



Broxtowe
Borough
COUNCIL

ATTENDANCE MANAGEMENT POLICY

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ATTENDANCE MANAGEMENT POLICY

Section One

1. Introduction

Broxtowe Borough Council recognises that high levels of attendance at work make a significant contribution to the achievement of its vision to deliver efficient and effective services.

The Council accepts its obligations in respect of employees experiencing ill health. This policy will ensure that sickness absence is dealt with fairly and that decisions are made based on the information available at that time.

This policy should be read in conjunction with the following related policies:

- Stress Management
- Flexible Working
- Alcohol and Substance Misuse at Work
- Capability Policy and Procedure

2. Equality Impact Assessment

An Equality Impact Assessment of this policy has been undertaken to ensure that the implications of its introduction do not cause adverse impact or discrimination against different groups of employees within the organisation.

3. General Principles of Absence Management

3.1 Aims

The aims of this Attendance Management Policy are to:

- provide a framework to support employees who are unable to work due to sickness and assist them back to work as quickly as possible
- reduce the impact on other employees when covering for colleagues who are absent due to sickness
- improve and maintain the good attendance of employees in order to minimise the cost and effects of sickness absence and to maximise operational efficiency in all areas.
- ensure the reason for sickness absence are understood in each case and investigated where necessary

3.2 Scope

This policy applies to all Council staff with the exception of people who are within their probationary period.

Probationers' sickness absence will be dealt with as part of their probation reviews.

3.3 Principles

Any employee subject to the Attendance Management Policy will be fully consulted and made fully aware of the Council's position throughout the process. Support will be offered in all instances, but an employee who is subject to this policy should be aware that this is a formal procedure and that failure to provide a regular effective service may result in the individual's employment being at risk.

Throughout this policy the Council assumes that ill health is genuine unless there is evidence to the contrary. The reasons for taking formal action will therefore relate to the capability of an employee to do their job within the expectations of the service and not because of their illness.

3.4 Confidentiality

All parties involved in these procedures must ensure that they maintain the confidentiality of the process. Wider disclosure may be necessary where there is a duty of care e.g. a manager has a concern for the wellbeing of an employee. The requirements of the General Data Protection Regulations 2016, the Data Protection Act 2018 and Access to Medical Reports Act 1988 must be followed.

3.5 Equal Opportunities

Sickness absence will be managed in a non-discriminatory way and in accordance with the Council's Equal Opportunities Policy. The requirements of the General Data Protection Regulations 2016, the Data Protection Act 2018 and Access to Medical Reports Act 1988 will also be adhered to.

Certain medical conditions may potentially affect different racial groups in different ways e.g. sickle-cell anaemia. Similarly, an absence may be prolonged or affected due to treatment being related to the demands of a particular faith or religion.

3.6 Right to be accompanied

Employees have the right to be accompanied by a trade union representative or work colleague at all formal meetings. The representative/companion can on behalf of the employee address the hearing to put and sum up the

employee's case, respond on behalf of the employee to any views expressed at the meeting and confer with the employee during the hearing. The representative/companion does not, however, have the right to answer questions on the employee's behalf, address the hearing if the employee does not wish it, or prevent the employer from explaining their case.

3.7 Medical Advice

Medical advice may be requested by Management via Occupational Health at any time during the management of sickness absence or if there are concerns about an employee's health whilst they are at work. Occupational Health may consult the employee's general practitioner or another specialist consultant. The employee may also provide additional medical information produced by a medical expert which they consider to be relevant.

3.8 Attendance at Meetings and Occupational Health appointments

If an employee does not attend a management meeting or an Occupational Health appointment which they have been notified of without good reason managers may make a decision based on the information available in their absence

3.9 Abuse of the Attendance Management Policy

If an employee abuses the Attendance Management Policy in any way e.g. exploits the sick pay provision; fails to follow the sickness notification procedure; refuses to attend meetings with management and/or Occupational Health appointments, disciplinary action may be taken in accordance with the Disciplinary Policy.

4. Roles and Responsibilities

The General Management Team has overall responsibility for the effective operation of this policy and to ensure its' compliance within the statutory framework. The day to day responsibility for operating the policy and ensuring its maintenance and review is with the Human Resources Manager.

4.1 Manager's Role

To be responsible for recording and monitoring absence;
To ensure employees know the correct absence and notification procedures;
To be a point of contact when employees are off work;
To provide information to the employee regarding their sickness record;
To undertake return to work interviews;
To be aware of the triggers and take action accordingly when these triggers are reached;

To make employees aware of support mechanisms available such as the Employee Assistance Programme and Occupational Health where appropriate;

To consider reasonable adjustments eg a phased return from long-term sickness absence and implement where appropriate;

To know an employee's circumstances and, where possible, become aware of problems at an early stage;

To provide a safe working environment for staff.

4.2 Human Resources' Role

To provide managers with guidance and support, as and where required, throughout the process;

To provide employees with advice on the policy and their entitlements;

To provide information to the employee regarding their sickness;

To advise the manager on the most appropriate course of action for the employee;

To advise on what further information should be sought eg from Occupational Health and the Employee Assistance Programme

4.3 Employee's Role

To tell their manager if they have any health issues which may affect their ability to do their role

To follow the timescales for the Sickness Notification Procedure and sending in Fit For Work Notes

To maintain regular contact with their manager

To attend meetings with management and to attend Occupational Health appointments as required

To not undertake any activity whilst absent from work through illness/injury which could aggravate their illness/injury or delay their recovery and therefore their return to work

To not undertake any other work, whether paid or unpaid, or similar to own duties that may aggravate the illness of injury or delay recovery and therefore return to work.

To not visit their work place without first contacting the manager to ensure that somebody is available to see them.

4.4 Occupational Health

To provide specialist medical advice to managers and employees;

To identify where an underlying medical condition exists and provide advice in relation to the condition and the employee's work;

To provide advice on reasonable adjustments, phased returns, redeployment to be considered

To provide advice about the possibility of ill health retirement

To support the employees return to work and their continued attendance at work.

Section Two

5. Pay and Leave

5.1 Sick Pay Entitlement

Sickness pay will be made in accordance with the National Conditions of Service and the scheme applies equally to all permanent and temporary employees where they possess eligibility by length of service.

During first year of service (continuous local government), one month's full pay and (after completing four months' service), two months' half pay.

During second year of service, two months' full pay and two months' half pay.

During third year of service, four months' full pay and four months' half pay.

During fourth and fifth year of service, five months' full pay and five months' half pay.

After five years' service, six months' full pay and six months' half pay.

If an employee reports sick following the notification of an investigation or whilst suspended the above provisions will still apply.

If a period of sickness absence is or appears to be occasioned by actionable negligence, nuisance or breach of any statutory duty on the part of a third party, in respect of which damages are or may be recoverable, you must immediately notify Payroll and the Insurance Team of that fact and of any claim, compromise, settlement or judgment made or awarded in connection with it and all relevant particulars that we may reasonably require. If we require you to do so, you must co-operate in any related legal proceedings and refund to us that part of any damages or compensation you recover that relates to lost earnings for the period of sickness absence as we may reasonably determine, less any costs you incurred in connection with the recovery of such damages or compensation, provided that the amount to be refunded to us shall not exceed the total amount we paid to you in respect of the period of sickness absence.

You will retain the use of any benefits in kind such as mobile telephone] for the first 2 weeks after which they shall be at our discretion.

Any employer and employee pension contributions will continue subject to the relevant scheme rules during any period of Council sick pay or SSP.

5.2 Sickness and annual leave

Employees continue to accrue leave and bank holiday entitlements during a period of sickness.

Employees are allowed to book leave whilst they are certified as sick following advice from their GP that a holiday will aid their recovery and recuperation.

5.3 Sickness during a period annual leave/bank holiday

If an employee falls ill during a period of annual leave/bank holiday, they may be entitled to have some or all of their annual leave reinstated if they provide a GP's fit note to certify the illness and they have followed the correct procedures for reporting sickness i.e. making contact with their manager on the first day of absence.

5.4 Sickness during period of Flexi Leave

If an employee falls ill during a period of flexi leave they may be entitled to have their flexi leave balance reinstated where they provide a GP's fit note to certify the illness and they follow the correct procedures for reporting the sickness. No more than 11 hours can be carried over into the next flexi period.

5.5 Sickness during the Working Day

Employees who become ill during the morning and leave work (following permission from the manager or other responsible officer) will be credited with that morning for flexi purposes. Where the employee was due to work in the afternoon (or the rest of shift as appropriate) this will be recorded as sickness.

Employees who become ill in the afternoon and leave work following permission, will be credited with that afternoon. Employees on flexi-time will be credited time in accordance with the flexi-time scheme. Where the absence continues into the next day (and beyond) the notification procedures outlined above must be complied with i.e. the next day will be classed as day 1 for sickness reporting purposes.

Where a pattern of absence shows that an employee is regularly working part of a day then seeking permission to leave work or leaves work without permission, this will be regarded as a conduct issue and will be dealt with under the Disciplinary Policy.

5.6 Carrying over unused leave

On their return to work employees will be allowed to take outstanding leave subject to operational requirements.

If an employee has not been able to take their full leave year's entitlement due to their sickness absence they are entitled to carry over the statutory leave allowance of 28 days minus the days of contractual annual leave they have already taken. This carried over leave balance must be taken in full during the following leave year or it will be lost.

Employees moving onto half pay during their period of sickness should be encouraged to use their annual leave to bring their pay up to their full entitlement.

6. Unauthorised Absence

Absences will be regarded as unauthorised absences when an employee is absent from their place of work:

- without authorisation
- without personally informing their manager (or deputy) within the required notice on their first day of absence as stated in the procedure guide
- when failing to submit fit notes covering all sickness absences in accordance with the required procedure

When an employee fails to contact their manager to advise them of their absence, the manager will contact the employee to find out why they have not attended work. This should not be treated as a substitute for reporting sickness absence.

Employees may not receive pay for relevant periods if they fail to notify their manager of sickness absence or where their absence is not covered by the appropriate certification.

Unauthorised absence is misconduct and will be dealt with through the Disciplinary Policy.

Section Three

7. Types of Absence

Employee's absence generally falls into 3 categories: long-term, frequent and short term or a combination of these. The management of long-term absences is covered in section 5

Frequent short term absences are normally sporadic, attributable to minor ailments and which in many cases are unconnected. However, cases of frequent short-term absence where there is evidence to support the view that sickness absence may not be genuine should be dealt with under the Disciplinary Policy as a matter of poor attendance constituting misconduct

The Council recognises that there may be occasions when some employees might feel it necessary to cite sickness absence as the reason for not attending work when this may not be the case. Managers and employees are reminded of the leave and flexible working provisions in these circumstances.

7.1 Sickness Absence Notification

All staff should follow the Sickness Notification Procedure in Form [AN4](#) found on the intranet. Failure to follow this procedure may result in sick pay being delayed or disallowed and may lead to action being taken under the relevant Disciplinary Policy when an employee is failing to follow the procedures.

Where an employee does not feel able to advise their manager of the nature of their sickness absence, they may make contact with HR to discuss their absence confidentially and HR will advise appropriate manager accordingly.

Emails or text messages will not be accepted as notification and will be regarded as failure to inform the Council correctly.

Where an employee is unable to make contact personally due to exceptional circumstances, it is acceptable for them to make arrangements for someone else to notify the Council on their behalf as soon as possible (eg partner/parent). However, where someone else has made the initial contact, the employee must also make direct contact with the manager as soon as possible thereafter.

If an employee has had frequent short term absences they may be required to produce a fit note on the first day of absence for a specified period of time. In these circumstances failure to obtain a fit note on the first day would result in the employee not being paid for that day or any subsequent days when the appropriate notification procedure had not been followed.

7.2 Elective/Cosmetic Surgery

The Council defines an elective procedure as a non-essential surgical procedure which the employee chooses to undergo for personal reasons, for example cosmetic surgery or laser eye treatment.

Non-essential surgery which has been medically advised or prescribed by an employee's doctor or consultant will not be considered as an elective procedure.

Elective and cosmetic surgery appointments (including laser eye surgery) and ensuing recovery periods must be recorded as annual leave.

If any complications arise following the surgery and a fit note is provided, then the employee will be entitled to sick pay.

7.3 Time off for fertility treatment

There is no statutory right for employees to take time of work to undergo IVF treatment and IVF treatment appointments will be treated in the same way as other medical appointments.

Following the implantation of fertilized eggs, the woman is regarded as being pregnant and she is protected under the Equality Act 2010. If the IVF is unsuccessful, the protected period ends two weeks after she is informed that the IVF was not successful.

7.4 Hospital/GP/Dental/Optician appointments

Any of the above appointments which an employee needs to attend must be taken in accordance with the Council's flexi-time rules and should not be recorded as sickness absence. Managers may ask to see written proof of appointments (see Flexible Working Hours Guidelines).

7.5 Work Related Ill-Health or Injury

If an employee or manager believes that ill health or injury has been caused by work, the employee should complete the Council's accident report form as soon as possible and send it to the Health and Safety section.

If an employee has not completed an accident report form and subsequently believes that their ill health or injury is caused by work, they should report this in writing to their manager setting out the reasons why they believe the work has contributed or caused their ill health or injury and the reason for the delay in reporting this.

7.6 Maintaining Contact

The employee and the Manager will maintain contact as agreed once an employee is covered by a fit note and keep them informed of their progress and their likely return to work date. Employees must contact their manager before their fit note expires in order to confirm either that they will be obtaining another fit note or their return to work date.

Employees who do not maintain regular contact will be contacted by their manager to check on their progress. Additionally, employees who are on long-term sickness absence be invited to regular welfare meetings as outlined in Section 5.

Where an employee indicates that they are absent due to stress at work, the manager must inform HR and then make contact with the employee as soon as reasonable and follow the guidance in the Stress Management Policy as it may be necessary to carry out an individual Stress Risk Assessment.

7.7 Return to Work

An employee is no longer required to obtain a GP's fit note stating they are fit to return to work. An employee may choose to return to work before their medical fit note expires and without the requirement for any alterations. However in some cases it may be necessary to conduct a Health and Safety risk assessment before a return to work can be confirmed. In these circumstances the employee will not be able to return to work until HR and the manager are satisfied that appropriate support is in place to facilitate their return to work and the employee will therefore remain on sick leave.

7.8 Phased returns to work and alternative duties

A phased-return must only be agreed if the employee either provides a medical certificate identifying 'altered hours, amended/alternative duties, a phased basis or with reasonable adjustments', or similar advice from the Council's Occupational Health provider.

The length of the 'altered hours, amended/alternative duties, a phased basis or with reasonable adjustments' is not prescribed and depends on the circumstances of the case, and/or operational requirements.

Medical advice is only a recommendation and the Manager, in consultation with Human Resources will determine whether the recommendations can be implemented. Operational requirements will be taken into consideration. In some cases, not all recommendations will be feasible to implement.

In some cases, Human Resources will ask Health and Safety to undertake a Risk Assessment in order to finalise a decision. If adjustments cannot be accommodated, employees may have to remain on sick leave and be asked to seek further medical advice.

Where a GP or Occupational Health states that an employee may be fit for work on 'altered hours, amended/alternative duties, a phased basis or with reasonable adjustments', this advice can only be implemented with the manager's agreement. Following advice from HR a meeting should be arranged with the employee to discuss whether the GP's recommendations are reasonable and can be implemented. In some cases it may be necessary for Health and Safety to complete a risk assessment before a decision can be made.

8. Completion of a Return to Work Interview

A return to work interview must be held between the manager and employee as soon as possible following every sickness absence and within three working days of return at the latest. A return-to-work interview enables us to confirm the details of your absence. It also gives you the opportunity to raise any concerns or questions you may have, and to bring any relevant matters to our attention.

Where it is not possible for a return to work interview to be undertaken by the line manager within this timescale (because, for example, they are absent from work on leave), the responsibility will then transfer to another manager within the department either at the same level or above.

Attendance Management Formal Procedure

Section Four

9. Trigger procedures

9.1 Trigger levels

When an employee has had:

- *4 or more occasions of absence in a rolling year*
- *absences totalling 10 or more working days (separate or continuous) in a rolling year*
- *any pattern of absence causing concern*

they will be placed within the formal Attendance Management Procedure.

Note there is an additional procedure for dealing with long-term absences.

9.2 Employees with more than one contract

If an employee has more than one part-time contract any instances of sickness absence must be dealt with separately and not cumulatively. An employee can therefore trigger at different times for each contract and may receive a sanction for one or both contracts

9.3 Adjusting Trigger Levels

In certain cases, for example, if an employee is absent with sickness which is pregnancy, maternity related, major longer-term illnesses and conditions the manager should still monitor the absence using these procedures. Where the level of absence hits the trigger levels or becomes long term, the manager must consult with HR with regard to managing the non-attendance and supporting the employee. A decision may be made to adjust trigger levels. In some cases, medical advice from the Council's Occupational Health provider will be sought.

10. Stage One - Attendance Management Meeting

When a trigger point has been reached, the employee will be required to attend a Stage One attendance management meeting with their manager on *their return to work*. The meeting is not disciplinary in its purpose and is intended to provide the manager with the opportunity to review the circumstances surrounding the employee's absence levels before a decision is made whether or not to issue a Notification of Concern or Letter of Support.

At least five working days' notice of the meeting must be given to the employee together with informing them of the right to be accompanied by a trade union representative or work colleague.

The manager will then determine whether to issue a Notification of Concern. Should a Manager wish to issue a Letter of Support due to the employee being covered by the Equality Act 2010 or pregnancy, maternity-related, major longer-term illnesses or conditions, advice must be sought from Human Resources before issuing the Letter of Support.

10.1 Issuing of Notification of Concern/Letter of Support

The decision should be given orally at the meeting if possible and must be confirmed in writing within five working days of the meeting. Managers must include any actions and identify any agreed reasonable adjustments needed to support the employee in improving their attendance and also make clear that, if attendance levels do not improve, then this may lead to the next stage of the procedure.

A first Notification of Concern or a Letter of Support will remain active and on the employees' file for six months from the date of the *return to work*. The employee's attendance will be reviewed periodically by the manager and, if the employee has not taken any more sickness absence during this time, then the Notification of Concern or Letter of Support will lapse at the end of the six months.

Employees may appeal against the issuing of a first Notification of Concern or Letter of Support by writing to their manager within five working days of receipt of the written decision. The appeal will be heard by the relevant Head of Service or Chief Officer as appropriate. After this hearing, there is no further right of appeal at Stage One.

If the employee activated a further trigger whilst a Stage 1 Notification of Concern or Letter of Support is active, the manager will hold a Stage Two Attendance Management Meeting.

11. Stage Two Attendance Management Meeting

A Stage Two meeting will be convened if the employee activates another trigger whilst a Notification of Concern or Letter of Concern is active. *The meeting will take place once the employee has returned to work.*

The Stage Two meeting, which again will not be disciplinary in its purpose, will provide the manager with the opportunity to establish all the facts and review the circumstances surrounding the employee's absence levels before a decision is made whether or not to issue a Second Notification of Concern.

At least five working days' notice of attendance must be given to the employee informing them of the right for them to be accompanied at the meeting by a trade union or work colleague. A HR Officer *must* also attend.

The decision should be given orally at the meeting if possible and confirmed in writing within five working days of the meeting. Managers must include any actions and identify any agreed reasonable adjustments needed to support the employee in improving their attendance and also make clear that, if attendance levels do not improve, then this *will* lead to the next stage of the procedure.

The issuing of a Second Notification of Concern will remain active for 12 months from the date of the *return to work*. During this time the manager will review the employee's attendance regularly. If the employee's absence reduces below the trigger level after six months the second Notification of Concern will reduce to the level of a First Notification of Concern.

Employees may appeal against the issuing of a Second Notification of Concern by writing to their manager within five working days of receipt of the written decision. The appeal should state the full grounds of the reason for the appeal. Their manager will arrange for the appeal to be heard by a relevant Head of Service or Chief Officer as appropriate. After this hearing, there is no further right of appeal at Stage Two.

If the employee triggers whilst a Stage 2 Notification of Concern or Letter of Support is live, the manager will hold a Stage Three Attendance Management Meeting.

12. Stage Three Attendance Management Meeting

If the employee triggers during the first six months after a Second Notification of Concern or Letter of Support has been issued, the manager should then consult with HR before preparing a management report for consideration by the Head of Service (or Chief Officer) at a Stage Three attendance management meeting.

Although a Stage Three meeting is not disciplinary in its nature, it will be held in a similar format to the Council's Capability and Disciplinary Policies, the manager dealing with the case up to this point will present their summary of the case to a Head of Service (or Chief Officer) who will chair the hearing and will be the Deciding Officer.

At least seven working days' notice will be given to the employee together with the right to be supported at the meeting by a trade union representative or work colleague. The Employee will also be informed that dismissal could be an outcome of the hearing.

The Deciding Officer should consider the option of redeployment on a permanent or temporary basis (if a suitable existing position is available) or adaptation of working methods and environment, if it is felt that this may improve attendance, before making a decision to dismiss.

Where *the Deciding Officer* makes a decision not to dismiss, clear justification for not doing so must be recorded together with any support or other actions

to be taken. A follow-up meeting must then also be arranged (normally within 6 weeks of the Stage Three meeting) in order to review the case further.

The decision should be given orally at the meeting if possible and confirmed in writing within 5 working days of the meeting.

If, however, the *Deciding Officer* feels that the employee's attendance is still a matter of concern for the future and there are insufficient mitigating circumstances for the continued level of absence, they may choose to dismiss the employee with appropriate notice where they believe there is clear justification for doing so.

An employee who has been dismissed at Stage 3 is entitled to appeal against the decision by writing to the *HR Manager* within five working days of the letter confirming their dismissal. The appeal will be heard by the Licensing and Appeals Committee. The employee will have the right to be accompanied by a trade union representative or work colleague. Licensing and Appeals may choose to reinstate the employee or uphold the decision of the Deciding Officer.

Section Five

13. Management of Long Term Sickness

If an absence exceeds 4 weeks, the employee must be invited in writing to an informal welfare meeting with their manager.

The meeting is to consider the period of absence under review; the nature of the employee's illness; and the potential implications of this for their return to work (ie the potential length of the absence and any longer-term impact of their condition); whether an Occupational Health referral is appropriate, what mechanisms are in place to support the employee during their absence, and any support that will help them prepare for their return.

Automatic referral Occupational Health of all long term sickness cases is not necessary (eg where an employee is absent for a specified period of time due to a broken limb). Consideration needs to be given to the cause of absence, the timing of the referral, and whether a response from the Occupational Health Service will be useful in determining future action.

Further welfare meetings should take place as deemed necessary given the circumstances of each case, but consideration should be given to meeting every 30 days.

13.1 Likelihood of recovery

Where the information considered suggests that there is a likelihood of recovery and return to work within a reasonable timeframe, then the outcomes of this long-term sickness absence meeting may include:

A provisional date for return to 'normal working'

A provisional date for a phased return to normal duties

A provisional date for returning on alternative duties

A provisional date for return to their previous role, but with temporary or permanent adjustments in working arrangements, in recognition of the individual's health condition. Such adjustments will be made in order to ensure compliance with the Equality Act 2010 as well as the Council's wider commitments to equality and diversity;

Consideration of permanent redeployment to another post which may be at a different grade or different terms and conditions of employment;

13.2 No likelihood of recovery

The underlying principle when managing long term absence cases is to balance the Council's needs against the circumstances of the employee concerned. There is no requirement for manager to wait indefinitely for an employee who is on long-term sick leave to return to work or to be placed on a particularly Attendance Management Stage before considering particular action. At a certain point, managers in consultation with HR are entitled to decide that they are no longer able to accommodate the consequences of an employee's long term sickness absence and that it is not reasonable to wait any longer the employee to return to work.

Where the information considered does suggests that there is no likelihood of the employee recovering and returning to work within a reasonable timeframe, advice should be sought from Occupational Health. If the employee is in the pension scheme Occupational Health should be asking for an opinion about whether the employee would qualify for ill health retirement

Enquiring about ill health retirement does not imply that the relevant pension scheme will accept an application for the employee to receive a pension on health grounds.

A formal meeting should be then arranged to consider whether dismissal on the grounds of capability is appropriate.

The Council has signed a Dying To Work Charter, preserving employment for any employee who has been diagnosed with a terminal illness. All employment benefits such as Death in Service will maintained for the duration of their employment.

No employee who has been diagnosed with a terminal illness will be dismissed because of their condition.

13.3 Dismissal on Grounds of Capability

Any decision to dismiss on grounds of incapacity due to sickness/ill-health is separate from any application or decision to award an ill-health pension and

there is no requirement to delay proceeding with a capability dismissal until a decision is made about ill health retirement.

Termination of employment on the grounds of capability will be considered as last resort, if the following criteria are satisfied:

contact and assistance, or attempted contact, has been made and provided throughout the employee's absence;

where the employee has failed to make contact despite attempts by managers, a decision to dismiss will be based on all available information;

adequate medical evidence is available which indicates a return to work is unlikely within a reasonable time frame;

the employee has been fully consulted and given an opportunity to respond at each stage;

consideration for suitable alternative employment has been exhausted;

any feasible modifications to the working area and/or role have been exhausted;

ill health retirement has been considered

The procedure to be followed will be as described in the Capability Policy