



Dear Colleague

**POLICY ON MANAGEMENT OF SICKNESS ABSENCE
(PROMOTING ATTENDANCE)**

1. This circular amends the wording of the *Statement on Promoting Attendance in NHS Scotland* first issued on 22 March in order to remove “first formal” from Paragraph 3, bullet point 2, of the Statement. This is to distinguish the new back to work discussion being described from the first formal stage of Board’s existing policies. The updated version is attached as Annex A.

2. In addition, the Scottish Terms and Conditions Committee (STAC) has received a number of queries following the publication of PCS(AFC)2019/2. In response, STAC have agreed a Q&A document to accompany the original Statement. This is attached as Annex B.

3. The work to review and refresh the guidance around Policy on Management of Sickness Absence (Promoting Attendance) in NHS Scotland was taken forward as part of the three year Agenda for Change pay deal agreed in 2018. It was undertaken in partnership by a Working Group created under the aegis of STAC.

4. The Group undertook a comprehensive review of the existing sickness absence section of the Agenda for Change (AfC) Handbook, the PIN guidelines, and existing practice across Scotland. The group also considered work to date on the review of the Management of Sickness Absence Policy which is being undertaken on a national basis.

5. As well as the Statement at Annex A, the Group also agreed a form to be used across NHS Scotland by staff wishing to appeal against the outcome of a first formal stage discussion in relation to sickness absence. This is attached at Annex C.

18 July 2019

Addressees

For action

Chief Executives,
Directors of Finance,
Directors of Human Resources:
NHS Boards and Special Health
Boards, NHS National Services
Scotland (Common Services
Agency) and Healthcare
Improvement Scotland

For information

Members, Scottish Partnership
Forum
Members, Scottish Terms and
Conditions Committee
Members, Scottish Workforce and
Governance Committee

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6. The provisions set out in this circular should be adopted by the service from 1 April 2019. The wider recommendations of the Working Group will be absorbed within the work which the Scottish Workforce and Staff Governance Committee (SWAG) is currently doing to review all Partnership Information Network (PIN) policies on a “Once for Scotland” basis.

7. In order to make it easier for Boards to adopt these provisions, a Word version of Annex C has been made available along with this circular on the “Circulars and Guidance” section of the STAC website:

www.stac.scot.nhs.uk/circulars

Cabinet Secretary Approval

8. The provisions of this circular have been approved by Scottish Ministers under Regulations 2 and 3 of the National Health Service (Remuneration and Conditions of Service) (Scotland) Regulations 1991 (SI 1991 No 537). A copy of the formal approval is attached.

Action

9. NHS Boards and Special Health Boards should follow the procedures, advice and timescales set out in the guidance.

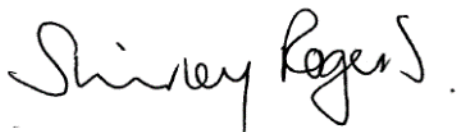
Enquiries

10. Employees should direct their personal enquiries to their employing NHS Board or Special Health Board.

11. Employers should make their own arrangements for obtaining additional copies of this circular, which can be viewed at:

www.publications.scot.nhs.uk as well as www.stac.scot.nhs.uk/circulars.

Yours sincerely



SHIRLEY ROGERS

NHS Scotland Chief People Officer &

Director of Workforce, Leadership, Reform and EU Withdrawal Preparation

The Scottish Government

Directorate for Health Workforce, Leadership and Service
Reform
NHS Pay and Conditions



Scottish Government
Riaghaltas na h-Alba
gov.scot

**NATIONAL HEALTH SERVICE
APPROVAL OF REMUNERATION AND CONDITIONS OF SERVICE**

In accordance with regulations 2 and 3 of the National Health Service (Remuneration and Conditions of Service) (Scotland) Regulations 1991 (S.I. 1991/537) the remuneration and conditions of service set out in the attached Scottish Government Health Workforce Directorate circular of 18 July 2019 - Corrigendum and Addendum to PCS(AFC)2019/2 – in respect of Policy on Management of Sickness Absence (Promoting Attendance), are hereby approved for the purposes of the said Regulations.

SHIRLEY ROGERS

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18 July 2019

STATEMENT ON PROMOTING ATTENDANCE IN NHS SCOTLAND

1. The STAC Promoting Attendance Working Group determined that there is no need to reform the current AfC Handbook, but have instead concluded that a robust and effective process relating to health, wellbeing and managing sickness absence is required.

2. The Group have developed guidance for staff and for managers, as well as an absence management checklist, a template for return to work discussions and a form for paper-based appeals at stage one. In addition, they have made recommendations covering areas such as training and local and national arrangements for measuring compliance. The new documentation and recommendations will inform the work to develop the Promoting Attendance Policy on a Once for Scotland basis.

3. In advance of this, NHS Scotland should take note of the following key recommendations for application from 1 April 2019:

- NHS Scotland should work towards reducing sickness absence by 0.5% per annum over 3 years, beginning on 1 April 2019 and with the aim of achieving an overall NHS Scotland average of less than 4%.
- Common NHS Scotland trigger points should be adopted to prompt and inform an initial discussion in relation to sickness absence. The Working Group have agreed that these should be either 4 separate episodes of absence, or short term absences totalling 8 or more working days within a rolling 12 month period.
- The right to appeal on the basis of process not being followed exists at all formal stages. However, an appeal at the first formal stage will be paper-based and should not involve attendance at a hearing. The service should adopt the form devised by the Working Group for this (available at Annex C of this circular).

POLICY ON MANAGEMENT OF SICKNESS ABSENCE (PROMOTING ATTENDANCE)

Q&A to support implementation of Pay Circular PCS(AFC)2019/2

The provisions set out in PCS(AFC)2019/2 are effective from 1 April 2019 and are to be applied and utilised to support employees' whilst off sick, assist their return to work, and improve attendance at work. It is important when applying the policy that all staff are treated fairly and consistently in accordance with our staff governance standards. Although the effective implementation date of the new provisions is 1 April 2019, it is appreciated that all NHS Scotland Employers already have established promoting attendance policies and procedures which include the ongoing review and monitoring of episodes of sickness.

The intent of the agreed provisions is to ensure that the same standards are applied and that staff are supported at work following a period of absence. Although it is recognised that there may be a need for transition arrangements for some Boards as their policies and procedures are different from the new provisions, we still have a responsibility to monitor sickness absence which includes taking into account attendance data prior to 1 April 2019 in order to get a complete picture and make informed decisions.

Following feedback from staff representatives and human resource teams it was agreed by STAC at its meeting on 14 June 2019 to provide further guidance to assist with the implementation of the agreed provisions. This is set out below in Q&A format.

Q1. Do the 4 triggers of separate absences in 12 months include short and long term absence?

A1. Yes.

Q2. Why does 1 absence of 8 days or more require an employee to have a discussion with their line manager?

A2. This discussion is to ensure that the employee is receiving the correct and appropriate level of support on return to work. If an employee has been absent for 8 days or more in one period they have probably had a significant illness which may impact on their ability to return fully to work. This discussion provides the opportunity to outline and talk through with the employee their absence to ensure that any necessary adjustments or support is identified and sourced if required.

Q3. Will an employee who has 8 or more days absence in any one period move to the first formal stage?

A3. No, this will generate the supportive discussion as described above in Q2.

Q4. Is the discussion following 8 or more days absence equal to the first formal stage of the existing policy?

A4. No, the aim of the discussion is to ensure managers and employees have a discussion regarding their absence and outline any support required.

Q5. Given that the start date of an employee's rolling year absences could have been recorded prior to the implementation date of PCS(AFC)2019/2, which is 1 April 2019, should they still be taken into account when applying the new provisions of 4 separate absences or short term absences totalling 8 or more working days?

A5. Yes, as the purpose of the triggers is to prompt the manager to review the employees' absence, facilitating further discussion to ensure the correct level of support is in place.

Q6. Should monitoring periods / action plans put in place prior to 1 April 2019 remain.

A6. Yes, these are still applicable as their purpose is to support employees' attendance at work.

Q7. Can an employee appeal following the outcome of the first formal stage of existing Board policies on managing/promoting attendance?

A7. At present, individual boards have different policies and procedures for deciding when to place an employee on a first formal stage. To ensure that all staff have the right to appeal a first formal stage, it has been agreed that the employee can submit a stage one paper based appeal. In these circumstances, the appeal form should accompany the outcome letter which informs the employee that they are now at first formal stage. The employee should also be given guidance on how to lodge an appeal and who to lodge it with. The appeal form is attached as Annex C of this circular and can also be found in Word format on the Circulars and Guidance page of the [STAC website](#).

SICKNESS ABSENCE - STAGE ONE PAPER-BASED APPEAL

This form is to be completed by an employee wishing to appeal against the outcome of a first formal stage discussion in relation to sickness absence.

Employee to complete

Full Name:	
Job title:	
Workplace and Department:	
Date of Sickness Absence Discussion (Please attach copy of correspondence received following your sickness absence discussion)	
Please detail why you are appealing (you can continue on a separate sheet)	
What is the outcome you seek?	
Signature of employee:	
Contact email or telephone number:	
Date:	

Once you have submitted this to your line manager, you will receive written confirmation of receipt within five working days.

Manager to complete

Received on:	
Acknowledged on:	
Signature of Manager:	
Date:	