



## **SICKNESS ABSENCE PROCEDURE**

### **1. About this procedure**

1.1. St George's, University of London (SGUL) is committed to developing and maintaining constructive relations with its employees and believes that all employees should aim to achieve and maintain acceptable standards of attendance.

1.2. The aim of this procedure is to provide a fair and consistent approach in line with the principles of natural justice and to support and encourage all employees to achieve and maintain SGUL's required standards of attendance and performance. This procedure follows the principles of the ACAS Code of Practice on Disciplinary and Grievance Procedures as a minimum. Where SGUL's Statutes relate to employment policies and procedures the Statutes will take precedence over this procedure.

1.3. This procedure is designed to deal with capability issues arising from sickness absence. Long-term sickness absence will apply where an employee has been absent from work due to ill-health for a period in excess of four weeks (20 working days). Recurrent short-term sickness absence refers to repeated sickness absence of shorter periods. Capability refers to an employee's ability to perform their role to the required standard. Where the employee's poor performance is related to a lack of knowledge, skill or ability rather than health issues this will be dealt with through the capability procedure. Where it is due to conduct rather than capability it will be dealt with through the disciplinary procedure.

1.4. There may be circumstances where it is unclear whether an issue arises as a result of misconduct or poor performance. Following appropriate assessment, SGUL reserves the right to determine, at the discretion of the Director of Human Resources and Organisational Development (HR&OD) or their nominated designate, which procedure should be applied in any particular circumstances.

1.5. This procedure applies only to SGUL employed staff who have completed their probationary period and been confirmed in post, with the exception of the Principal, who is subject to a different procedure.

1.6. This procedure does not form a part of any employee's contract of employment and it may be amended by SGUL at any time, following agreement with the recognised trade unions. SGUL may vary the procedure, including any time limits, as appropriate in any individual case.

1.7. Nothing in this procedure detracts from Academic Staff's freedom within the law to question and test received wisdom and to put forward new ideas and controversial or unpopular opinions, as stipulated in SGUL's Statutes.

1.8. For clinical academic staff, the relevant Trust's policy and procedure for Maintaining High Professional Standards in the Modern NHS will apply in the application of any formal procedure.

1.9. SGUL will endeavour to deal with capability matters arising from health issues without unnecessary delay and expects the employee to co-operate to achieve that aim. However, it recognises that such issues take time to resolve and that employees should be given adequate time to demonstrate improvement.

1.10. Nothing in these procedures shall prevent an application to the appropriate pension scheme being made or accepted at any stage for the employee to retire on ill health grounds. The initiation of the procedure and any dismissal that may arise from it does not imply that the appropriate pension scheme will accept an application for the employee to retire on ill health grounds. SGUL may make all appropriate efforts to support members of staff in applications for ill health retirement. Further information on ill health retirement is available from the Payroll and Pensions team.

## **2. Confidentiality**

2.1. SGUL's aim is to deal with sickness absence with due respect for the confidentiality of those individuals involved. All employees must treat as confidential any information communicated to them in connection with a sickness matter.

2.2. Audio/Visual recordings are not permitted at any meetings or hearings under this procedure and will not be admissible within this process, unless permitted by SGUL in special circumstances, for example to accommodate a disabled employee by way of a reasonable adjustment under the Equality Act 2010.

2.3. Sickness information will be held confidentially and access restricted to authorised personnel within SGUL. Under the General Data Protection Regulation (GDPR), sickness information is considered sensitive data and SGUL is committed to ensuring that such data is treated confidentially and not shared more widely than is necessary, or retained more than necessary, in accordance with the GDPR.

## **3. Support for sickness absence**

3.1. SGUL is committed to promoting the health, safety and wellbeing of its employees. If an employee is unwell and does not feel fit to work they should not attempt to do so. Sickness absence may arise as a result of many conditions, including both physical and mental illness.

3.2. SGUL recognises and respects that some employees may wish to keep sickness issues private. However, employees are encouraged to speak to their

manager so that the necessary support can be provided. There are a number of support mechanisms available to assist employees including:

- providing appropriate support to facilitate staff retention and return to work after illness, for example through a phased return, counselling<sup>1</sup>, flexible working, reasonable adjustments and in some cases redeployment;
- referral to occupational health (OH) to provide advice on fitness to work, reasonable adjustments, rehabilitation and capability issues. An OH referral may only be undertaken by the employee's manager or HR. If an employee's GP recommends referral to OH, HR should be informed so that they can make arrangements. HR should be informed of any referrals in order to monitor the service and its usage as well as provide additional advice if required.
- tackling issues which may result in absence due to work related stress or dignity at work issues. All absence attributed to work-related stress will be referred to OH as a matter of course after 5 working days continuous sickness absence. The Work Related Stress Management Procedure provides further guidance on dealing with stress at work;
- working with unions and health and safety representatives to identify actions and preventative measures to promote the health, safety and wellbeing of staff;
- providing coaching and training for managers dealing with sickness absence issues; and
- monitoring absence and its reasons as well as the cost of sickness absence.

3.3. Disability is a protected characteristic under the Equality Act 2010 and is defined as a physical or mental impairment that has a substantial long-term, adverse effect on the ability to carry out normal day-to-day activities. SGUL has a duty to make reasonable adjustments for disabled employees. Reasonable adjustments may include the following, where possible:

- provision of aids and services, eg specialist computer equipment or software;
- changes to the physical environment, eg the office layout;
- a permanent or temporary variation to the employee's duties;
- a permanent or temporary variation in the employee's hours;
- a permanent or temporary transfer of the employee to alternative employment;

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<sup>1</sup> SGUL offers a counselling service to staff and students. Further details are available on the website.

However, nothing in this procedure shall oblige SGUL to maintain, in making such changes or taking such action, an employee's existing terms and conditions of employment, in particular (but without limitation) in respect of pay or other remuneration.

3.4. Managers should refer to HR and OH, where relevant, for advice and guidance on sickness and disability, including making reasonable adjustments where required.

## **4. Sickness absence reporting procedure**

4.1. Employees are responsible for notifying SGUL of their sickness absence and providing the appropriate certification statements, as set out below. If an employee does not adhere to these notification and certification requirements, they may not be eligible for occupational sick pay, where it applies to qualifying members of staff. In order to qualify for statutory sick pay, employees must meet the statutory conditions including the requirements for certification statements. Appendix A provides details of occupational sick pay entitlements.

4.2. Managers should enter an employee's sickness absence on to the HR IT system as soon as they are informed. However, it is the employee's responsibility to ensure that this information is correct, on their return to work.

4.3. If an employee is absent due to sickness on a normal working day, they must notify their manager, or other designated member of staff, as soon as possible and no later than 10.00am for employees working normal office hours (9.00am – 5.00pm Monday to Friday). The employee should inform their manager of their reason for absence and the expected duration, where known.

4.4. For employees working shifts or who have a different work pattern from normal office hours, they should notify their manager in good time before their usual start time so that cover can be arranged.

4.5. If an employee leaves work due to sickness absence before they have completed 30% of their normal working day (2 hours work for a standard 7 hour day) the absence will be recorded as a full day's absence.

4.6. Where an employee is unable to make contact themselves, they may ask someone to make contact on their behalf but must contact their manager later the same day or as soon as practicable thereafter. However, SGUL recognise that there may be exceptional circumstances which prevent an employee from meeting the reporting and certification requirements, for example, in the case of a severe injury/hospitalisation.

4.7. For short absences (7 calendar days or less), employees should contact their manager every day they are absent, or as agreed with their manager. For longer periods of absence, employees and managers should maintain regular contact, normally weekly but may be longer if agreed between the employee and manager.

4.8. For the first 7 calendar days of continuous sickness absence (ie including non-working days), employees do not need to obtain a note from their GP for the absence. For absences that exceed 7 continuous calendar days (including non-working days) employees must provide a Med 3 form which is a “Statement of fitness for work” (Statement). This is known as a “fit note”.

4.9. Employees should send their fit note to their manager or other designated person who will arrange for this to be logged electronically and passed to HR for payroll processing and filing in the employee’s staff file. If the fit note is not received by the twelfth consecutive day of sickness this may result in occupational sick pay being withheld. However, each case will be considered on its merits before occupational sick pay is withheld.

4.10. On return to work from sickness absence, employees should have a return to work discussion with their manager, normally on their first day back at work. This discussion may include consideration of any recommendations or advice provided by the GP on the fit note or by OH, if appropriate. In some instances it will be necessary for the manager to undertake discussions prior to the employee returning to work, for example to consider reasonable adjustments on return. If notes are made of the return to work discussion a copy should be provided to the employee.

4.11. If an employee is sick during holiday absence, the above requirements for notification and certification statements continue to apply. However, holiday may be reinstated subject to providing a fit note to cover the period of sickness. Retrospectively dated fit notes will not be accepted.

## **5. Resolving sickness absence issues informally**

5.1. If attendance or performance falls short of the expected standard due to sickness absence, this should be discussed informally between an employee and a line manager as part of routine discussions. Where a need for improvement is identified, the manager will confirm to the employee, ideally in writing, what needs to be done, by when and how this is to be reviewed as well as any additional support to be provided. Brief confidential notes of this meeting, including details of any required actions or improvements, should be kept by the manager and shared with the employee.

5.2. Managers should ascertain whether any alleged failure to meet required standards or breach of policy or procedure is due to misconduct, capability or some other reason when determining the appropriate approach to take. Advice should be sought from the HR Department as to alternative options that could be considered.

5.3. It may be necessary for the line manager to give the employee an informal warning to advise them that if their attendance does not improve, the formal capability process may be initiated. This warning will not form part of the employee’s disciplinary record but a note of it will be kept on the employee’s file and shared with the employee.

5.4. As part of the informal process managers may refer the employee to OH for advice and guidance. Other medical and/or specialist reports may also need to be obtained. The costs of providing these reports will be met by SGUL. In some cases the employee's GP may also recommend that OH advice is sought.

5.5. Under the Access to Medical Reports Act employees have the right to see a medical report provided by their GP or medical consultant, including OH, before it is sent to SGUL. If an employee withholds their consent to SGUL seeking a medical report or refuse to attend an appointment with OH, SGUL will have to make decisions about their absence and health on the information available.

5.6. Employees will be referred to OH following an absence of four weeks or more, or if it has been identified that they have a disability or a condition that may prevent them from carrying out their duties to an acceptable standard. The advice received from OH will be made available to the employee and will inform the discussions between the manager and employee, including the making of reasonable adjustments in order to facilitate the employee to carry out their duties to an acceptable standard.

5.7. Formal steps will be taken under this procedure if the matter is not resolved.

## **6. Capability hearing – recurrent short-term absence**

6.1. Where informal action does not lead to sufficient and sustained improvement in attendance following informal guidance, support and advice, or where the alleged capability issue is too serious to be dealt with by informal action, a decision to initiate the formal capability procedure will be made in consultation with the Director of HR&OD or their nominated designate.

6.2. The formal capability procedure has two stages: Capability Hearing and Appeal Hearing. Capability sanctions should not be applied until the formal capability procedure has been followed, although any sanction would become effective prior to the Appeal stage but could be overturned on appeal.

6.3. A capability hearing will be convened and chaired by the manager of the employee who is the subject of the capability procedure and/or another designated manager at a similar level, in consultation with HR. In cases of a first capability hearing this will usually include the employee's line manager. The hearing should be held without unreasonable delay while allowing the employee reasonable time to prepare their case. Normally 5 working days' notice of a capability hearing will be given.

6.4. The employee will receive in writing prior to the hearing the following information:

- The date, time and location of the hearing.
- Details of the capability issue.

- The name of the manager chairing the hearing and other panel members, if appropriate.
- Confirmation of the right to be accompanied at the hearing.
- Confirmation that an HR representative will attend the hearing.
- All evidence considered.

6.5. The manager(s) conducting the hearing will undertake any necessary investigation to ensure that they have all the relevant information and evidence about the alleged shortcomings in the attendance of the employee. This may include referral to OH. Any documentation that either party intends to use in the hearing should be submitted to HR within a reasonable time of the hearing so that copies can be shared.

6.6. Normally witnesses will not appear at a capability hearing. If the employee wishes to call witnesses, they must request permission to do so from the manager conducting the hearing in writing, as far in advance of the date of the hearing as possible. Permission will only be granted in the most exceptional cases. Alternatively witness statements may be provided as part of the evidence (redacted if necessary).

6.7. If the employee is unable to attend for valid reasons, consideration will be given to a postponement. In the event that the employee is unable to attend on the rescheduled date, the hearing may be convened in the employee's absence when all the facts will be considered and a decision will be made.

6.8. In the unlikely event that it is considered appropriate for an employee to be suspended during capability procedures, for example where the level of competence may impact on students or staff, the fact and conditions of the suspension will be confirmed in a letter to the employee at the earliest opportunity. Suspension is not a disciplinary sanction and every effort will be made to keep the period of suspension to a minimum. Normally an employee will be suspended by the Head of Department/Director with agreement from the Director of HR&OD or their nominated designate. The employee will be updated periodically about the anticipated length of suspension. Any suspension will be on full pay and the same provisions will apply as those in the disciplinary procedure.

6.9. Where an employee is an accredited representative of a trade union recognised by SGUL and is subject to the sickness absence procedure, SGUL will normally proceed as outlined under this procedure. However, SGUL will not instigate formal capability proceedings without prior discussion of the matter (with the agreement of the employee), with a full-time official of that trade union.

6.10. At the hearing, the Chair will explain how the employee's sickness absence record is unsatisfactory and go through the evidence that has been gathered. The employee will be allowed to set out their case and answer any allegations that have been made. They will also be given the opportunity to ask questions and present evidence. In addition the employee may provide information about any equality or

diversity matters which may be relevant to their role. For example, any reasonable adjustments that may need to be considered to support with a disability.

6.11. If the capability hearing is adjourned by the Chair (eg for the purpose of gathering further information such as additional OH advice) the employee will be informed of the adjournment period. If further information is gathered, the employee will be allowed a reasonable period of time, together with their companion, to consider the new information prior to the reconvening of the capability proceedings.

6.12. The Chair will decide on the outcome of the capability hearing seeking guidance, where appropriate, from the relevant HR representative.

6.13. After the hearing, the Chair will notify the employee of their decision in writing as soon as is reasonably possible, normally within 5 working days of the hearing. If a capability sanction is to be applied the employee will be advised of the right to appeal.

6.14. Absence is monitored over a 12 month rolling period. Current absence will be calculated from the date of review for the previous 12 month period. If a period or pattern of absence continues beyond 12 months, such previous absence may be considered as part of the ongoing absence review.

6.15. Where an employee has a disability that may mean that there are regular short term absences, such absence should be managed under the long term part of the procedure.

6.16. The flow chart in Appendix B demonstrates how the recurrent short-term sickness absence operates.

## **7. The right to be accompanied**

7.1. An employee has the right to be accompanied by a companion who is a work colleague, trade union representative or an official employed by a trade union, at hearings.

7.2. The employee must make arrangements for their companion to attend the hearing and advise the Chair who their chosen companion is, in good time before the hearing. If the companion is not available at the time proposed for the hearing the Chair will postpone the hearing to a time proposed by the employee provided that the alternative time is both reasonable and not more than five working days after the date originally proposed. Other than in exceptional circumstances, only one postponement will be permitted.

7.3. The companion may address the hearing to put and sum up the employee's case, respond on behalf of the employee to any views expressed at the hearing and confer with them during the hearing. The 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 Chair from explaining their case.



7.4. Acting as a companion is voluntary and colleagues are under no obligation to do so.

## 8. Capability Sanctions

8.1. After the capability hearing the Chair will review all the evidence and decide what sanction, if any, is required. Following satisfactory completion of the probationary period, an employee will not normally be dismissed for sickness related reasons without two previous formal warnings. However, in exceptional circumstances, such as those outlined in the approach to long-term absence, dismissal with only one or no previous warnings may be appropriate.

8.2. The levels of capability sanctions that may be applied are as follows:

Capability Sanction	Details
<p><b>A first written warning</b></p>	<p>Normally issued:</p> <ul style="list-style-type: none"> <li>• where attendance does not meet SGUL’s standards or there is no improvement in attendance about which the employee has previously been warned informally.</li> </ul> <p>Where it is found that such unsatisfactory attendance has occurred, a written warning will be issued to the employee and a copy placed on the employee’s staff record within HR.</p> <p>The warning will:</p> <ol style="list-style-type: none"> <li>1. set out the improvement required;</li> <li>2. the period of time allowed to demonstrate improvement (review period);</li> <li>3. where appropriate, the additional support to be offered to the employee to assist attainment of the required improvement;</li> <li>4. inform the employee that further unsatisfactory attendance is liable to result in further action under this procedure;</li> <li>5. specify the period for which the warning will remain "live", after such period the warning will usually lapse; and</li> <li>6. state that the employee may appeal against the warning.</li> </ol> <p>A written warning will lapse 6 months after issue, subject to satisfactory standards being maintained. In exceptional circumstances this timescale may be amended with agreement from the Director of HR&amp;OD or their nominated designate.</p>

<p><b>Final Written Warning</b></p>	<p>Normally issued if:</p> <ul style="list-style-type: none"> <li>• a first written warning has already been issued and attendance has not improved sufficiently to reach required standards <b>or</b></li> <li>• where the unsatisfactory attendance is of a more serious nature such that a first written warning is not appropriate.</li> </ul> <p>Such a warning will:</p> <ol style="list-style-type: none"> <li>1. set out the improvement required;</li> <li>2. the period of time allowed to demonstrate improvement (review period);</li> <li>3. where appropriate, the additional support to be offered to the employee to assist attainment of the required improvement;</li> <li>4. inform the employee that further unsatisfactory attendance is likely to result in his/her dismissal;</li> <li>5. specify the period for which the warning will remain "live", after such period the warning will usually lapse; and</li> <li>6. state that the employee may appeal against the warning.</li> </ol> <p>Where it is found that such unsatisfactory attendance has occurred, a final written warning will be issued to the employee and a copy placed on the employee's personal record within HR.</p> <p>A final written warning will lapse 12 months after issue, subject to satisfactory standards being maintained. In exceptional circumstances this timescale may be amended with agreement from the Director of HR&amp;OD or their nominated designate.</p>
<p><b>Dismissal</b></p>	<p>Normally occurs if:</p> <ul style="list-style-type: none"> <li>• there is insufficient improvement in attendance within the specified period which has been the subject of a final written warning.</li> </ul> <p>The employee's salary will cease to be paid from the employment termination date and the employee will be advised of their right of appeal. In cases of summary dismissal, employees would be dismissed without notice or pay in lieu of notice.</p> <p>If an appeal is successful, the individual will be reinstated on to the payroll and will be paid any back-payments of salary they</p>

## **9. Review period**

9.1. If a warning has been issued, the employee and their manager will meet at an early stage (normally within 5 working days of the warning being received) to put in place a detailed programme of action to support the delivery of the required improvement in attendance within the review period. The review period will be specified in the outcome letter.

9.2. At the end of the review period, a meeting will be convened between the employee and their manager to review progress to date. If there has been no improvement or insufficient improvement in the employee's attendance during the review period, the employee will be invited to a further capability hearing.

9.3. Where the employee's attendance meets the expected standards of sustained improvement, the capability proceedings will be concluded and this will be confirmed in writing to the employee by the manager, normally within 5 working days of the review meeting. Should the attendance/performance of the employee be considered unsatisfactory in the future, the procedure will start at the appropriate stage.

## **10. Capability hearing – long-term absence or medical incapacity**

10.1. The formal procedure for long-term absence will apply where an employee has been absent from work due to ill-health for a period in excess of four weeks, ie 20 working days and where SGUL has reasonable concern that the employee may not return to work within a reasonable timescale. Medical incapacity may apply where, due to any medical condition, illness or other incapacity, an employee is, or has become, unable to perform his/her duties, either in whole or in part, to an acceptable standard.

10.2. Where informal action does not lead to sufficient and sustained improvement following reasonable adjustments, guidance, support and advice, or if the OH advice is that the employee is incapable of undertaking their duties or returning to work in the foreseeable future a decision to initiate dismissal proceedings will be made, in consultation with the Director of HR&OD or their nominated designate.

10.3. A capability hearing will be convened and chaired by the manager of the employee who is the subject of the capability procedure and another designated manager at a similar level (the Panel), in consultation with HR. The hearing should be held without unreasonable delay while allowing the employee reasonable time to prepare their case. Normally 5 working days' notice of a capability hearing will be given.

10.4. The employee will receive in writing prior to the hearing the following information:

- The date, time and location of the hearing.
- Details of the capability issue.
- The name of the panel members.
- Confirmation of the right to be accompanied at the hearing.
- Confirmation that an HR representative will attend the hearing.
- All evidence considered.

10.5. The Panel conducting the hearing will undertake any necessary investigation to ensure that they have all the relevant information and evidence about the alleged shortcomings in the capability of the employee, including any relevant medical advice. Any documentation that either party intends to use in the hearing should be submitted to HR within a reasonable time of the hearing so that copies can be shared.

10.6. Normally witnesses will not appear at a capability hearing. If the employee wishes to call witnesses, they must request permission to do so from the manager conducting the hearing in writing, as far in advance of the date of the hearing as possible. Permission will only be granted in the most exceptional cases. Alternatively witness statements may be provided as part of the evidence (redacted if necessary).

10.7. If the employee is unable to attend for valid reasons, consideration will be given to a postponement. In the event that the employee is unable to attend on the rescheduled date, the hearing may be convened in the employee's absence when all the facts will be considered and a decision will be made.

10.8. In the unlikely event that it is considered appropriate for an employee to be suspended during capability procedures, for example where the level of competence may impact on students or staff, the fact and conditions of the suspension will be confirmed in a letter to the employee at the earliest opportunity. Suspension is not a disciplinary sanction and every effort will be made to keep the period of suspension to a minimum. Normally an employee will be suspended by the Head of Department/Director with agreement from the Director of HR&OD or their nominated designate. The employee will be updated periodically about the anticipated length of suspension. Any suspension will be on full pay and the same provisions will apply as those in the disciplinary procedure.

10.9. Where an employee is an accredited representative of a trade union recognised by SGUL and is subject to the sickness absence procedure, SGUL will normally proceed as outlined under this procedure. However, SGUL will not instigate formal capability proceedings without prior discussion of the matter (with the agreement of the employee), with a full-time official of that trade union.

10.10. At the hearing, the Panel will explain the implications of the employee's ill-health and go through the evidence that has been gathered. The employee will be allowed to set out their case and answer any allegations that have been made. They will also be given the opportunity to ask questions and present evidence. In addition

the employee may provide information about any equality or diversity matters which may be relevant to their role. For example, any reasonable adjustments that may need to be considered to support with a disability.

10.11. If the capability hearing is adjourned by the Panel (eg for the purpose of gathering further information such as additional OH advice) the employee will be informed of the adjournment period. If further information is gathered, the employee will be allowed a reasonable period of time, together with their companion, to consider the new information prior to the reconvening of the capability proceedings.

10.12. The Panel will decide on the outcome of the capability hearing seeking guidance, where appropriate, from the relevant HR representative.

10.13. After the hearing, the Panel will notify the employee of their decision in writing as soon as is reasonably possible, normally within 5 working days of the hearing. If dismissal is decided upon the employee will be advised of the reasons for dismissal, the date on which their employment will end, the period of notice or pay in lieu of notice and their right to appeal.

## **11. Appeal**

11.1. An employee has a right of appeal against any formal capability sanction as set out below. Sanctions, including dismissal or warnings issued as a result of procedures, will remain in place pending the outcome of any appeal.

11.2. The employee must send his/her written notice of appeal to the Director of HR&OD, or their nominated designate, within 5 working days from the date of receipt of the capability outcome letter, clearly stating the grounds for the appeal which are limited to:

- i. New evidence which was not available at the first hearing. This requires an explanation as to why this evidence was not presented at the first hearing.
- ii. The issues had been misunderstood resulting in a perverse outcome.
- iii. The disproportionate nature of the capability sanction and reason why.
- iv. Procedural failure or irregularities.

11.3. A decision to dismiss will be implemented immediately. In the event that the appeal is successful, the employee will be reinstated and given full continuous service.

11.4. Every effort will be made to hear the capability appeal as soon as reasonably possible. The employee will be given the right to be accompanied at the appeal hearing and an HR representative will be present. The appeal will be heard by another manager(s) (nominated by HR) not involved in the original capability hearing, of equal or higher seniority. Appeals against dismissal by a member of the

Academic Staff should be heard by a panel which includes a member of Council not employed by SGUL.

11.5. The Appeal Chair will set the date for the appeal hearing, and will expect the employee to make all reasonable efforts to attend at the date stipulated.

11.6. The appeal will ordinarily be conducted by way of a review of the decision to issue a sanction, as opposed to a rehearing. That is, the appeal will involve a determination as to whether the decision was one which a reasonable person could have made, on the basis of the evidence and arguments which were presented to that decision maker, taking into account the employee's reason for appeal (within the appeal criteria above).

11.7. In exceptional circumstances the Appeal Chair will determine that the appeal will be conducted as a rehearing. Such a decision will be entirely at the discretion of the Appeal Chair.

11.8. The Appeal Chair will make their decision as soon as reasonably practicable after the appeal hearing, and will communicate that decision in writing to the employee, ideally within 10 working days. The Appeal Chair has the right to uphold or overturn the original sanction either in part or in full, and to apply lesser or greater sanctions if deemed appropriate. The written decision of the Appeal Chair will be final, and will conclude this procedure.

## Appendix A: Sick Pay Entitlement

In order to qualify for pay during sickness absence you must follow the procedures for notification of sick leave and provide appropriate certificates to cover continuing absence as detailed in this procedure.

SGUL will normally pay occupational sick pay during sickness absence in accordance with the following arrangements from the first day of absence.

Within any rolling 12 months sick pay allowances vary according to the length of your continuous service, based on the anniversary of your appointment, as follows:

<b>Length of Service</b>	<b>Sick Pay Entitlement</b>
First 4 months	1 month full pay
5 months to 12 months of service	1 month full pay & 2 months half pay
During the second year of service	2 months full pay & 2 months half pay
During the third and fourth year of service	4 months full pay & 4 months half pay
After completing four years of service	6 months full pay & 6 months half pay

Entitlements to salary during sickness absence will be calculated in accordance with continuity of service in SGUL employment. The salary during periods of sickness absence consists of Statutory Sick Pay (SSP) which is topped up to the equivalent of full pay or half pay as applicable. Full details of SSP entitlements and calculations may be requested from the Payroll and Pensions Office.

## Appendix B: Recurrent Short-term Sickness Absence Procedure Flow Chart

