POLICY ON PHASED RETURN TO WORK

Policy

This Policy recognises the need to have in place effective support mechanisms for all employees during periods of absence. It should be read in conjunction with the Comhairle’s Policy on Sickness Absence. This Policy covers all employees. A Phased Return to Work programme is considered where an employee is expected to return to his/her full duties in due course. Employees who are completing their recovery from illness may be allowed to return to work on reduced hours appropriate to their welfare and capabilities. This Policy is non-contractual and the Comhairle reserves the right to alter or withdraw it at any time.

The Comhairle will apply the following principles when dealing with phased return:

- devise a programme which is tailored to meet the individual’s needs
- implement where an employee has been absent due to ill health for a period of time and whose health problems prevent him/her from returning to work to his/her original hours or pattern of working.

The benefits to the employee in a Phased Return are:

- they are able to be reintroduced to the workplace on a supported basis which can result in efficiency gains to the Comhairle
- the employee will come back as soon as possible, and
- has a successful transition back to the workplace.

The Comhairle will review this Policy at regular intervals in consultation with the recognised trade unions to ensure its compatibility with current legislation and recognised best practice.

Phased Return to Work Procedure

1 Assessment

1.1 Trigger points for referrals to the Occupational Health services should be based on sensible criteria that relate to health issues and not, for example, simply because an employee’s sick pay entitlement is about to end.

1.2 In order to qualify for a phased return to work the employee on sick leave must be referred, through the Management Referral System, to Occupational Health well in advance of the proposed return. The referral is made by the line manager or his/her nominee.

1.3 In considering making referrals for a phased return, line managers should ensure that the employee is fully aware of the process and what is expected of him/her.

1.4 The employee must give the Occupational Health Nurse consent to contact his/her GP as the GP must give details of the medical history to the Occupational Health Nurse.

1.5 It is anticipated that the employee must be capable of working three or four days per week, for a minimum of four hours per day in order to be built up to normal working hours within six weeks. These hours are on a pro-rata basis for part time employees.

1.6 Any issues regarding sickness during Maternity Leave, either maternity related or non-related, will be dealt with under the flexible working arrangement of the Maternity Provisions.

2 Attendance Guidelines

2.1 The pattern of the phased return will be determined by the Occupational Health Physician and the Occupational Health Nurse and details of the hours worked will be forwarded to the employee’s line manager.
2.2 Alternative duties may be considered where an employee is capable of working his/her normal hours but is not capable of undertaking the full range of duties.

2.3 Those with musculoskeletal conditions may be referred to a Physiotherapist by the Occupational Health Nurse, along with the line manager authorising an employee not to undertake manual handling.

2.4 Phased return on reduced hours along with retraining, supervisory support, reallocation of duties or temporary redeployment may be considered.

2.5 All costs incurred during a phased return must be met by the employing department.

3 Phased Return

3.1 During the phased return, the employee receives full basic pay – occupational and statutory sick pay ceases. However in certain circumstances an employee may be required to use their annual leave as part of their phased return (e.g. if a fixed holiday period for a school year borders the phased return period.)

3.2 The phased return will last no longer than six weeks and there will only be one phased return in any twelve month period.

3.3 If, after undergoing the programme, the employee is unable to return to normal hours and duties, a further case review will be undertaken. In cases of permanent inability to return to normal hours/duties, the employee will then be reviewed in accordance with the Policy on Sickness Absence.

3.4 If, at the conclusion of the phased return, the employee wishes to extend the period, the individual will be allowed to continue for an agreed period using annual leave to cover the balance.

3.5 The Department for Work & Pensions regulations prevent an employee’s GP from issuing a medical certificate to cover a period of phased return. The regulations state that a person is either fit to work or sick, and if he/she is fit to work for only one hour, they must be declared fit.

3.6 It is not possible for an employee to return on a phased basis and still be covered by a medical certificate, except where the work is regarded as remedial and does not exceed 16 hours per week and attract earnings of more than the Statutory Sick Pay Allowance.

3.7 The employee will therefore be regarded as being on special leave for a balance of the six week period during his/her phased return.

4 Confidentiality

4.1 All matters relating to the health, personal or domestic affairs of employees, which the occupational health service gains knowledge of, will be treated as strictly confidential and will only be disclosed as required by law or with the written consent of the employee.