

Supporting Attendance at Work Policy and Procedure

# Key Details

|  |  |
| --- | --- |
| **POLICY TITLE** | Supporting Attendance at Work Policy and Procedure |
| **DATE APPROVED** | 29th September 2022 |
| **APPROVING BODY** | Academic Board |
| **VERSION** | 1.0 |
| **PREVIOUS REVIEW DATES** | N/A |
| **NEXT REVIEW DATE** | 29 September 2023 |
| **OUTCOME OF EQUALITY IMPACT ASSESSMENT** | *\* No major change* |
| **RELATED POLICIES / PROCEDURES / GUIDANCE** | * Guidance for Managers * Guidance for Colleagues * Short Term Procedure Flow Chart * Long Term Procedure Flow Chart * Attendance Review Meeting (short-term) and Attendance Improvement Plan Template * Attendance Review Meeting (long-term) Template |
| **IMPLEMENTATION DATE** | 10th January 2023 |
| **POLICY OWNER (JOB TITLE)** | Chief People Officer |
| **UNIT / SERVICE** | People Services |
| **CONTACT EMAIL** | [*Lwilliams3@cardiffmet.ac.uk*](mailto:Lwilliams3@cardiffmet.ac.uk) |

# Version Control

|  |  |  |
| --- | --- | --- |
| **VERSION** | **DATE** | **REASON FOR CHANGE** |
| 1.0 | 10th January 2023 | First version |

**Mae'r ddogfen hon hefyd ar gael yn Gymraeg** / This document is also available in Welsh

# Policy Hub

## For further information on policies:

1. You can go to the Secretariat pages on InSite at <https://outlookuwicac.sharepoint.com/sites/Secretariat>;
2. You can go to the Policy Hub at [cardiffmet.ac.uk/about/policyhub](https://www.cardiffmet.ac.uk/about/policyhub); or
3. Contact [policies@cardiffmet.ac.uk](mailto:policies@cardiffmet.ac.uk).

Contents

[Key Details 1](#_Toc114125499)

[Version Control 1](#_Toc114125500)

[Policy Hub 2](#_Toc114125501)

[SECTION ONE 5](#_Toc114125502)

[Supporting Attendance at Work Policy 5](#_Toc114125503)

[1 Introduction 5](#_Toc114125504)

[2 Scope 5](#_Toc114125505)

[3 Principles 5](#_Toc114125506)

[4 Roles and Responsibilities 6](#_Toc114125507)

[5 Support 7](#_Toc114125508)

[6 Occupational Sick Pay Scheme and Eligibility 7](#_Toc114125509)

[7 Pregnancy-Related Absence 8](#_Toc114125510)

[8 Annual Leave and Sickness Absence 8](#_Toc114125511)

[9 Framework for Managing Attendance 8](#_Toc114125512)

[SECTION TWO 10](#_Toc114125513)

[Supporting Attendance at Work Procedure 10](#_Toc114125514)

[1 Reporting Sickness Absence 10](#_Toc114125515)

[2 Return-to-Work “Check ins” and Discussions 10](#_Toc114125516)

[SECTION THREE 12](#_Toc114125517)

[Formal Short Term Attendance Procedure 12](#_Toc114125518)

[1 Introduction 12](#_Toc114125519)

[2 Review Points 12](#_Toc114125520)

[3 Formal Attendance Review Meeting Principles 12](#_Toc114125521)

[4 First Formal Attendance Review Meeting 13](#_Toc114125522)

[5 Second Formal Attendance Review Meeting 14](#_Toc114125523)

[6 Third Formal Attendance Review - Attendance Hearing 14](#_Toc114125524)

[SECTION FOUR 16](#_Toc114125525)

[Long Term Absence Procedure 16](#_Toc114125526)

[1 Introduction 16](#_Toc114125527)

[2 Keeping in Touch During Long Term Sickness Absence 16](#_Toc114125528)

[3 Long Term Attendance Review Meetings 16](#_Toc114125529)

[4 Medical Redeployment 18](#_Toc114125530)

[5 Ill-Health Capability Hearing 18](#_Toc114125531)

[6 Right of Appeal 20](#_Toc114125532)

[7 Related Policies and Procedures 21](#_Toc114125533)

[8 Policy and Procedure Review 21](#_Toc114125534)

# SECTION ONE

# Supporting Attendance at Work Policy

# Introduction

## This policy and supporting toolkit are designed to support the wellbeing of Cardiff Met employees while also supporting the University to maintain the levels of attendance required to deliver its services and strategic objectives.

## Cardiff Met has a generous occupational sick pay scheme; therefore, it is important to have robust reporting mechanisms to enable the University to scrutinise the potentially significant cost. It is also important for the University to ensure that it is aware of any trends in data and that it has the information necessary to support employees who are absent through sickness.

## The University recognises that high levels of sickness absence place additional burden on colleagues, have financial implications and can adversely affect quality of service. Although the University accepts that some sickness absence is unavoidable, its aim is to support attendance at work wherever possible.

# Scope

## This policy applies to all employees and workers e.g., Associate Tutors, casual support staff.

## This policy applies to the management of sickness-related absence. Other types of absence, for example Jury Service and Domestic Emergency Leave are outlined in the Leave of Absence guidelines. Information in relation to family friendly leave such as maternity and paternity leave is outlined on [InSite](https://outlookuwicac.sharepoint.com/sites/PeopleServices/SitePages/Family-friendly/home.aspx) and there is also information about flexible working including career breaks.

## Attendance at work means that colleagues will “attend” work in the agreed way.

# Principles

## The University will consider the requirements of the Data Protection Act 2018 when requesting, recording, and monitoring information on individual sickness absence and will follow best practice guidelines as recommended by the ICO (Information Commissioners’ Office) in the way it stores and shares sickness absence information.

## The University will treat the management of attendance at work fairly and consistently.

## In all circumstances where there is a need to improve attendance at work or where sickness absence levels cannot be sustained, formal procedures will be used.

## The University will put in place reasonable interventions to support attendance at work.

## Reasonable adjustments to accommodate disabled employees and support their attendance at work will be considered and made where appropriate.

## Occupational health assessments will be undertaken where appropriate to support decision making in relation to supporting attendance at work.

# Roles and Responsibilities

## Managers [also see Guidance for Managers]

### To keep in reasonable contact with those who are absent from work through the duration of the period of sickness absence.

### To hold return-to-work “check ins” with their team members after every period of sickness absence and carry out more structured return-to-work discussions if appropriate.

### To record the sickness absences of their team members.

### To carry out Attendance Review Meetings with team members.

### To consider reasonable adjustments when required.

## Colleagues [also see Guidance for Colleagues]

### To notify your line manager as soon as you know you will not be fit for work.

### Take steps to support your wellbeing and to improve your attendance at work when required.

### To attend return-to-work “check ins” or discussions with your manager upon your return to work.

### To provide medical certification when required to do so.

### Be amenable to discussing health conditions with your line manager or HR advisor (where appropriate) to enable the University to provide appropriate support. Where the University does not have the required information, it will need to make decisions based on the information it has available.

### Advise your manager if you have a health condition which is having an impact on your work. This will enable early intervention and support/advice from Occupational Health.

# Support

## The University provides [Health Assured](https://outlookuwicac.sharepoint.com/sites/PeopleServices/SitePages/Wellbeing/Employee-Assistance-Programme.aspx) to colleagues which is an all-year- round, 24-hours-a-day employee assistance programme.

## Information on how the University supports colleague wellbeing is available on the People Services [wellbeing pages](https://outlookuwicac.sharepoint.com/sites/PeopleServices/SitePages/Wellbeing/home.aspx) on Insite.

## Where a change to working pattern or arrangements might support colleagues in managing their health conditions and achieve improved attendance levels they may choose to make a formal request to do so on a temporary or permanent basis by [applying for flexible working](https://outlookuwicac.sharepoint.com/:w:/s/PeopleServices/EV_n-LzfkOxIm2HuGhTo9YMBl91WQWF97-xjcXYWF6WIgw).

# Occupational Sick Pay Scheme and Eligibility

## To qualify for occupational sick pay, colleagues are expected to comply with the sickness absence notification requirements outlined in section two of the procedure.

## Colleagues who are entitled to occupational sick pay will receive the following:

|  |  |
| --- | --- |
| During 1st year of service | 1 month’s full pay and (after completing 4 months’ service) 2 months’ half pay |
| During 2nd year of service | 3 months’ full pay and 3 months’ half pay |
| During 3rd year of service | 4 months’ full pay and 4 months’ half pay |
| During 4th and successive years | 6 months’ full pay and 6 months’ half pay |

## The University reserves the right to withhold or suspend occupational sick pay under the following circumstances:

### Where the employee has unreasonably failed to comply with the organisation's sickness absence notification and evidence requirements.

### Where the employee makes or produces any misleading or untrue statement or document concerning their fitness to work.

# Pregnancy-Related Absence

## Any pregnancy-related sickness absence will be disregarded for the purposes of attendance management and will not be considered for any review prompts within the Supporting Attendance at Work procedure.

## If a colleague is off work because of a pregnancy-related illness within 4 weeks of their due date, their maternity leave will begin automatically.

# Annual Leave and Sickness Absence

## During periods of sickness absence, annual leave will continue to accrue.

## Where colleagues are absent through sickness and wish to go on holiday, they need to make a request to their line manager. This is to enable an assessment to be made by occupational health as to whether the holiday will impede their recovery or prevent a return to work.

# Framework for Managing Attendance

## This Supporting Attendance at Work Policy and Procedure has several elements with which the University seeks to support individuals who are absent through sickness while also supporting acceptable levels of attendance at work. These elements are as follows:

### **Return-to-Work Check-ins and Discussions** are a vital part of the attendance management process and are carried out by line managers following periods of sickness absence (proportionate to the circumstances, these may be light touch or more robust).

### **Return-to-Work Plans** following periods of long-term sickness absence. A return-to-work plan will be agreed with colleagues so that they know what to expect and to support their return to work.

### **Informal attendance review meetings** held by line managers where targets are set for improved attendance.

* + 1. **Formal attendance review meetings** (where attendance has not improved over the review period) which may result in first and/or final written warnings and where targets are set for improved attendance.

### **Home Visits** are where a manager and/or a People Services representative visits the colleague at their home during a period of long-term sickness absence in order to facilitate contact.

### **Medical Assessments** to help the University understand if colleagues are fit to undertake their role and what support can be provided to enable them to do so. This will enable informed decisions to be made throughout the process. Usually these will be carried out by the University’s occupational health provider.

### **Phased Returns** allow colleagues to transition from long-term sickness absence to full (or sometimes permanently amended) work hours and/or duties.

### **Reasonable adjustments** are adjustments to the working environment, job design or working arrangements which reduce or remove the disadvantage experienced by disabled colleagues in their work and which may support the colleague to achieve acceptable attendance levels or support them back to the work after a period of ill-health.

### **Redeployment** will be considered where, following a medical assessment, it has been confirmed that a colleague is unable to continue in their present job due to a medical condition or disability. To determine which roles may be suitable, medical advice from occupational health must be sought.

### **Attendance Hearings** where termination of employment is considered if attendance has failed to reach the required standard.

### **Ill-Health Capability Hearing** – are meetings conducted by a senior member of staff where termination on the grounds of ill-health will be considered.

# SECTION TWO

# Supporting Attendance at Work Procedure

# Reporting Sickness Absence

## On the first day of absence the individual needs to personally notify their line manager as soon as possible, by telephone wherever possible, and no later than an hour after their usual start time.

## The colleague will need to communicate the nature of the sickness absence and the duration of time that they expect to be off work. If, for personal reasons, they are uncomfortable having an initial discussion about the nature of their illness with their line manager they may contact a HR Advisor who will make contact on their behalf.

## For sickness absence longer than 7 calendar days, colleagues will need to obtain a Fit Note or fitness for work statement from their GP, or, if they are under the care of a hospital, they can request the issue of the fit note from the hospital rather than the GP. Fit Notes need to be submitted to the colleague’s line manager to be recorded securely.

# Return-to-Work “Check ins” and Discussions

## A discussion between a line manager and a colleague returning from a period of sickness absence (regardless of the duration) needs to be undertaken after each period of sickness absence. This is because early intervention and support for an individual facing ill-health can be very effective.

## As such, line managers should seek to speak to the colleague on their first day back, or as soon as possible thereafter, and after any episode of sickness absence. These will often be light touch, informal discussions to establish the nature of the illness, to ensure that the team member is feeling better, is well enough to be working, and to determine if any support is required.

## In some cases and where appropriate, the discussion will take place before the colleague returns to work to ensure that appropriate support will be in place for their return.

## The purpose of a return-to-work “check in” or discussion is to:

### To check how the individual is feeling and make sure that they are fit to work.

### To determine and confirm the reason for sickness absence.

### To determine if there are support needs, health and safety concerns or any welfare considerations.

### To explore whether there are any underlying issues that may be causing a barrier to attendance at work.

### To advise on work related issues / developments during absence if appropriate.

## A brief record of the discussion needs to be recorded on MyMet.

## Where absence levels are beginning to raise concerns – in circumstances wheresickness absence levels are approaching the formal review prompts outlined in section 3 of the formal procedure, or if a pattern of sickness absence has been identified, then return-to-work discussions will need to be more structured and robust. In these cases, the return-to-work discussion will cover the points above, but also the following areas:

### To discuss whether the individual’s health is affecting their ability to carry out their job.

### To review the sickness absence record and previous records of previous return-to-work check ins or discussions.

### To consider whether an occupational health referral is appropriate.

### To explore whether there are any adjustments that may be required to their role or working environment to support their attendance at work.

### To establish whether there are any underlying personal problems that may be contributing to the absences from work and discuss if there are any support mechanisms/measures that can be put in place.

### To explore whether there are any work-related problems which are connected to the absence and whether these can be addressed to support improved attendance at work.

### To advise the individual that they may hit a review prompt if they are absent from work again and that they will need to improve their attendance to avoid this.

### To remind the colleague of the need for good attendance to maintain service provision, to inform them of the impact on colleagues and to remind them of the financial impact that sickness absence has on the School or Directorate.

### To agree support, action and/or review periods where appropriate.

# SECTION THREE

# Formal Short Term Attendance Procedure

# Introduction

## Effective attendance management involves finding a balance between supporting employees and maintaining service delivery and staffing levels.

## Where there is a cause for concern, the colleague’s sickness absence will be managed using the formal short term absence procedure.

# Review Points

## The formal absence procedure will usually commence when:

### A pattern of absence is a cause for concern (for example, always on a Friday, always on a Monday, always after a period of annual leave), and/or;

### There have been three separate absences in a six-month period, and/or;

### There have been four separate absences in a 12-month period, and/or;

### There has been a total of 20 days non-consecutive absence or more in a 12-month period.

## When a review point has been reached, the line manager will hold a formal Attendance Review Meeting with the individual.

# Formal Attendance Review Meeting Principles

## At each formal Attendance Review Meeting the following principles will apply:

### Five working days’ written notice of the Formal Attendance Review Meeting will be provided.

### Individuals will be informed of their right to be accompanied at the meeting by a fellow worker or a Trade Union representative.

### Individuals will be provided with the details of their absences, any supporting information (for example medical reports) and information on the impact of their absences in sufficient detail for them to respond at the Formal Attendance Review Meeting.

### At the meeting, the line manager will encourage the individual to discuss any causes or underlying reasons behind their absences and offer any mitigating circumstances which may explain their absence levels.

### The success or otherwise of any reasonable adjustments or support strategies which have been implemented will be discussed and any further reasonable adjustments or support strategies will be identified.

### The outcome of the formal Attendance Review Meeting will be confirmed in writing, normally within 5 working days and the individual will be informed of their right to appeal against any decision made as a result of the meeting.

### Where it has been determined that there has been a pattern of absence (for example, after every weekend, always on a Friday) or where it is alleged that there has been unauthorised absence, the case may be investigated under Cardiff Met’s Disciplinary Policy and Procedure.

# First Formal Attendance Review Meeting

## Where a colleague’s absence has reached a review point a First Formal Attendance Review Meeting will be held in accordance with the principles outlined in section 5.

## The meeting will be adjourned, and the manager will consider matters discussed at the meeting and further information will be gathered if necessary.

## The manager, with advice from a HR Advisor, will decide what action is appropriate, considering previous support offered and any mitigating circumstances offered by the employee.

## Potential outcomes from a First Formal Attendance Review Meeting are as follows:

### **No formal action:** absence levels will continue to be monitored on an informal basis. Other interventions, support or actions may also be agreed to support attendance at work.

### **First written warning:** the individual will be formally notified that their absence level is unacceptable and must be improved. A first written warning will usually remain on the colleague’s file for a period of 6 months; however, this is at the discretion of the University and dependant on the circumstances.

## Where the colleague has been issued with a first written warning, this will be accompanied by an Attendance Improvement Plan which will outline the improvement in attendance required.

## Where absence levels improve to the targets outlined in the Attendance Improvement Plan, the individual’s absence will continue to be monitored on an informal basis.

## Where there has been a failure to achieve or maintain the improvement required as detailed in the Attendance Improvement Plan matters will progress to a Second Formal Attendance Review Meeting.

# Second Formal Attendance Review Meeting

## Where attendance has not reached the required standard as outlined in the Attendance Improvement Plan a Second Formal Attendance Review Meeting will be held in accordance with the principles outlined in section 5.

## The meeting will be adjourned, and the manager will consider matters discussed at the meeting and further information will be gathered if necessary.

## The manager, with advice from a HR Advisor, will decide what action is appropriate, considering previous support offered and any mitigating circumstances.

## Potential outcomes from a Second Formal Attendance Review Meeting:

### **An extension of the current Attendance Improvement Plan** due to mitigating circumstances provided.

### **Final written warning** and revision of the Attendance Improvement Plan. A final written warning will usually remain on the colleague’s personal file for a period of 12 months. In exceptional circumstances, a final written warning may remain active indefinitely.

## Where the colleague has been issued with a final written warning, this will be accompanied by an Attendance Improvement Plan which will outline the improvement in attendance required.

# Third Formal Attendance Review - Attendance Hearing

## Where attendance has not reached the required standard, the line manager (after discussion with a HR Advisor) will progress matters to an Attendance Hearing.

## Five working days’ written notice of the formal Attendance Review Meeting will be provided, and individuals will be informed of their right to be accompanied by a fellow worker or a trade union representative at the meeting.

## A Hearing Officer (who will be a Dean of School or Director of Service) will be supported by a representative from People Services.

## The line manager will prepare a report in advance of the Attendance Hearing detailing the absence record, actions taken to date to support the required level of attendance and copies of the minutes of the previous Attendance Review Meetings. This will be provided to the colleague and the Hearing Officer.

## The line manager is required to be available to attend the Attendance Hearing to present the report and to respond to any representations offered by the colleague and to answer questions on the report they have provided.

## Where the colleague wishes to present evidence at the Attendance Hearing, they will be asked to provide this to the Hearing Officer at least three working days prior to the Attendance Hearing, so that all parties can prepare.

## At the Attendance Hearing the colleague will have the opportunity to state their case and to provide any mitigating information.

## The Attendance Hearing will be adjourned to allow the Hearing Officer to consider the case and decide upon appropriate action.

## 

## Potential outcomes of an Attendance Hearing:

### The manager may be asked to return to stage two of the formal procedure, with a further period of review and to take on board any recommendations.

### The colleague may be dismissed with contractual notice and informed of their right of appeal.

## Information on the appeals process is outlined in Part Four, Section Six.

# SECTION FOUR

# Long Term Absence Procedure

# Introduction

## The University defines long term absence as an absence of 20 calendar days or more.

## The University understands that health conditions or injuries may mean that some colleagues will be unable to attend work for a long-term period and that recovery may be a slow process.

## The University aims to provide as much support as is reasonably practicable individuals who are absent from work for a long-term period. However, it must also pay due regard to operational needs, productivity, and the impact that sickness absence has on colleagues. This procedure aims to balance the needs of individual colleagues against the needs of the University.

# Keeping in Touch During Long Term Sickness Absence

## Research shows that individuals are more likely to return to work safely and productively following long-term absence if they are well supported during their absence. Therefore, reasonable contact needs to be maintained between the team member and line manager throughout the absence period to prevent feelings of isolation which may make it more difficult to return.

## At the start of the absence period, the regularity (unless in exceptional circumstances - monthly as a minimum) and type of contact needs to be agreed between the team member and the line manager.

## Reasonable arrangements need to be put in place to ensure that colleagues are included in the circulation of information about developments at a team, School/Directorate, and University level.

## Where mutually agreed and with the prior consent of the team member, contact with a colleague can be maintained using home visits.

# Long Term Attendance Review Meetings

## Attendance Review Meetings will need to take place during any period of long-term absence to enable the University to determine what support can be put in place for the individual and to understand the expected duration of the period of absence and its impact on operations.

## An initial meeting will usually be held after 20 calendar days of sickness absence and further meetings will then be held at an appropriate interval (depending on the circumstances) during the period of absence.

## The timing of these meetings will be appropriate to the circumstances considering the timing of medical appointments and medical advice, the expected recovery time and any other relevant factors.

## In all but exceptional circumstances the maximum time between review meetings will need to be no more than 3 months to ensure that the University is providing adequate support, is able to manage the ongoing impact of the absence and to ensure that the colleague does not feel isolated.

## At each Formal Attendance Review Meeting the following principles will apply:

### The colleague will receive five working days’ written notice of the Attendance Review Meeting.

### The colleague will be offered the opportunity to conduct the meeting at a neutral location, or their home to accommodate their illness.

### They will be informed of their right to be accompanied by a fellow worker or a trade union representative.

### A written record of what was discussed and agreed at the Attendance Review Meeting will be provided to the colleague following the meeting, usually within 5 working days of the meeting taking place. This record will include details of the expected duration of absence, what has been agreed to support a return to work, any support that the University is providing and details of actions the colleague is taking to support their recovery.

## The aim of these Attendance Review Meetings will be:

### To discuss the colleague’s state of health.

### To review and discuss medical advice (using fit notes, occupational health advice or other medical advice).

### To establish the date of a potential return to work and/or probable length of absence.

### To establish what help/support/treatment the colleague is receiving.

### To explore whether there are any underlying problems and discuss if there are any support measures that can be provided by the University or signposted.

### To explore whether there are any work-related problems connected to the absence and if these can be addressed.

### To explore any alternative considerations for example: redeployment on the basis of medical advice in cases where it is envisaged that the colleague will be unable to return to their substantive post, career breaks or ill-health retirement.

### To discuss the success or otherwise of any reasonable adjustments or support strategies which have been previously implemented.

### To further explore reasonable adjustments or support strategies (for example phased returns, altered working patterns or duties, and workplace adaptations).

## In some cases, it will be necessary to advise the colleague that the eventual outcome of their continued absence may be an Ill-Health Capability Hearing and that a possible outcome of this could be termination of employment on the grounds of ill-health capability.

# Medical Redeployment

## In circumstances where it is unlikely that the individual will be able to return to their substantive post with reasonable adjustments (as indicated by medical advice), consideration will be given to redeployment on medical grounds.

## Medical redeployment will be subject to an appropriate role being available at that time.

## Where colleagues have been redeployed into an alternative post, they will be paid at the appropriate grade for that post.

## Where medical redeployment is not an option as there are no suitable roles, section 5.0 will apply.

# Ill-Health Capability Hearing

## Long-term absence, or situations where an individual is unable to return to their role with reasonable adjustments, cannot be sustained by the University indefinitely and a decision will need to be made as to whether the colleague will be dismissed on the grounds of ill-health capability.

## An Ill-Health Capability Hearing will be held if:

### It is clear from medical advice that the colleague is unable to return to work to carry out their role with reasonable adjustments in the foreseeable future, and;

### All reasonable steps have been put in place to support the colleague to return to work, and all other options have been considered.

## Five working days’ written notice of the Ill-Health Capability Hearing will be provided, and colleagues will be informed of their right to be accompanied by a fellow worker or a trade union representative at the meeting.

## A Hearing Officer (who will be a Dean of School or Director of Service) will be appointed by a member of the Vice-Chancellors’ Executive Group. At the Hearing they will be supported by a representative from People Services.

## The line manager will prepare a report in advance of the Attendance Hearing detailing the absence record, actions taken to date to support the required level of attendance and copies of the minutes of the previous Attendance Review Meetings. This will be provided to the colleague and the Hearing Officer.

## The line manager is required to be available to attend the Ill-Health Capability Hearing to present the report and respond to any representations offered by the colleague and to be questioned on the report they have provided.

## The following will be discussed at the Ill-Health Capability Hearing:

### The length of the colleague's absence and the likelihood of a return to work or continued absence.

### Medical advice on the colleague’s health condition.

### What adjustments and support have been made available to assist the colleague to return to work.

### The effect of the employee's continued absence on their colleagues, department, and the wider university.

## Potential outcomes of an Ill-Health Capability Hearing:

### A decision for the colleague to remain on sick leave until they have recovered (typically this would only be reasonable where an approximate return date can be identified).

### If applicable, further steps to pursue ill-health retirement.

### A decision to dismiss the employee on the grounds of ill-health capability.

### The outcome of the Ill-Health Capability hearing will be provided to the colleague in writing within 5 working days. They will be provided with contractual notice and informed of their right to appeal against the decision.

# Right of Appeal

## If a colleague wishes to appeal against a formal sanction, they need to inform the Director of People Services (in the case of a formal warning) or the University Secretary and Clerk to the Board of Governors (in the case of a dismissal) in writing, within five working days of the formal warning or dismissal being issued.

## The appeal notification will specify the grounds of appeal, explain the reasons why they disagree with the action and provide the remedy sought.

## Grounds of appeal will fall within one or more of the reasons below:

### New evidence has come to light that the colleague would like to be considered.

### The sanction imposed was too severe.

### There was unfairness or bias among the original decision makers.

### The Supporting Attendance at Work Procedure was not followed correctly.

## Where an appeal has been received against a warning, the Director of People Services will appoint an Appeal Officer. The Appeal Officer will be an employee of appropriate seniority with no prior involvement in the matter. Where an appeal has been received against a dismissal, the University Secretary and Clerk to the Board of Governors will appoint an Appeal Officer who will be a member of the Vice Chancellor’s Executive Group.

## The colleague will be invited in writing to attend an Appeal Hearing and receive five working days written notice. They will be reminded of their right to be accompanied by a work employee or Trade Union Representative.

## If the colleague cannot attend or fails to attend the Appeal Hearing, it will be rescheduled to take place within five days of the original date. The colleague will be informed that a failure to attend the rescheduled meeting may result in decisions being made based on the evidence available at that time and in their absence.

## The purpose of the Appeal Hearing is for the employee to explain in person the grounds for their appeal and for the Appeal Officer to consider the information provided.

## The Appeal Officer is responsible for making a final decision as to whether the sanction was appropriate, and they are the final decision maker.

# Related Policies and Procedures

## Guidance for Managers

## Guidance for Colleagues

## Wellbeing Conversation Guidance

## Short Term Procedure Flow Chart

## Long Term Procedure Flow Chart

## Attendance Review Meeting (short-term) and Attendance Improvement Plan Template

## Attendance Review Meeting (long-term) Template

## Any abuse of this policy or failure to adhere to roles and responsibilities may be dealt with under Cardiff Met’s Disciplinary Policy and Procedure.

# Policy and Procedure Review

## People Services will proactively advise, support, and monitor the application of this policy and procedure.

## To ensure it is relevant and effective, this policy and associated procedure will be reviewed every three years or where there is a change in the University’s requirements, employment legislation or case law.