used before 1 January.

2.12. Sick Leave, Annual Leave and Bank Holidays

If a member of staff is on annual leave when s/he falls ill and wishes to reclaim the annual leave for the sickness period, then s/he must report in sick using the College sickness absence procedure on the first day of illness and provide a medical fit note, signed by a GP at the beginning of the sickness absence, to cover the absence from the first day of sickness (ie, if a staff member takes one week's annual leave and is sick for one day of that week then a medical fit note must be provided for the one day in question). In these instances, annual leave may be taken at a later date subject to normal operational requirements.

In instances when a member of staff falls sick while on annual leave overseas and wishes to reclaim the annual leave for the sickness period, if the local Doctor consulted provides a note as evidence of illness in English (as opposed to an authenticated medical fit note), this must be submitted on the Doctor's official headed notepaper or have an official rubber stamp. However the usual reporting criteria must be followed.

Provision of medical fit notes, whether issued in the UK by a GP or overseas, will be at the staff member's cost when claiming back pre-authorised annual leave.

If a staff member has exhausted all their College sick pay, they will continue to accrue annual leave at statutory level only.

Staff members will not be entitled to an additional day off if their sick leave falls on a bank holiday or efficiency closure.

2.13. Staff Handling Food

Staff who are employed as food handlers and who have been absent from work with vomiting and/or diarrhoea that has persisted for more than twenty-four hours will be subject to specific procedures under the Food Hygiene Regulations.

2.14. Medical and Dental Appointments

The College allows reasonable time off to attend medical and dental appointments. Part-time staff, term time staff and sessional staff are expected to schedule routine appointments for when they are not working. All staff should try to make appointments to avoid disruption to the working day, especially if timetabled to teach or support students.

The staff member must complete the absence from work request form (Appendix 3) and provide a copy of their appointment card or letters supporting information. The form is then considered by the line manager (who could ask the staff member to re-arrange a non-urgent appointment if the business need warranted the presence of the staff member (this could include routine dental appointments)). The form, once approved, is then forwarded to HR for recording on their electronic absence record.

Medical or dental appointments which exceed half a day absence will be recorded as approved sick leave.

2.15. Monitoring Sickness Absence

Line managers are responsible for monitoring the attendance of their staff, including the identification of patterns and levels of absence and any recurrent medical problems or work related factors. If the sickness absence continues at an above average level, the line manager may consider placing the staff member onto formal sickness capability monitoring related to sick leave.

The sickness monitoring period is considered a “rolling year”. Sick leave is not linked to the annual leave cycle.

Before a staff member is placed onto formal sickness capability, an occupational health opinion will be sought.

The College will require that all future sickness absences (even for one day) are medically certified. The College will refund the staff member for any additional costs incurred in obtaining such a medical certificate.

2.16. Withholding of College Sick Pay

The College reserves the right to withhold all or part of College sick pay in the following circumstances:

- 2.16.1. the staff member has not followed the College sickness reporting procedures;
- 2.16.2. their line manager, in consultation with HR, is not satisfied that the reason for the absence is genuine. For example, where the staff member has been seen carrying out sporting activities or outside work which could reasonably be considered inappropriate when considering the nature of the sick leave;
- 2.16.3. Where the sick leave is a direct result of the staff member's misconduct;
- 2.16.4. where the staff member has on two occasions failed to attend a pre-arranged occupational health appointment;
- 2.16.5. where the staff member has taken on overseas holiday (outside of the EEC) unless the staff member has provided the College with medical information that such arrangements are compatible with their recovery. If agreed then annual leave will recorded as the reason for absence; and/or
- 2.16.6. where an employee is alleged to have committed misconduct or are on a formal capability action plan and this is subject to a disciplinary, probationary or capability process and then becomes absent from work due to sickness absence this may be paid in line with statutory sick pay (SSP) only. If subsequently the allegations are not upheld College sick pay will be reinstated. Each case will be reviewed on its merits.

2.17. Working from Home whilst on Sick Leave

A staff member who has been medically certified as unfit for work but under the 'fit' scheme could undertake some work from home will be permitted to do so provided a risk assessment has been undertaken of the work area within the home and the line manager agrees to the appropriateness of the arrangement.

If such an arrangement is agreed on a temporary basis a proportion of the working week may be considered as in work whilst the rest of the week will

be considered to be ongoing sick leave. This arrangement would be reviewed on a regular basis.

2.18. Personal Information

Records of sickness absence will be kept in accordance with the Data Protection Act 1998 confidentially within the member of staff's department, by the HR and Payroll departments and on the HR database.

Notes and records should include:

- 2.18.1. a note of the contact on the first day of sickness absence;
- 2.18.2. any operational issues requiring immediate attention;
- 2.18.3. a note of the expected date of return, if known, or the date that the member of staff will make a progress call; and
- 2.18.4. when the person returns, a note of the period of sickness absence, what the problem was and whether the absence was medically certified.

2.19. Return to Work Meetings

As part of the sickness monitoring process line managers will meet with their staff on their return to work. The member of staff should complete a Sickness Absence Self Certificate and the line manager should complete the Return to Work Interview, which is countersigned by the staff member. The Return to Work Form is at Appendix 2.

The meeting should also highlight any operational issues that have arisen whilst the member of staff was absent and attempt to identify any work-related or external factors that contributed to the sickness.

2.20. Occupational Health

At the Return to Work Interview, the line manager, following discussion, may feel it is appropriate to seek a medical opinion in order to support the staff member return to full and effective working. HR will arrange an occupational health appointment with the College Occupational Health provider. Travel costs associated with the appointment will be paid by the College subject to the normal College travel claims procedure.

The occupational health report is sent to both the College HR Manager and the staff member by the Occupational Health Service. Following receipt of

the report, a meeting may be arranged to discuss the report in more detail and consider any recommendations.

The College expects staff members to fully co-operate with the occupational health referral and allow the Occupational Health Service to seek a medical report from their GP and or Consultant. Time off with pay will be granted to attend the occupational health appointment and any subsequent appointments.

Should a staff member refuse to attend their occupational health appointment, this will be noted on their file and any decision will be made on the information available at that time. Refusal to attend an occupational health appointment twice may result in the suspension of College sick pay.

If a staff member is on sick leave (whether long term or short term) and is issued with a medical fit note identifying that they could return to work subject to changes in the workplace as detailed by the GP, the HR department will refer the staff member to the College Occupational Health Service for further advice. Where possible, the College will accommodate the recommendations made by the GP but in some instances it may not be possible to accommodate the recommendations. In such instances, the staff member will remain on sick leave until they are able to resume their normal duties or amended recommendations are made by the GP.

2.21. Phased Return to Work

The College Occupational Health Service or medical fit note may recommend a phased return to work where a staff member has been on long-term sick in order to ensure that their health is not adversely affected by a full return to normal working.

The duration of the phased return and any associated light duties will be based upon medical information. If the staff member is working reduced hours, the period when they are absent will be recorded as sick leave. For example, if a staff member usually works five days per week but is only working three days per week on a phased return for a period of four weeks, then sick leave will be recorded for two days per week for the four week duration.

2.22. College Contact whilst on Sick Leave

Whilst a staff member is on sick leave it may be necessary for the College to contact them in order to progress work matters or assist with an emergency situation. In such circumstances, the line manager and or HR may contact the staff member at home via letter, email or telephone. Such

contact will be kept to a minimum. Staff members should ensure that HR have up to date contact information recorded on the electronic HR system.

2.23. Cosmetic Surgery/Self-elective Treatments

Normally self-elective treatments, such as cosmetic surgery, will not be eligible for College sick pay. However, the College will allow the use of annual leave or unpaid leave to cover the period of absence unless a medical certificate or statement is supplied confirming the necessity of the surgery. The College will not reimburse the staff member for the cost of obtaining any such certificate or statement.

2.24. Fertility Treatment

Where a staff member requests leave for fertility treatment, such as IVF, the line manager should discuss the likely time involved and reach an agreement that could involve annual leave, unpaid leave, TOIL or a temporary arrangement to adapt the working hours.

2.25. Addiction treatments

Where a staff member undertakes specific rehab treatment for an addiction(s) the College will review whether the payment of College sick pay will apply. This may depend on the support the College has previously offered for example if full sick pay has been paid for a prior rehab treatment, or extensive sick pay has been paid prior to the rehab admission or previous medical advice provided by the GP or the College occupational health advisor has not been followed. Even if the GP advises that the staff member can return to work whilst still undergoing treatment the College reserves the right to maintain the staff member on sick leave. The circumstances around such a decision will be determined on a case by case basis bearing in mind the role undertaken as the College and safeguarding issues whilst working with young people.

Appendix 1 Sickness Absence Procedure

What to do if you are unable to come into work

You must contact your Line Manager or Department nominated contact on your first day of sickness. You should make contact within an hour of your normal start time. Contact should be by telephone in the first instance but contact can also be made by email. There is no longer a requirement to contact HR.

If you are too ill to contact the College personally, you should ask someone else to make contact for you.

You should be aware that failure to contact the College and complete a sickness self-certificate on your return or to supply a certificate for continuous absence may result in your pay being affected and/or disciplinary action.

Whilst on sick leave you should keep your Line Manager informed about your progress and anticipated return to work date.

After seven days absence you are required to submit a doctor's/hospital certificate. The certificate must be submitted to HR when issued and not kept until your return to work. Further medical certificates should also be sent immediately to HR with no gaps between the certificate dates.

Teaching and student support staff

If you are due to teach an early class you must contact your Curriculum Manager or Department nominated contact immediately so that cover arrangements can be made. Likewise, if you are supporting students e.g. LSA/nursery staff you must try to let your Line Manager know about your absence as soon as possible, so that alternative arrangements can be made to support the students.

What to do when you return to work

A Sickness Absence Self-Certificate form must be completed for all sick absences between one and seven days (including weekends and bank holidays). A copy of the form can be downloaded from the College Sharepoint HR forms section.

On your return to work

Your Line Manager will invite you to attend a return to work interview. This purpose of the interview is to:

1. ensure that you are back to full health and fit for work;
2. provide you with a confidential environment to give you the opportunity to discuss any personal causes/issues relating to your absence;
3. discuss what the College can do to provide any assistance or support; and
4. update you on what has happened while you were absent.

SICKNESS ABSENCE SELF-CERTIFICATION FORM (Employee to complete)

Name		Job Title	
Department		Work Hours if Part-Time	M() T() W() T() F()
First Day of absence		Last Day of Absence	
Date of Return to work		No. of working days (and hours if PT)	
Reason for absence			
Did you see a Doctor / attend a hospital or clinic?		Yes: <input type="checkbox"/> (complete (i))	No: <input type="checkbox"/> (complete (ii))
(i) Name and address of doctor / hospital / clinic and details of advice / treatment / medication given:			
(ii) Details of any self-prescribed treatment given / medication taken:			
DECLARATION: I declare that the above information is true and accurate to the best of my knowledge. I understand that to give false or misleading information can result in the College withholding sick pay and/or disciplinary action, which could lead to dismissal.			
Signed:.....Date:.....			

RETURN TO WORK INTERVIEW (Line manager to complete with employee)

Absence Notification:			
Person Notified		Method of Contact	
Date of Contact		Time of Contact	
Did the employee comply with the absence notification procedure?		Yes: <input type="checkbox"/>	No: <input type="checkbox"/> (detail below)
Reason for non-compliance with procedure:			
What action has / will be taken?			

Review of Information Provided by Employee:			
Was this absence related to any previous absence(s)?		Yes: <input type="checkbox"/> (see below)	No: <input type="checkbox"/>
Date and nature of the previous relevant absence(s):			
Is there any likelihood of a recurrence?		Yes: <input type="checkbox"/> (detail below)	No: <input type="checkbox"/>
Does the employee require any further medical treatment?		Yes: <input type="checkbox"/> (detail below)	No: <input type="checkbox"/>
Are there any personal/work/domestic problems relating to the absence?		Yes: <input type="checkbox"/> (detail below)	No: <input type="checkbox"/>

Summary of Support Offered / Action required					
No further Action	<input type="checkbox"/>	Continue Monitoring	<input type="checkbox"/>	Refer to HR Business Partner	<input type="checkbox"/>
Line Manager Support	<input type="checkbox"/>	EAP Services	<input type="checkbox"/>	Other (detail overleaf)	<input type="checkbox"/>

Line Manager signature: _____ Date: _____

Employee signature: _____ Date: _____

Appendix 3 Absence from Work Request Form

This form must be completed by all staff absent from College premises for medical and dental appointments and other emergency leave situations. This form should not be used for the recording of time off in lieu, annual leave or sickness absence.

The form should be initialled by the member of staff and passed to their Manager for approval and initialling. The form should be forwarded once approved to HR for recording on the staff member's ClearVision record.

In order for absence to be paid, a copy of the appointment card or letter must be attached.

To: (Line Manager)						
From: (Staff member)						
Date(s) of absence	Time of absence		Reason	Paid/ Unpaid	Initialled	
	From	To			Member of Staff	Manager

If unpaid leave has been proposed, please document all other options considered and reasons why this was not practical (including annual leave, making up the time, TOIL, altering individual appointment time etc.)

Please note that forms will be returned if this information is not completed.