

From: [Freedom of Information](#)
To: [REDACTED]
Cc: [Freedom of Information](#)
Subject: FOI - Sick Pay Policies
Date: 25 July 2025 10:11:43
Attachments: [REDACTED]

Dear [REDACTED],

Thank you for your Freedom of Information request of 18 July 2025. We are responding to you under the Freedom of Information (Scotland) Act 2002 [FOISA].

FOI REQUEST (18 July 2025)

I am writing to request information under the Freedom of Information Act 2000.

I would like to request copies of all current sick pay policies applicable to employees of your organisation. Specifically, I am seeking:

- Copies of any documents, handbooks, or guidance outlining entitlement to sick pay (including occupational sick pay schemes).
- Details of eligibility criteria, rates of pay, and duration of sick pay entitlement.
- Any separate policies or variations that apply to different staff groups, grades, or types of employment (e.g., permanent, temporary, agency, or casual workers).

If the information is available in digital format, I would prefer to receive it electronically by email. If you consider any part of this request to be exempt, please provide the remaining information along with a clear explanation of the reasons for any refusal.

RESPONSE

SOSE's Sickness Absence Policy is attached at Appendix A which covers entitlement to sick pay, eligibility criteria, rates of pay and duration of sick pay entitlement.

There are no separate policies or variations which apply to the different staff groups, grades or types of employment.

You have the right to request a review of the way in which this request has been processed. Should you wish to exercise this right, you will need to contact us within 40 working days of receipt of this email.

If you remain dissatisfied on completion of the review, you have the right to appeal to the Office of the Scottish Information Commissioner and thereafter to the Court of Session on a point of law only:

Scottish Information Commissioner
Kinburn Castle

Doubledykes Road
St Andrews
Fife
KY16 9DS
Telephone: 01334 464610
www.foi.scot
or for online appeals:
www.foi.scot/appeal

Regards,
SOSE Corporate Relations
foi@sose.scot



www.southofscotlandenterprise.com

Appendix A



Sickness Absence Policy and Procedure | 2024

Descriptor	Changes made	Date	Version
Policy first implemented		May 2020	0.1
Review no.1	Separation and clarity of long and short-term absence processes.	November 2024	1.1
Review no.2			
Review no.3			

Name of policy being superseded (if applicable)	Sickness Absence Policy
Related policies	Code of Conduct Wellbeing Policy Health and Safety Policy Special Leave Disciplinary Policy
Related SOPs	
Related Guidance	SOSE DNA – Introduction to People-Centric Policies
Equality Impact Assessment completed	08/08/2022
Intended Audience	All colleagues
Team responsible for policy	Human Resources
Policy owner contact details (email)	[REDACTED]
Additional points of contact	[REDACTED]
Policy due for review (date)	November 2026

1.0 Policy Statement

- 1.1 SOSE recognise that there are occasions when employees may be unable to attend work due to ill health. There is a clear link between a healthy and engaged workforce and employee motivation, productivity, and satisfaction. The aim of this policy is to provide clear guidelines to staff on how they will be supported through sickness absence while also providing clear guidance to managers on how to manage sickness absence supportively and promote attendance and employee wellbeing.
- 1.2 This policy should be implemented in line with our SOSE DNA – Introduction to People-Centric Policies.

2.0 Principles

- 2.1 SOSE prides itself on being different. We are passionate about promoting Fair Work in line with our values to challenge ourselves to always be better whilst supporting diverse thinking and creating opportunities and fulfilment. We are working collaboratively across our organisation to play our part in a fairer, greener, and stronger South of Scotland

We are committed to being BOLD and appreciate the value of our organisation's cumulative experience. It is that experience which allows us to challenge ourselves to be better, ambitious and open-minded. We should not dwell on the flaws as they also help us achieve our goals. This policy has been created with our values as the foundation and ethos of the policy application.

We are SOSE and through our values.....

- Be inclusive, supporting diverse thinking from diverse communities and businesses
- Be responsible, to do what's right for communities and the planet. To champion the South and all those who live there
- Be bold, open minded and ambitious
- Be striving, challenging ourselves to always be better.



..... we will reach our Vision and achieve our Mission.

3.0 Wellbeing

3.1 There is clear evidence that good health is a key enabler to good business. The health, safety and wellbeing of employees directly contribute to organisational success, and poor workforce health comes at a high cost. As part of our overall organisational aims, SOSE have an opportunity to set the benchmark in relation to the health and wellbeing of its employees.

3.2 SOSE embraces the whole person, both their physical and mental health. SOSE's approach is greater than simply managing absence which occurs as a result of ill health but also takes into consideration physical, emotional and psychological wellness.

3.3 Working to improve workforce wellbeing, there are a number of strategies that are encouraged:

- Promoting personal responsibility
- Supporting wellbeing through awareness-raising initiatives and training
- Improving employee engagement
- Right to disconnect

- Creating a sense of belonging and purpose

3.4 Where employees have absences due to sickness, regardless of the reason, SOSE will reach out to the employee and ensure that communication channels are kept open.

4.0 Absence Reporting & Maintaining Contact

4.1 When an employee is unable to attend work due to ill-health they must call and speak to their line manager (rather than send a text message or e-mail). This should confirm the reason for their absence, the expected duration of the absence, any pressing work that requires attention and whether the absence may be work-related. The employee must contact their line manager as early as possible and no later than 10am on the first day of absence and then as agreed thereafter. If the line manager is unavailable, they should speak to another appropriate manager.

4.2 The manager should initially log the absence on Agresso as an open-ended absence until the employee returns to work.

4.3 Periods of sickness absence need to be appropriately certified for the purpose of access to statutory and occupational sick pay.

4.4 For all absences up to 7 calendar days a self-certification form must be completed and provided to the manager on the first day of the employee's return to work.

4.5 For absences lasting 8 calendar days or more, a Statement of Fitness for Work (or 'Fit Note') must be obtained from an appropriate medical professional and provided to the manager as soon as possible. A Fit Note will advise that an

employee: (i) is unfit for work; or (ii) may be fit for work subject to reasonable adjustments, or (iii) is fit to return to work.

- 4.6 Maintaining contact is extremely important between the employee and the line manager. The manager and employee should agree on communication frequency and the employee must be available for contact telephone calls at mutually agreed times and, where appropriate, absence review meetings and possible occupational health referrals.
- 4.7 The manager should keep a record of all contact during the employees' absence which will help to inform any occupational health referral or adjustments during the employee's absence and on their return to work. These records should be shared with HR to enable a coordinated package of support to be delivered to the employee should this be required.
- 4.8 As SOSE encourages a culture of human-centric approaches, it is vital that employees feel able to speak with their line manager or HR about their reasons for absences, their health, both physical and psychological, and any impact or potential impact on their performance at work so that we can provide appropriate support.
- 4.9 Sickness Absence and Annual Leave

If you are ill while on annual leave, employees can claim the annual leave for use at another time, provided: it is a day of the week that the employee would normally have been at work and they have let their manager know on the first day of the illness that they would have been unable to have worked due to sickness, had they not been on annual leave. The manager will then cancel the annual leave in Agresso and record the period of absence as sickness absence.

5.0 Statutory and Occupational Sick Pay

5.1 Where an employee has followed the correct notification and certification process, they will be entitled to Statutory Sick Pay (SSP). SSP guidelines are determined by the government and as such SOSE must ensure the requirements are met.

5.2 SOSE employees also receive enhanced sick pay, known as Occupational Sick Pay which 'tops up' the Statutory Sick Pay allowance. All allowances are calculated over a 12-month rolling period and is structured as set out below:

Length of Service	Full Pay	Half Pay
Up to 4 months	1 month	Nil
Between 4 and 12 months	2 months	2 months
After 12 months	3 months	3 months
After 3 years	5 months	5 months
After 5 years	6 months	6 months

5.3 SOSE reserve the right to withhold the OSP element of sick pay where they feel it is appropriate. The main reason for this would be where an employee has not followed the notification and or certification procedure. HR will also provide guidance in these situations. HR will also provide advice on salary implications in individual cases if required.

6.0 Return to Work/Welcome Back Meeting

6.1 When an employee returns to work following **any** period of sickness absence, whether it be one day, a short period of absence or a longer-term period, the line manager should carry out a wellbeing conversation at a Return to Work/Welcome Back Meeting – see appendix 1 – return to work procedure. This should happen on the first day back at work. Should the Line Manager be on Annual Leave, the Line Manager should, where possible, make alternative arrangements so that a timely welcome back meeting takes place. To ensure fairness to all, the Return to Work/Welcome Back Meeting should be structured as per the Return to Work and Wellbeing Form. [Return to Work and Wellbeing Form](#)

6.2 A Return to Work/Welcome Back meeting should give the manager and employee the opportunity to discuss the following areas:

- To welcome the employee back
- To discuss the reasons for their absence
- To ensure they are fit to return to work
- To pick up on any concerns, such as patterns or underlying health conditions, enabling them to be addressed
- Discuss any reasonable adjustments, if required.
- To update the employee on any work-related matters they may have missed during their absence.

Line managers should use discretion. Absence processes are likely to vary on a case by case depending on the reasons for the absence and as such flexibility should be adopted.

6.3 the completed and signed Return to Work document should be uploaded to the relevant period of sickness absence in Agresso.

7.0 Informal Absence Process

7.1 Holding a Well Being Conversation due to a concern regarding short-term absences

Sickness absence concerns are most effectively managed as early as possible and so where an employee's attendance record highlights a potential concern the line manager should monitor the duration, reasons, and frequency of absences. The line manager should then carry out an informal absence meeting when the employee meets one or more of these criteria:

- an employee has 3 separate episodes of absence in the previous rolling 6-month period or
- an employee's general pattern of sickness absence gives cause for concern; or
- work-related stress is affecting health and wellbeing.

The informal absence meeting should be scheduled as a wellbeing conversation in Clear Review. The manager should use the conversation prompts provided and record the meeting in the system.

7.2 The purpose of a wellbeing meeting is to allow an opportunity for the line manager and employee to discuss any concerns, health issues or any other reasons for absence. The line manager should make the employee aware of the concerns surrounding their absence levels, patterns and/or frequency. Line managers should emphasise ways in which both the employee themselves and SOSE can support the employee and improve attendance wherever possible, this may

include signposting to the Employee Assistance Program or an Occupational Health Referral. The employee should be given an opportunity to provide feedback and respond to any questions. On conclusion of the meeting, the line manager and employee should have a better understanding of the causes of the employee's absence and have discussed potential ways in which to manage the causes or concerns. A record of the meeting should be made in Clear Review so the employee and Line Manager are both clear on the content of the conversation and any expectations or actions.

If the employee's attendance levels have not improved following the outcomes of the wellbeing conversation, then the manager may decide to proceed to a formal absence review meeting. The point at which a Formal Attendance Review is considered appropriate will vary and will take account of individual circumstances and the details recorded in Clear Review.

8.0 Short term Absences – Formal Stages (1,2 and 3)

- 8.1 We hope that wellbeing conversations will support colleagues through short term concerns or patterns. However, on occasion it may be necessary to follow formal procedures. Formal procedures would therefore begin once an employee reaches 4 separate episodes of absence in a rolling 6-month period or when the agreements/outcomes of the informal meeting have not been met. A manager should liaise with HR before the formal process starts and they can provide support to help all concerned along the way.

- 8.2 The first stage of the formal process is for the line manager to inform the employee that they wish to meet specifically to discuss concerns around absence. Managers should make this at a time suitable for both parties and should

be clear on the purpose of the meeting. The manager should issue a template provided by HR – (see appendix 2 – letter – invite to stage 1 absence meeting), outlining reasons for the meeting and advising the employee that they have the right to be accompanied.

8.3 SOSE follows a People-Centric approach which is outlined below and a flowchart highlighting the process can be found in Appendix 3 – sickness absence flowchart.

Guidelines for Managers who are conducting Absence Review Meetings can be found in Appendix 4 – guidelines for managers.

8.4 Stage 1- When the employee hasn't met outcomes of the informal welfare/wellbeing meeting

The Formal Absence Review takes place and appropriate support is determined, as necessary, to assist the employee to reach the required attendance levels (i.e. an absence level below the triggers). Employee should be made aware of the reasons for the manager's concerns, for example the trends in absence or number of absences. Line managers should discuss with employees any possible reasonable adjustments that could be made to their role to help aid improved attendance, and this may also involve signposting to the Employee Assistance Program or a referral to Occupational Health. After hearing all the evidence the meeting should be adjourned to allow the manager to review the findings. Following a short adjournment the manager will advise the employee of the outcome of the meeting. If an improvement period is to be put in place then the employee should be informed of the expected improvement over a specified review period (can be between 3-6 months depending on the situation) and expectation should be set using appendix 10 – wellbeing plan. The employee should be made aware of the next potential course of action if this improvement

is not achieved within the timeframe outlined. The outcome of the meeting should also be confirmed by the manager to the employee in writing (see letter template – see appendix 5 – letter stage 1 or 2 outcome. Any specific actions should be recorded in Clear Review. The letter will remain live for 12 months and will be taken into consideration if the employee’s attendance becomes a cause for concern again during this period.

At the end of the review period the manager should hold a meeting with the employee to advise: that the agreed attendance targets have been met and confirm that no further formal action is required or; that the targets have not been met and that the employee will be invited to the next stage in the absence review process. Please use appendix 6 – letter – outcome following review period.

8.5 Stage 2 – when the employee hasn’t met the outcomes agreed in the stage 1 meeting

Where the employee does not make their agreed target and returns to a period of short-term absences, a second stage Formal Absence Review meeting will be organised. Any reasonable adjustments introduced as a result of the Stage 1 discussion will be reviewed and assessed, if necessary. The review will take the same format as the first stage absence review with targets set, outcomes reviewed and confirmed in writing.

8.6 Stage 3 – Capability Hearing

A capability hearing takes place when the employee hasn’t met the outcomes agreed in the stage 2 meeting or in cases of long-term sickness absence (see section 9.5).

SOSE hopes that most absence concerns can be resolved within Stage 1 and 2, however on the rare occasion there could be a need for Stage 3.

8.7

The Line Manager submits a report to his/her senior manager on the support provided and action taken to date. The senior Manager (Head of Department or next level up) gathers the evidence, including medical records, feedback from Occupation Health, and any risk assessments if appropriate. The senior manager issues an invite to a Capability Hearing. The letter should specify that dismissal is a potential outcome of this hearing. At this stage the potential outcome may be: no further action; extension of the review period to allow for support or adjustments or other mitigating circumstances; Final Written Warning (on file for 12 months); or dismissal on the grounds of capability. The outcome of the meeting should be confirmed by the manager to the employee in writing (see letter template at appendix 5- letter stage 1 outcome following meeting) and any specific actions should be recorded in Clear Review. The letter will remain on file for 12 months and will be taken into consideration if the employee's attendance becomes a cause for concern again during this period.

9.0 Long term Absence

Long term sickness absence will normally be regarded as a continuous absence from work for ill health reasons for a consecutive period at least 4 weeks or more.

9.1 For absences up to approximately 3 months:

The Manager will agree regular contact with the staff member, ensuring to record all contact made and actions agreed (see appendix 7 - contact log).

Depending on the reason for the absence the manager should use their professional judgement and their knowledge of the staff member to support them through the absence. Additional professional support available to the manager and employee will include the EAP, Occupational Health, a Stress Risk Assessment (see appendix 8 – stress risk assessment), or signposting to relevant support agencies. Should a Stress Risk Assessment be completed between the line manager and employee, the manager should make sure to capture any actions in the action plan at the end of the assessment with the employee and this should be monitored accordingly.

The member of staff may be requested to allow contact with his/her doctor or other medical professional in order to establish the likely length of absence and the long-term effect on capability in relation to job performance and attendance at work. In addition, he/she may be referred to Occupational Health to enable a medical report to be prepared if this has not already happened. Where the member of staff refuses to cooperate in providing medical evidence or to undergo an independent medical examination, he/she will be advised in writing that a decision will be taken on the basis of information available.

9.2 For absences beyond 3 months

The following guidelines and interventions should be considered for all absences beyond 3 months. However, each situation should be considered on a case-by-case basis.

Contact and support:

The regular contact and support which has been provided during the initial few months of absence should be maintained and reviewed during any extended

period of absence i.e. beyond 3 months. This will be adjusted in line with any updates from medical professionals.

Medical guidance:

Managers in conjunction with HR will seek updates or further support from medical professionals as appropriate. The member of staff may be requested to allow further contact with his/her doctor or other medical professional in order to establish in order to establish the likely length of absence and the long-term effect on capability in relation to job performance and attendance at work.

Return to work:

Where the Fit Note states that the member of staff is fit to return to work the Manager will arrange a return to work plan. Where appropriate a phased return to work will be considered or other support measures or adjustments to enable the employee in the initial stages of their return. If so this should be planned in collaboration with Occupational Health, HR recommendations and the employee.

9.3 For absences beyond 6 months

Medical guidance:

Managers in conjunction with HR will seek updates or further support from medical professionals as appropriate, in order to establish the employee's capability to return to their role.

The Manager in conjunction with HR will assess the likely impact of the member of staff being absent for a lengthy period, taking into account the operational challenges being caused by the continued absence of the member of staff, the needs of the directorate, and the availability, where appropriate, of alternative employment for the member of staff. The member of staff may be informed that

long-term absence due to ill health may put his/her continued employment at risk, bearing in mind the needs of SOSE at that time.

9.4 If the Member of Staff is Declared Fit to Return with Reasonable Adjustments:

In the case of a staff member being declared fit to return to work with adjustments the staff member, line manager and member of the HR team will meet to discuss requirements. SOSE will try to meet any reasonable adjustment to support staff members returning to work and these may include short and/or long-term measures.

9.5 The Capability Process

In the majority of cases where an employee is found to be permanently unfit to carry out the duties of their post, they will be aware that this is the likely outcome as a result of the reports from appropriate medical professionals. SOSE will consider its position in light of the prognosis and other available information. Where dismissal action is being considered, the member of staff will be invited to a meeting to discuss the situation together with his/her representative.

Each situation will be treated on a case-by-case basis if an employee is not capable of returning to work and carrying out the full remit of their substantive role.

9.6 Where the employee is incapable of returning to their substantive role

consideration will be given as to whether there are any other alternative roles available within the organisation which would be suitable to both SOSE and the employee.

9.7 *Capability Hearing*

Where the employee is incapable of returning to their substantive role and no suitable alternative positions are available the Line Manager should submit a report to his/her senior manager on the support provided and action taken to date. The senior manager (Head of Department or next level up) should gather the evidence, including any medical records which have been obtained, feedback from Occupation Health, and any Risk Assessments. The senior manager issues an invite to a Capability Hearing using the letter template at appendix 9 – letter invite to capability hearing. The letter should specify that dismissal is a potential outcome of this hearing. At this stage the potential outcomes may be: no further action; extension of the review period to allow for support or adjustments or other mitigating circumstances; or dismissal on the grounds of capability. The outcome of the meeting should be confirmed by the manager in conjunction with HR to the employee in writing (see letter template at appendix 12 – letter outcome of capability hearing).

9.8 *Dismissal on the grounds of capability:*

9.9 Where the decision is taken to dismiss on the grounds of capability, the employee will be given the period of notice to which he/she is entitled by contract and informed of the right of appeal.

10.0 **Appeals**

10.1 At each stage of the Formal Absence Review process the employee is entitled to appeal the decision given in a specific attendance target. This can be an appeal against the outcome. The appeal should be related to one of the following criteria:

- A failure to follow procedure had a material effect on the decision,
- The evidence did not support the conclusion reached
- The penalty was too severe given the circumstances of the case
- New evidence has genuinely come to light since the last meeting.

An appeal should be submitted in writing to the line manager of the Manager that made the decision within 7 calendar days of any outcome, clearly stating the grounds for appeal. A manager independent to the absence management procedure will then review the appeal.

11.0 III Health Retirement

11.1 Through regular conversations and medical guidance, when an employee is unable to return to work and meets their Pension Scheme criteria, they may be able to retire on an III Health basis. Where this is a potential outcome HR should be contacted to assist with the process.

11.2 *SOSE deem that the employee is unable to return to work following GP's recommendation on a Fit Note that they are fit for work.*

Although these instances are very rare, if SOSE feels it is not reasonably practical for an employee to return to work whilst other procedures are being simultaneously followed, we reserve the right to place the employee on a period of paid special leave until all formal processes have been concluded. This will be decided on a case-by-case basis following a risk assessment and upon extensive consideration of any possible reasonable adjustments.

12.0 Fairness for All

12.1 To ensure fairness for all during the Formal Absence Review process, all line managers must follow the procedure set out within each appendix. Roles and Responsibilities are shown in Appendix 11 – roles and responsibilities.

13.0 Review & Monitoring

13.1 As with all SOSE policies this policy and procedure will be reviewed at least every two years or at times of significant legislative or organisational changes.

List of appendices:

- Appendix 1 – return to work procedure
- Appendix 2 – letter – invite to stage 1 absence hearing
- Appendix 3 – absence management flowchart
- Appendix 4 – guidelines for managers, formal absence review
- Appendix 5 – letter stage 1 outcome following meeting
- Appendix 6 – letter – outcome following review period
- Appendix 7 – contact log
- Appendix 8 – IOSH stress risk assessment
- Appendix 9 – letter – invite to capability hearing
- Appendix 10 – wellbeing plan
- Appendix 11 – roles and responsibilities
- Appendix 12 – letter – outcome of stage 3 capability hearing

Appendix 1:

Return to Work/Welcome Back Procedure

The wellbeing conversation that takes place during a 'Welcome Back' meeting is determined by the reasons of absence and the duration. Managers should use the 'return to work/self certificate' template on the Hub to record the relevant dates and reasons for the absence and the conversation that takes place. Where an employee has one day of absence the conversation is likely to be less complex and is similar to a 'check in' type conversation. The manager should ask the employee how they are feeling and explore and identify if there are any underlying concerns. At all times the manager should determine if SOSE could be assisting the employee in any way, as appropriate, to aid their return to work.

Where an employee has an underlying illness or has had a number of short-term absences, the manager should determine how best to identify what support mechanisms are required, if any.

A conversation regarding Occupational Health may be explored if relevant and/or if the Employee Assistance Programme is relevant for the employee then this may also potentially be discussed.

Where a longer-term return to work plan and or phased return is required, this should be included in the discussion, ensuring all expectations are clear and concise.

The manager should:

- Determine if there is a pattern of short-term absences and explore these if relevant
- Determine if a 'trigger' has been reached for a formal absence review to be organised

- Identify what measures the employee feels could possibly support their return to work



South of Scotland Enterprise
Carmont House
The Crichton
Bankhead Road
Dumfries
DG1 4TG

{INSERT DATE}

Private & Confidential

Subject: Absence Management Stage 1

Dear X

Further to our most recent wellbeing conversation on xx/xx/xx when we discussed {INSERT DETAILS OF CONCERNS/OBJECTIVES NOT BEING MET}. I am still concerned about your absence {because xxx you didn't meet the expectations we agreed or your attendance has deteriorated}

To enable me to support your attendance, and in line with our Sickness Absence Policy, I therefore I wish to meet with you to further explore and understand your absences, to discuss these ongoing concerns and to consider any support SOSE may be able to offer you.

I have arranged to meet with you on (insert date) in person/teams in (insert room) at (insert time within working pattern). Your diary looks free at this time so please can you confirm your attendance no later than xx/xx/xx

As this is a formal meeting you have the right to be accompanied by a union representative or work colleague. Should you wish to do this please inform me of the person's name upon your acceptance. A member of the HR team will be there to support us both. A note of the meeting will be shared with you.

I have attached copies of evidence gathered {IE ABSENCE RECORDS} for your information which we can review at the meeting,

The possible outcomes of this meeting are:

- No further action
- Stage 1 Absence Support Plan

The outcome will be confirmed to you after the meeting.

Please do not hesitate to contact me should you have any further queries regarding this matter.

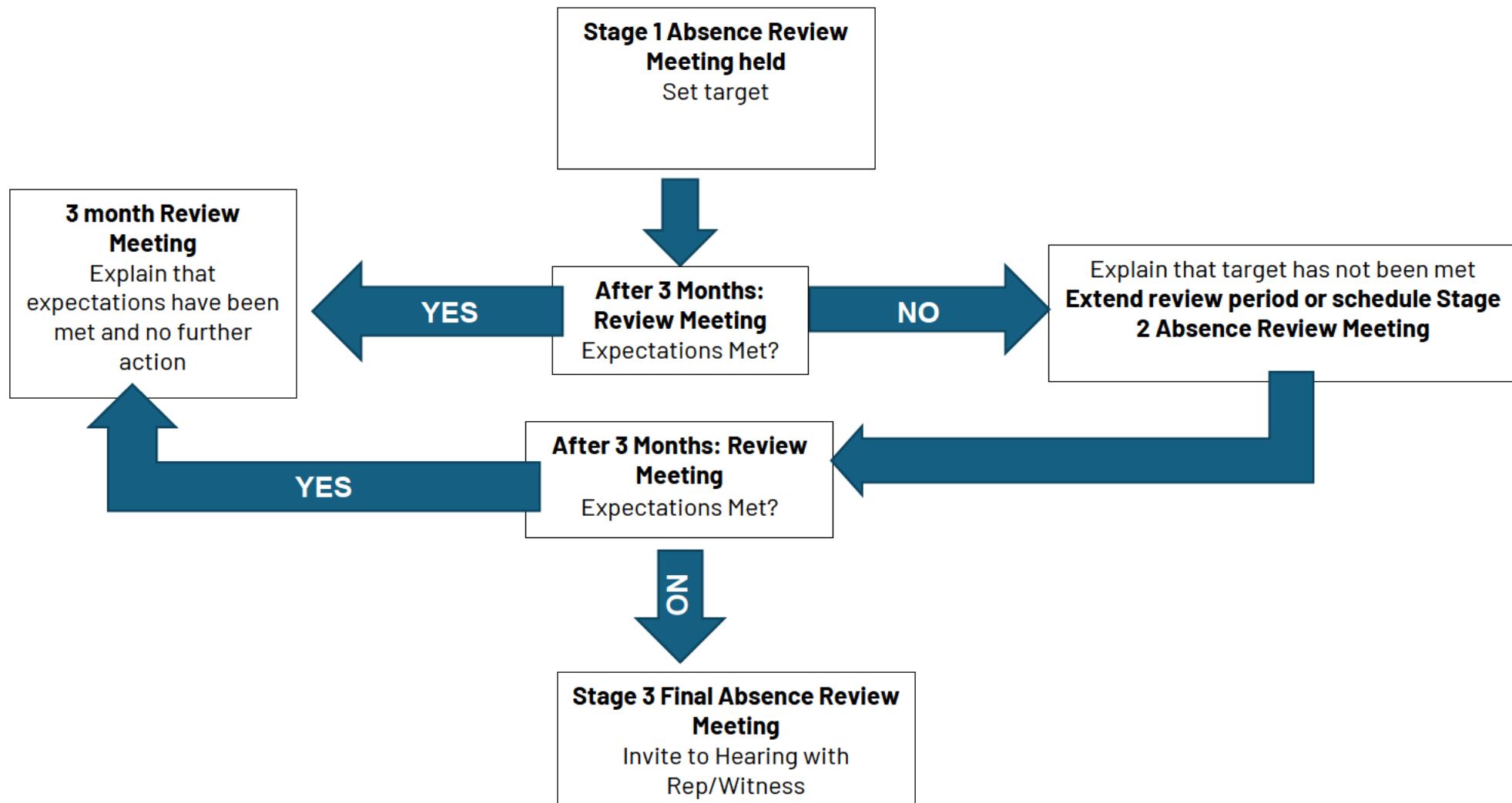


Yours sincerely

Name

Position

Appendix 3- Formal Absence Procedure Flowchart
Absence Management Flow Chart



Appendix 4

Guidelines for Managers for Formal Absence Review Meetings

Employees are responsible for ensuring that they are aware of the sickness absence policy and understand the process relating to attendance. In the event of sickness absence concerns managers should ensure that the employee is aware of the policy and procedure. Managers should also deal with any issues regarding employee absence in a timely, fair and reasonable manner.

Particular consideration should be given as to whether the matter is, in fact, one of conduct and/or performance, and an appropriate and fair way forward should be planned following this analysis.

Managers should seek advice and guidance from either a senior manager or HR representative where necessary.

Managers should use discretion on a case by case basis and have a duty to consider carefully at an early stage whether any formal action is required at all. They should be sure that they understand fully all the issues or concerns before deciding on the appropriate action. The line manager should then process through each of the following steps in line with the Absence Management flowchart in Appendix 3.

- When an employee reaches the absence trigger the employee should be signposted to this policy, and they should be invited to a Formal Absence Review Meeting in writing.
- The employee must be given a reasonable amount of notice to attend any Formal Absence Meeting, in writing. However, the meeting can take place with short notice if the employee agrees to this.
- At Stage 1, Stage 2 and Stage 3 Absence Review meetings, the employee, their line manager and a representative from HR should be in attendance.
- The employee is also entitled to bring a SOSE work colleague or Trade Union Representative at all stage meetings. If the employee's workplace or TU rep is unable to attend the meeting at the appointed time, they may request a postponement and suggest an alternative time and date. Where the suggested alternative is reasonable and within 5

working days of the original date, the meeting will be rescheduled. If this is not the case, the meeting may take place in the employee's absence.

- The manager should set an expectation of required attendance levels and the employee should commit to meeting them. To do this successfully, the manager must consider the following: the employee's individual circumstances; all medical advice; any Occupational Health information; the impact of any underlying condition/disability; and any reasonable workplace adjustments that need to be put in place to enable the employee to improve their attendance.
- The employee should reflect on whether there are any changes they can make or action they can take to support their own good health and attendance at work.
- The manager should adjourn to consider the evidence that has been presented and the nature of the discussion before reaching a decision as to the outcome of the meeting.
- Following the adjournment the employee should be informed either that their attendance has not improved in line with the expectations previously set out and should set attendance targets for the next 3 months, or
- Where attendance has improved the employee should be made aware of this and no further review is expected to take place unless another trigger is activated.
- At all stages the employee's attendance should be reviewed,
 - The employee should be given the opportunity to discuss any problems or raise any concerns,
 - Set a review date at the end of the monitoring period and meet with the employee again at the end of that period to advise whether the attendance targets have been met.



South of Scotland Enterprise
Carmont House
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DG1 4TG

{INSERT DATE}

Private & Confidential

Subject: Stage 1 Absence Management outcome following meeting

Dear X

Thank you for meeting with me on . Also in attendance was: [*insert names*] and, or you chose not to be represented although you were reminded of this right.

I am writing to confirm the outcome of our meeting. We discussed: (*summary of discussion which may include*):

- Sickness record and reasons for absence
- Health and wellbeing at present time
- the nature and likely prognosis and duration of absence and up to date medical advice
- Any personal or work related issues
- Occupational Health advice (if report has been obtained)
- Consideration of a referral to Occupational Health (if advice not yet obtained)
- Consideration of reasonable adjustments
- Any assistance that can be or has been provided ie -useful contacts, staff care
- Sick pay allowance
- Previous meetings held and actions taken to date
- Impact of absence on department / colleagues / service

We considered and discussed all available options and support at this stage of the process to enable you to improve to the required standard and agreed an appropriate way forward:

(delete / include as appropriate)

- A referral to occupational health
- Reasonable adjustments considered/ agreed •
- Providing a Fit Note (Statement of Fitness for Work) to cover each period of absence from the first day of absence.
- any measures that the employee can take to improve their own health and attendance

I explained that in line with the sickness absence policy:



- your attendance is not satisfactory and your absence will be monitored over the next 3 months and the expectation is for a sustained improvement over that period. Failure to reach the required standard during this period may lead to further formal action, which includes possible progression to Second Stage of the Sickness Absence Management procedure.
- I will not issue a notice to improve, as I believe there are extenuating circumstances as to why the warning should not be issued. (This should be discussed with HR in the first instance)

A copy of this letter shall be retained on your personal file and will be disregarded after 12 months, if at the end of that period your attendance is considered satisfactory.

You have a right to appeal against this decision. If you wish to appeal, you should do so in writing within 14 calendar days of the receipt of this letter to Your written appeal should state the grounds for your appeal. We would like to ensure we are continuing to support you as much as possible in order to improve your attendance. If there is any further support that you feel may be of benefit to you please discuss this with me. Please do not hesitate to contact me if you have any queries.

You have the right of appeal against this decision. Please [write] to within days of receiving this disciplinary decision.

Yours sincerely

Name Line Manager

Position



South of Scotland Enterprise
Carmont House
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Dumfries
DG1 4TG

{INSERT DATE}

Private & Confidential

Subject: Stage 1 Absence Management outcome of review period

Dear X

Between {insert date} and {insert date} I have worked with you to support your attendance through Stage 1 of our Sickness Absence Policy.

We have reached the end of the review period and {insert}

I am pleased to inform you that you have met all targets we agreed. I will revert to meeting you fortnightly to ensure I continue to support you in achieving your goals. **No further formal action is required.**

Or

You have not achieved the targets which were set in the stage 1 absence review and details of your absence record are attached. *[insert copy of absence record]*

The review period will be extended and I will continue to support you for a further 3 months through Stage 2 of our process (plan to be agreed separately). OR You will shortly be invited to stage 2 absence review meeting to further review and discuss your absence and attendance record.

Yours sincerely

Name Line Manager
Position



Appendix 7 - Contact log

Purpose: To address stressors highlighted with a view to sustaining good mental health and attendance at work

Date	Type of contact (Teams, phone call, email, in person)	Summary of conversation	Concerns/actions	Date of next contact (diarise)	Comments

Stress Risk Assessment - Part A

(individual/s to complete)*

Notes to staff:

- You are **invited*** to use this form to help you to identify and deal with work-related stress: if you choose to use this form, you're not obliged to share its contents with anybody – however, you can "do your bit" for managing work-related stress by sharing this form (or parts of it) with your manager: if they don't know there's a problem they can't help.
- You don't have to answer every question - only answer those questions that you find **helpful**.
- If you don't feel able to talk directly to your manager about a work-related concern, **ask** a colleague or other representative to raise the issue on your behalf: other sources of advice and support are listed within this form.

even if you choose to fill out this form, you're not **obliged to show it to anybody – it's your choice!*

Notes to manager:

You should **offer*** your staff the opportunity to complete a stress risk assessment:

- ✓ When a member of staff has been off sick with work-related stress (as part of the **return to work** interview).
- ✓ Where you believe that an individual or team are likely to be suffering from **work-related** stress;
- ✓ Annually, for example during the appraisal process;
- ✓ To plan for major **change**;

→ You can give this questionnaire out as a **survey** and collate responses, or use it as a guide during a **meeting** with an individual or a team – use your judgement about what approach might work best for you and your staff.

→ When you and your staff have completed stress risk assessments, develop **action plan/s** using **Part B** of this form with your staff to address any areas of concern and review this on a regular basis.

Please note: staff are not obliged to complete a stress risk assessment; it should always be their **choice*

Your name: _____

Ward/Dept/Unit: _____

Your
Manager: _____

Date: _____

Demands: this includes issues such as workload, work patterns and the work environment

Do you feel you have just the right amount of work to do? Could you say what work you have too *much/*too *little* of?

Guidance: e.g. Unachievable deadlines, intensive work, neglecting important tasks, short-staffed

Desired state = ↳ There is a full complement of staff and vacancies are filled within a “reasonable” time period

Do you take the breaks you are entitled to at work?

Guidance:

Desired states = ↳ Where possible, staff have control over their pace of work

↳ The Trust provides staff with achievable demands in relation to the agreed hours of work

What training, if any, would help you to do your job?

Guidance: Training does not have to be courses – consider acting up/taking on more responsibilities and duties, projects, problem-solving activity, job rotation, conferences, working with colleagues, coaching/mentoring, reading/research, meetings/working parties/task groups, visits and secondments, out of work activities, networking, leaflets and information packs.

Desired states = ↳ People’s skills and abilities are matched to the job demands **and**

↳ Jobs are designed to be within the capabilities of employees

Are there any problems with your work environment? If yes, please describe:

Guidance

Desired state = ↳ Staff are able to raise concerns about their work environment

Control: how much say you have in the way you do your work

How could you have more say about how your job is done?

How could you be more included in decision-making in the team?

How could you be supported to use your skills to greater effect at work?

Guidance

Desired states =

- ↳ Staff are encouraged to use their skills and initiative to do their work
- ↳ The organisation encourages staff to develop their skills
- ↳ Where possible, staff are encouraged to develop new skills to help them undertake new and challenging pieces of work

Support: this includes the encouragement, sponsorship and resources provided by the Trust, your manager and your colleagues

How could your line manager better support you to do your job?

How could your colleagues better support you to do your job?

Are there any parts of your job that you find especially difficult? (e.g. caring for young trauma patients, or patients with increased risk of violence and aggression) – If YES, please describe:

Do you feel you have a healthy work-life balance? If not, how could it be better?

Guidance:

Desired state = ↗ Staff feel supported at work, and extra support is provided where the need is identified

Relationships: promoting positive working to avoid conflict and dealing with unacceptable behaviour

How could communication in the team be improved?

If you feel that you are experiencing bullying or harassment at work, what parts of the Trust's "*Prevention of Harassment and Bullying at Work Procedure*" could help?

Guidance:

Desired states =

- ↳ Employees share information relevant to their work;
- ↳ Staff feel able to ask for help with conflict, bullying and harassment

Role: ensuring that your role is clear and that you do not have conflicting roles

Are you clear about your roles and responsibilities at work? If not, please explain:

Do you feel that there is any ambiguity or confusion (role conflict) in your job? If yes, please describe:

Guidance

Desired state = ↳ The organisation ensures that, as far as possible, the different requirements it places upon staff are compatible.

Change: how organisational change is managed and communicated

How could your line manager better support you during change at work?

How could the organisation better support you during change at work?

Guidance:

Desired states =

- ↳ The organisation provides employees with timely information to enable them to understand the reasons for proposed changes;
- ↳ Employees are aware of the probable impact of any changes to their jobs;
- ↳ Employees are aware of timetables for changes;
- ↳ Employees have access to relevant support during changes and
- ↳ If necessary, employees are given training to support any changes in their jobs.

Stress Risk Assessment - Part B

(manager to complete)

Action Plan for Individual/Team/Ward/Dept:

Manager: Date completed:

Review date: (Please add review dates to your Outlook tasks, calendar or equivalent tracking system)

Type of Stressor	Existing workplace measures already in place	Further action to be taken *	Who will ensure the action is done?	Target Date
Demands				
Control				
Support				
Relationships				
Role				
Change				

* SMART objectives – Specific, Measurable, Attainable, Relevant and Timely



South of Scotland Enterprise
Carmont House
The Crichton
Bankhead Road
Dumfries
DG1 4TG

{INSERT DATE}

Private & Confidential

Subject: Invitation to Capability Hearing

Dear

I am writing to tell you that [insert organisation name] is considering dismissing OR taking disciplinary action [insert proposed action] against you.

This action is being considered with regard to the following circumstances:

.....

You are invited to attend a disciplinary hearing on at am/pm which is to be held in where this will be discussed.

I enclose the following evidence:

.....

You are entitled, if you wish, to be accompanied by another work colleague or your trade union representative. If you would like to be accompanied, please let me know the name of your chosen companion [number of hours of days] before the hearing.

Yours sincerely

Name Line Manager
Position



Appendix 10 – wellbeing plan

Objective	Action	Success Measure/Target/evidence	Any additional support	Review

Signed: _____ (Manager)

Signed: _____ (Employee)

Appendix 11 :

Sickness Absence policy - roles and responsibilities

Senior Leadership Team

The SLT is responsible for the management of attendance within their directorate, and for determining the level of formal action which is delegated to managers within the team. There may, however, be occasions where it is appropriate for a Attendance Management Hearing to be conducted by a manager from another team. The authority to dismiss will be delegated no further to a Grade G post.

Line Managers

As a line manager you should at all times be aware of any patterns that are developing, so that you can take the necessary action. You are able to access the level of absence for each of your employees on Agresso. You should check these regularly and take appropriate action. It is essential that you deal with persistent absence promptly and fairly. Employees who are absent, particularly those on long term sick leave, may feel isolated and insecure. It is therefore important that line managers keep in regular contact and provide support, advice, updating HR as required.

A line manager will:

- Record all periods of absence and carry out a return to work/welcome back meeting with the employee after each period of absence
- Monitor attendance
- Use attendance patterns and trigger points
- Follow up with employees where concerns are evident and take formal/informal action as appropriate.
- Keep in regular contact, providing support and advice where necessary
- Seek advice from HR when the employee is suffering from mental health issues or when an absence is or may be related to the Equality Act

Employees

- Notifying your manager or HR if your manager is unavailable providing a reason and an estimated return date
- Submitting any required medical certificates
- Keeping in regular contact with manager during extended periods of absence
- Follow the agreed procedures, seeking clarification from manager (or HR) if unclear about any aspect of the policy
- Co-operate with requests to attend Occupational Health assessments
- Take proactive steps to manage health and well-being to minimise future absences

Human Resource Team

The role of HR is to offer line managers advice on policy and procedures, provide advice in individual cases. HR can provide the following support and advice on how to:

- Conduct meetings with employees about sickness absence

- Manage short and long-term absences
- Refer an employee to Occupational Health and the appropriate stage for referral
- Advise on salary implications in individual cases
- Advise on absences that are or may relate to the Equality Act 2010

Occupational Health

Optima Health is SOSE's current Occupational Health provider. They offer a variety of services to assist employees and managers on a wide range of issues. It is not necessary that an employee is off sick to be referred to Occupational Health. Referrals may be made as a preventative measure. All management referrals are done by HR.

Occupational Health will be sought at the earliest opportunity in order to:

- Assess the likely duration of the absence
- Assess whether there are other factors that are affecting the absence
- Advise managers about any limitations or work related restrictions and their likely duration
- Advise managers about support and the need for a phased return to work
- Advise on specific support, or reasonable adjustments that may be required
- Assess the likely eligibility of an individual for ill health retirement

Separately there is also a confidential Employee Assistance Programme. This service is available 24 hours a day every day of the year. Employees can obtain advice and support on any work or personal issue.

The support provided includes telephone counselling and where appropriate face to face counselling from a team of wellbeing and counselling practitioners,

Optimise Health can be contacted by calling 0800 032 9849 or by visiting sgcp.optimise.health



South of Scotland Enterprise
Carmont House
The Crichton
Bankhead Road
Dumfries
DG14TG

{INSERT DATE}

Private & Confidential

Dear: <Title, Surname>,

Subject: Outcome from Stage 3 hearing

Thank you for attending the formal Stage 3 hearing on the <DD/MM/YYYY> in <Location>. The hearing was held in accordance with the SOSE Absence Management Policy. The purpose of this letter is to confirm the outcome.

I chaired the hearing, and also present were <insert names of SOSE representatives present>.

I note you were <represented> by <First Name, Surname>, <Union><Job Title> OR <I note that you were not represented or accompanied and were happy to proceed on that basis>.

The purpose of the hearing was to discuss the following:

- The nature, extent and evidence of the concerns regarding your attendance
- Possible contributing factors;
- What action has been taken by the manager and the individual with regard to the agreed supported improvement plan; and
- Whether there are any further considerations not previously explored which might result in the required improvement being achieved and an extension is appropriate.
- **[Delete / retain as appropriate]** Clear consideration of the management's duties under the Equality Act 2010 with regard to employees who may be considered to have a disability.

[Delete / retain as appropriate] I note that you submitted various written statements/evidence/witness statements that was shared with all parties and presented at the hearing. The management case was also considered by all present at the hearing.



In reaching my decision, the following information was considered:

[detail all the information that was considered]

Based on this, I concluded that

[insert appropriate outcome]

No further action

Extension to review period

Dismissal on the grounds of capability

On this basis, your dismissal is with notice. You are entitled 3 months notice of my decision to dismiss you. Your last date of employment will therefore be <**Insert date**>. In addition, you are entitled to payment for any outstanding annual leave.

You have the right of appeal against this decision. Should you wish to appeal, you should do so in writing, stating your reasons for appeal to the Head of People. Your appeal should be received within 14 calendar days of receipt of this letter.

If you have any queries regarding the above, please do not hesitate to contact me.

Yours sincerely

Name

Position