



Response Date:08/09/2025

2025/942 - Policy

In response to your recent request for information regarding;

Please can you provide the Officer capability and deployment policy, disability policy and any policies that include risk assessment/workplace suitability assessment for return to work following absence.

Please see attached attendance management policy, working with disability policy and Officer Capability Deployment Policy.

THIS INFORMATION HAS BEEN PROVIDED IN RESPONSE TO A REQUEST
UNDER THE FREEDOM OF INFORMATION ACT 2000, AND IS CORRECT AS AT 05/09/2025

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**HEDDLU
GOGLEDD CYMRU
NORTH WALES
POLICE**

ATTENDANCE MANAGEMENT

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POLICY

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1. WHY IS THIS POLICY REQUIRED?

This guidance has been produced to give clarity on the Management of Absence within North Wales Police.

For the purpose of this document Police Officers, Police Staff, Police Community Support Officers, Officers of the Special Constabulary, Short Term and Fixed Term Contract Workers and Temporary Members of Staff will be collectively referred to as 'member of staff', 'staff member' and 'staff'.

2. WHO SHOULD USE THIS POLICY?

- 2.1 This policy should be used by all Police Officers up to and including the rank of Chief Superintendent, Police Staff and OPCC Staff (except that during their probationary period, see Section 13).
- 2.2 This policy provides guidance and information on attendance management for Police Officers and Staff. It covers the responsibilities of members of staff, line managers, HR professionals, Occupational Health, and the strategic management groups.

All sickness absence will be treated as genuine unless there is clear evidence to the contrary. In such circumstances Professional Standards or the HR department should be consulted for support and advice.

The aim of this policy is to effectively manage the welfare needs of staff members who are absent from work due to ill health or injury, in balance with the organisational needs of the force.

An integral part of the policy demonstrates North Wales Police's responsibilities and duty of care for our colleagues and the need to provide appropriate levels of support to every member of staff.

3. WHAT SHOULD I CONSIDER WHEN USING THIS POLICY?

3.1 Confidentiality

All information about a member of staff's absence from work due to sickness or injury is confidential and must be treated with sensitivity.

Records of absence will be stored securely, and access will be restricted only to those with a responsibility for managing, assisting others in managing or recording sickness absence.

In compliance with the Human Rights Act (1998) and the UK General Data Protection Regulation (UK GDPR), LPA/Divisional Commanders and Heads of Department must ensure that the absence management information used by their department is the least intrusive option available to provide the information required for the purposes of managing and monitoring absence due to sickness or injury.

Any monitoring or management system used by North Wales Police must be secure and only accessible to those with a legitimate reason to do so.

Everyone involved in the management or monitoring of sickness absence has a responsibility to maintain the confidentiality of the information that they are processing.

Divisional Commanders/Heads of Departments must ensure that this policy is made available to everyone, and that those involved in managing or monitoring sickness absence are aware of their responsibilities and must comply with the policy.

3.2 Managing Attendance

In managing absence, we are maintaining a healthy work environment to ensure that absence levels are kept low, and productivity and cost efficiency kept high. Managing attendance is good management practice.

Managing attendance means:

- Providing the right level of support to meet the needs of the member of staff.
- Keeping accurate absence records to enable line managers to take the right kind of action at the right time.
- Helping and supporting members of staff to return to full duties in good health at the earliest opportunity.
- Everyone plays a part in keeping absence to an acceptable level; this includes all staff who must manage their own level of absenteeism.

3.3 Sickness Absence

There are three categories for the recording of sickness absence:

- **Part day** – where a member of staff becomes absent during a working day, they must record the actual hours worked for the period in the workplace via HR Self Service. The absence will not be counted for the purposes of attendance management unless they remain unfit for work beyond that day. Patterns of part day absences should be monitored by the line manager. To classify as a part day sickness, members of staff will need to have worked **at least** 50% of their shift for that day. An example has been provided below for a full-time (37 hour) Police Staff member on a flexi pattern. Please see appendix 1 for further guidance on part day sickness calculations.

Total hours scheduled to work		50% of their total hours scheduled to work	
HH:MM	Decimal	HH:MM	Decimal
07:24	7.40	03.42	3.70

- **Short term** – up to and including 27 calendar days. Absence in excess of 7 calendar days will require a Statement of Fitness to Work (Fit Note).
- **Long term** – any consecutive period of absence lasting 28 calendar days or more.

4. ROLES AND RESPONSIBILITIES

4.1 Member of staff

Members of staff have a responsibility to:

- Keep themselves fit and healthy and keep their absence to a minimum.
- Support appropriate management initiatives taken on their behalf.
- Report absence in accordance with this policy.
- Return to work from sickness absence as early as possible and in line with medical advice.
- Remain contactable during absence and keep in contact with managers.
- Notify their line manager of changes in circumstances.
- Provide Statement of Fitness for Work (Fit Note) as required.
- Notify their line manager of return-to-work details, when known.

4.2 Line Managers

Line managers are responsible for:

- The day-to-day management, support, and wellbeing of their staff.

- Managing sickness absence.
- Maintaining regular contact with staff during absence.
- Conduct thorough and timely return to work interviews, complete health and safety risk assessment where appropriate, give full consideration to any identifiable disabilities linked to any workplace adjustments and be cognisant of medical advice from health professionals.
- Monitoring attendance, including the accurate management of information.
- Providing support and assistance.
- Addressing unsatisfactory attendance in line with procedures for Police Staff and Police Officers.
- Promoting the health and safety of their staff, ensuring it is reflected in day-to-day working practices.
- Ensuring staff are aware of this policy, the standards required and procedures to be adopted, as well as Occupational Health services available to them.
- Ensuring staff are aware of Federation/Unison support that is available to them.

4.3 Human Resources (HR) Department

HR Advisor/HR Leads are responsible for:

- Providing advice and guidance to line managers to ensure the consistent application of attendance management principles in accordance with relevant legislation and policies as to ensure consistent support for the member of staff.

4.4 Occupational Health

Occupational Health staff are responsible for:

- Supporting the aims of this protocol by providing advice, guidance, and support to members of staff and management in order to fulfil their responsibilities.

4.5 People Support Services - Payroll

Payroll are responsible for:

- Ensure that the members of staff's sick pay is correct and accurately administered.
- Monitor members of staff on sickness absence and upon becoming protracted (over 28 days) and where requested by the member of staff send a copy of their payslip to their home address (access to payslips do not cease upon absence and remain available via mobile devices and phones).
- Monitor members of staff on sickness absence and provide notification of the expiration of Statutory Sick Pay (SSP) to their home address at least 40 days prior to its cessation.

4.6 People Support Services - HR Employment Services

HR Employment Services are responsible for:

- Maintenance of the sickness absence record ensuring correct details are recorded to include dates/reason for absence/correct certification/updating Statement of Fitness to Work (Fit Note) details.
- Monitor absences and liaise with line managers and HR Advisor when a member of staff hits the force trigger levels to ascertain if a support plan is required.
- Send first day sickness absence email to employee to advise the need to inform Employment Services of their return-to-work date to ensure absence is closed off correctly, if not advised it could impact pay.

5. REPORTING SICKNESS ABSENCE

Members of staff are to notify their line manager, or nominated representative, in advance of their scheduled commencement of work that they will be absent due to sickness, where practicable, but no later than one hour of normally starting work.

Notification must be made personally, whilst the use of a third party (partner or colleague) is only to be used in exceptional circumstances. Where the member of staff has not contacted the line manager directly, the line manager, or their resilience, must make contact within 24 hours, or at the earliest opportunity. On receiving the notification, the line manager is to update HR Self Service system accordingly and should establish the reason for the absence, how long the absence is likely to last and if there are any work commitments that require action. The line manager should also establish if any help or assistance is required by the staff member.

Members of staff are to provide the following information on contacting the line manager when reporting sickness:

- Reason for absence.
- Date of first day of absence.
- Estimated duration of absence.
- Whether the absence is linked to a current or previous injury on duty.

By exception, consider a second point of contact approved by the member of staff as they may not be able to talk on the phone/be hospitalised/on strong medication.

5.1 Reporting sick having commenced a tour of duty

Where a member of staff has commenced a tour of duty and reports sick before completion of that tour of duty this will not be counted as sickness for recording purposes, but may be monitored if there are concerns, for example emerging patterns of absence.

5.2 Work-related ill health or injury

If a member of staff or line manager believes that ill health or injury has been caused by work, the line manager should complete an **A879 “Report of an Injury”** Form via Health and Safety SharePoint at the earliest opportunity - [Health & Safety SharePoint - Health and Safety \(nwp.net\)](#).

5.3 Disability related sickness absence

If the absence is as a result of a recognised disability, the line manager should ensure that the sickness record is categorised as being disability related. For additional information please refer to the [Working with a Disability Policy](#).

Disability-related leave enables a staff member to adjust to changes caused by the development of a new disability, or to manage an existing disability. This type of leave covers time off for therapy, hospital appointments, rehabilitation, assessment, treatment, or training, but not sickness.

Any disability related sickness absence will be recorded by selecting the relevant sickness code when logging the absence on HR Self Service (see section 29). The absence may also be reclassified at a later date e.g. where the disability may be difficult to diagnose until later on.

5.4 Pregnancy Related Absence

During the statutory ‘protected period’ – (from the beginning of pregnancy until the end of statutory maternity leave), sickness absence may be recorded as pregnancy related if the absence relates specifically to the pregnancy, for example a cold would not be classified as pregnancy related.

Sickness absence associated with IVF will be classified as pregnancy related only when the woman is in the protected stages of IVF, i.e. from when the egg is taken, and an embryo implanted and ending two weeks after the end of the pregnancy (if implantation is unsuccessful) or at the end of maternity leave.

In order that the organisation is sympathetic and supportive of members of staff suffering from a miscarriage and to ensure a consistent approach a period of 28 days after the miscarriage will be deemed to be 'pregnancy related'. However, for any absence lasting beyond 28 days will be dealt with by appropriate management intervention.

For recording purposes, pregnancy-related sickness refers to the period which starts with the disclosure of the pregnancy to the Force up until the date of the baby's birth.

Protection under the Equality Act 2010 in respect of pregnancy/maternity continues to apply until the end of the maternity leave period.

5.5 Gender Re-assignment Absence

Any surgical medical procedure and recovery which incapacitates the staff member and prevents them from working should be recorded as sickness absence and a Statement of Fitness to Work (FIT note) provided if the absence extends past 7 calendar days. This absence should not be counted towards any sickness trigger level or management action.

6. CONTACT DURING SICKNESS ABSENCE

6.1 Line Management Contact during Sickness Absence

Where the member of staff's own line manager has not spoken with them on the first day of absence, the line manager (or person acting on their behalf) will contact the member of staff, normally by telephone, within 24 hours of them reporting sick. The line manager will seek to confirm the following information:

- The nature of the sickness.
- Consider an alternative to absence, for example working at an alternative location or restricted duties.
- The likely length of the absence and will they need a Statement of Fitness to Work (Fit Note).
- Whether the absence is the result of an injury received in the course of duty.
- Whether the member of staff has adequate support.
- Whether absence is disability related sickness absence.
- Whether further support is required including consideration of early referral to Occupational Health.
- Any outstanding work commitments which may require attention.

- Arrange for next contact and, where applicable, discuss the communications plan moving forwards if the absence is likely to persist.

Initial contact will only involve an unplanned home visit where the line manager has been unable to contact the staff member by phone and has concerns for their welfare.

6.2 On-going Contact

Where the expected duration of the sickness absence is unknown, the member of staff should engage with contact from the line manager and to provide updates on progress.

Following the required 24-hour contact, the line manager will make contact each week (or shift rotation) whilst a member of staff remains absent. The sickness absence contact form will be used to record every contact including those where contact has been attempted but has been unsuccessful. This form is currently in development and therefore line managers should utilise the Management Action Log form available on HR Self Service.

Contact should normally be by telephone/face call or personal visit. Seeing a staff member or hearing their voice better enables a rapport to be maintained. It is accepted that for some staff members, weekly telephone calls and personal visits could be counterproductive.

In such cases a regime of contact can be agreed, but that must involve at least one personal visit or telephone call every 14 days. The member of staff may request that a manager other than their own line manager maintains the contact where this is deemed more appropriate for the member of staff's wellbeing.

Only in exceptional cases should contact be exclusively by text message, emails, and other forms of impersonal contact. Line managers should record any regime of contact, with a rationale, that departs from the accepted norm of weekly contact by telephone, face call, or personal visit.

The main aim of the ongoing contact is to ensure the member of staff's wellbeing and the outcome of any medical appointments, update them on work events and discuss, when appropriate, the prognosis for a return to work and recuperative or adjusted duties. Under no circumstances should this contact be used as an opportunity to pressurise an unfit member of staff to return to work against medical advice.

Consideration should be given as to whether the staff member can travel to their

medical appointments and whether they have adequate funds to do so. If not, then signpost to Benevolent Fund as support.

Where a member of staff does not want contact that should be respected as far as possible, but people do not have a right to sever all links. In certain circumstances, such as hospitalisation, a call to the member of staff's partner, family member or close friend may be more appropriate to register concern and to offer the assurance of support at a convenient time. This contact, albeit through a third person, should be recorded on the member of staff's sickness record. It may also be appropriate to delegate contact to another manager/team member.

6.3 Personal Visits

Personal visits involve face to face contact with the member of staff at an agreed location. This may be at their home address, a work address or other appropriate location agreed with the member of staff.

A personal visit by the line manager requires the willing consent of the member of staff.

Unless there are exceptional circumstances, the member of staff should be contacted by telephone in advance to arrange a personal visit.

Where the member of staff's condition is contagious, the line manager should consider the appropriateness of contact via telephone/face call rather than a home visit until the period of contagion has passed.

If a member of staff is not residing at their home address during sickness absence, they should notify their line manager immediately of the new contact details. Where this is not possible due to the absence reason then the line manager will take responsibility for ensuring all relevant records are updated to reflect those changes, even if temporary.

7. STATEMENT OF FITNESS FOR WORK (FIT NOTE)

- A valid Statement of Fitness for Work (Fit Note) from a registered medical practitioner must be provided to the line manager in all cases of absence owing to sickness after 7 calendar days.
- Statements will continue to be required until the expiry of the sickness absence.

- All Statement of Fitness to Work (Fit Note) are to be scanned and sent via email to HR Employment Services with the original being returned to the member of staff. The original document does not need to be posted to HR Employment Services.
- It is the staff member's responsibility to ensure timely Statement of Fitness to Work (Fit Notes) are provided, please note failure to do this will be considered as an unauthorised absence.

8. ANNUAL LEAVE AND SHORT-TERM SICKNESS

Where a member of staff reports absent prior to annual leave, sickness will take precedence. Where a member of staff reports sick whilst on annual leave which is for a period of 7 days or less sickness will take precedence. Where a member of staff reports sick whilst on annual leave, which is for a period of more than 7 days, then the annual leave period will take precedence unless a Statement of Fitness for Work (Fit Note) from a registered medical practitioner is submitted to cover this period.

If a member of staff falls sick during annual leave, they must contact their Line Manager (by telephone wherever possible) as soon as they become aware, as in order to change from leave to sickness.

If a Statement of Fitness to Work (Fit Note) is not supplied the annual leave will be considered as being taken. If a member of staff is on a period of sick leave and wishes to take a holiday or absence away from their normal place of residence whether pre-booked or otherwise, they must first seek prior permission from their line manager. The line manager, with assistance from the HR and Occupational Health, must decide whether or not the proposed holiday/absence is likely to be detrimental to their recovery. A member of staff who is on protracted absence may request paid annual leave during their sickness absence, however, only full annual leave days can be requested. The normal rules for requesting annual leave apply and Payroll/HR Employment Services/Resource Management Unit must be notified of this via the line manager.

Whilst this period will be regarded as annual leave and will be deducted from the member of staff's holiday entitlement, if the absence continues after the annual leave, it will be regarded for occupational sick pay purposes as a continuous period and will therefore not trigger a new entitlement to occupational sick pay.

Members of staff will accrue annual leave (pro rata for part time) whilst on protracted absence on the following basis:

- A member of staff who have been unable to take annual leave due to long term sickness may carry over up to 20 days annual leave into the leave year immediately following the leave year in which they were due. There is no exception for extending the number of days in this instance unless the sick leave is due to an injury sustained whilst on duty.

- Members of staff are not permitted to retrospectively change a period of sickness absence into annual leave or TOIL.

8.1 Sickness absence on rest days and public holidays

There is no entitlement to compensation either as time off, payment or another day in lieu where a member of staff is absent on a rest day or public holiday.

9. SICKNESS ABSENCE AND BUSINESS INTERESTS AND ADDITIONAL OCCUPATIONS (AFTER 7 CALENDAR DAYS OF ABSENCE)

If a member of staff is unable to attend work as a result of a period of protracted sickness absence the assumption must be that they are equally unwell to undertake their business interest/additional occupation. In line with the Business Interest Policy, Line Managers should discuss with PSD if their member of staff is on long term sickness and has an ongoing business interest/additional occupation.

10. ALTERNATIVES TO ABSENCE DUE TO SICKNESS

Difficult personal or domestic circumstances deserve understanding and the support of line managers. However, sick leave should not be used to resolve acute welfare problems where special leave can be utilised or where other options can be discussed with the line manager, such as taking annual leave, flexi time, time in lieu, dependents leave or unpaid leave.

For additional information on Disability Leave, please refer to section 5.3.

10.1 Elective surgery

Members of staff who opt for elective surgery, that is any procedure that is not strictly necessary for medical or psychological reasons, should ensure that they have sufficient annual leave, rest days, time in lieu or flexi leave to cover the surgery and any anticipated recovery period. On occasions, an elective procedure may result in complications, such as a secondary infection, which requires more time off work than anticipated. The additional time off will normally be treated as sick leave.

11. ATTENDANCE AT COURT WHILST ON SICKNESS ABSENCE

Members of staff will be required to attend court as a police witness during sickness absence. Line managers will need to consider the health and safety of a staff members

attending court in these circumstances and make workplace adjustments where appropriate. If the member of staff is unable to attend court in response to their witness warning, they will be required to supply a letter from their doctor outlining the medical grounds for their non-attendance. Attendance at court will be regarded as being on duty and will therefore be paid at the full-time rate for the period of time at court.

Where the numbers of hours of attendance at court are more than the normal working day, part-time members of staff will be paid the additional hours at plain time where applicable. Members of staff will also receive any appropriate allowance (e.g. subsistence) for these days. The member of staff will need to submit these via HR Self Service for line managers approval.

12. OFFICER OF THE SPECIAL CONSTABULARY

If a member of the Special Constabulary is unable to perform their duties due to sickness, they should inform their supervisor directly as soon as possible prior to their shift start time. If a member of the Special Constabulary is unable to attend their regular employment due to sickness, they should not perform their Special Constabulary duties.

If a member of the Special Constabulary is injured or becomes ill as a result of duty and, as a result, loses remuneration in their private employment, they are entitled to an allowance by way of sick pay under the Special Constables Regulations 1965 (as amended). This applies as long as the member of staff continues to lose remuneration in their private employment and for a maximum period of 28 weeks at the rate of actual loss of remuneration.

Further details can also be found in NPIA circular 04/2010 on ex gratia payments for special constables for injury or illness.

13. PROBATIONERS

The probationary period provides an opportunity to monitor levels of sickness absence and a staff member's fitness to undertake the role to which appointed. Where an absence or periods of absences reaches a level that could be considered unacceptable, for student officers this should be managed as per Regulation 13 which is outlined in the Managing Police Officers During their Probationary Period Policy, and

for Police Staff, through the Dismissal During Probationary Period local agreement. Link with HR for advice.

14. TERMINAL ILLNESS

North Wales Police support and protect terminally ill members of staff. Line managers will support those who wish to continue working with a terminal illness. However, being mindful that there may come a time when a member of staff will be unable to continue, options will be discussed between the member of staff and their line manager, with the support of OHU and HR.

15. DISCOUNTING OF ABSENCES

Intervention under Police Performance Regulations (PPR) or the Capability Procedure is deemed to be appropriate unless any absence that has led to a trigger point being reached can be discounted by reason of the following (whilst the below may be discounted under PPR/Capability they are not discounted for the purposes of occupational sick pay entitlement calculations).

15.1 Linked absence

If a line manager considers that a staff member has two or more absences which are directly linked to the same condition, then this may be counted as one period of sickness absence. This will apply only where the absences occur within a reasonably short period of each other or if further medical treatment is required as a direct result of the initial sickness absence.

15.2 Disability related absence

North Wales Police will ensure that workplace adjustments are implemented to ensure that disabled members of staff can continue to provide an effective and valuable service to the organisation. If a member of staff can no longer fulfil their duties because of their disability or are unable to sustain an acceptable level of attendance and all workplace adjustments possible have been made the organisation is entitled to implement management intervention. Disability-related absences may be discounted as a reasonable adjustment, for example, it may be considered reasonable to allow a member of staff to have a slightly higher sickness record, depending upon the nature of the disability and the circumstances of the case. A line manager in liaison with HR can therefore make an assessment to discount periods of disability-related absence. Staff

members with a disability are encouraged to input their disability on HR Self Service via Personal Details.

15.3 Injury on duty

This must be due to an incident which is directly attributable to an injury or illness that was sustained or contracted in the execution of a member of staff's duty. A line manager can therefore make an assessment to discount periods of injury on duty related absence, however if the frequency or duration of the absence becomes unreasonable the absences can be counted and supportive action taken to improve the levels of attendance.

15.4 Pregnancy related absence

For an absence to be classed as 'pregnancy related' the illnesses must be related to pregnancy within the 'protected period' (from the beginning of pregnancy until the end of maternity leave, including ordinary as well as additional maternity leave) once outside of this period it will no longer be classified as pregnancy related. Where a member of staff returns from maternity leave, albeit reports sick, they will be treated as having returned to work and will no longer be considered to have protected status. Line managers need to ensure that they treat anyone with pregnancy related absences sensitively and where there are issues the matter should be discussed with the HR. Any sickness absence associated with IVF will not be classified as pregnancy related, other than when the member of staff is in the protected stages of IVF, i.e. from when the egg is taken, and an embryo implanted and for the duration of any subsequent pregnancy and maternity leave. If the treatment is unsuccessful the protection remains for a period of two weeks from confirmation of that fact.

16. REFERRAL TO OCCUPATIONAL HEALTH

Line managers in the first instance will consider referring the member of staff to Occupational Health where appropriate and **must** refer staff where the absence is:

- Psychological; immediately, note – if additional counselling/support is required then this can be sought immediately via Occupational Health.
- Musculoskeletal; (at 7 days of absence, however if post-operative may be delayed or may not be required depending on circumstances).
- Related to an injury on duty (immediately following report of absence).

- An on-going medical condition (immediately following report of absence).
- Frequent short-term absence (immediately following report of absence).
- Continuing or likely to continue more than 28 days.

In exceptional circumstances the second line manager or the HR Advisor may submit a referral to Occupational Health.

A referral to Occupational Health, is designed to ensure the staff member receives all the relevant support as soon as possible. The medical professional will determine an appropriate timing for the appointment to take place, dependant on the staff member's circumstances. Specific management questions can be posed to Occupational Health in the referral. Advice and guidance on this can be sought from HR to support the line manager in this.

Please note that if a referral to Counselling or Physio is also required then these would need to be made via a separate referral, see below for additional information.

An OHU Advisor manages the referrals by way of a triage system and will assess whether a Force Medical Advisor's (FMA) appointment is necessary or whether the case will be managed by an OHU Advisor. OHU staff maintain confidentiality in compliance with the Access to Medical Reports Act 1988. Confidential medical information will only be released with the written informed consent of the member of staff concerned, using the appropriate consent forms or a letter of consent. Consent will include the reasons, the limitations, and the parties to whom the disclosure is to be made. Line managers and HR should keep sickness data confidential and comply with Data Protection guidance in managing personal records.

In referring a member of staff Occupational Health, the staff member does not need to consent to the referral, however the line manager is required to discuss the referral with the staff member. The contents of the referral form are disclosable to the member of staff.

Officers and staff are reminded that appointments with an Occupational Health Adviser (OHA)/Force Medical Adviser (FMA) are mandatory duty commitments.

Failure of a member of Police Staff to attend an Occupational Health appointment without good reason and/or failure to maintain contact with representatives of the force whilst on sick leave may result in the loss of contractual sick pay. For Police Officers,

consideration may be given as to whether the failure to attend an appointment may be a misconduct matter.

Information, guidance, and support can be found on the Health and Wellness Support SharePoint site, including full details of the internal services provided by Occupational Health, Counselling and Wellbeing and Physiotherapy - [Health and Wellness Support - Home \(sharepoint.com\)](#)

Referral to Counselling

The counsellors mainly work office hours from Monday to Friday and operate an appointment system. Staff will normally process all counselling referrals and will respond promptly to any requests for support. There may, however, be a waiting time for counselling appointments and so staff are encouraged to contact their General Practitioner (GP), and the external counselling provision such as Mind, Blue Light, RCS Wellbeing at work for immediate support. Further information can be found on the Health and Wellbeing SharePoint site - [Health and Wellness Support - Home \(sharepoint.com\)](#).

OHU upon receipt of the referral will write to the staff member providing a reference number and contact information, the staff member will then have two weeks to contact the counsellor.

There may be support available via their local General Practitioner (GP) or other charities for some issues that are disclosed. The member of staff will be signposted to the appropriate intervention.

Referral to Physiotherapist

A referral for Physiotherapy, paid for by the Force, is subject to specific criteria being met namely:

- Police Officers, Officers of the Special Constabulary who have been injured on duty whilst exercising their police powers (this includes any injury sustained during officer safety training).
- Police Staff who have been injured whilst undertaking a specific task as outlined in their job description.
- In addition, and where appropriate, the Occupational Health may recommend physiotherapy to support a staff member to return to full duties.

Any such physiotherapy will only be provided by a supplier with whom the Force has a formal arrangement, further information can be found [here](#).

Referral to Force Welfare Services

Where the illness relates to mental health issues, including stress, depression, or anxiety, the member of staff can self-refer to the Welfare Team who will then contact the staff member to determine the right level of support and intervention. Further information can be found [here](#).

Force Welfare Support

Consideration should be given to signposting staff to the wider Force welfare offer as a source of support and to other policies and procedures, such as Flexible Working, which may offer support to improve attendance. Further information can be found [here](#).

Police Treatment Centre (PTC)

The PTC at Harrogate is a rehabilitation and convalescent facility for serving and retired Police Officers and Police Staff. Accessing this is dependent on the staff member making contributions to the TVP Benevolent Fund, and the signed agreement of OHU as to the appropriateness of any referral.

Absence from the workplace when attending the facility will be reconciled in the following two ways:

- Staff attending the centre whilst at work for the purposes of physiotherapy etc will do so in duty time and will not incur sickness absence. No enhancement for working rest days will be allowed when attending the centre.
- Staff attending the centre whilst sick for the purposes of treatment will incur continued sickness absence. This will be covered by the production of an existing Statement of Fitness to Work (Fit Note) or the provision of a Fit Note as applicable.

Time to Attend Force OHU Appointments and not General Practitioner (GP) appointments.

Members of staff in work are granted duty time to attend appointments (which includes travel time) with OHU, OHU medicals, mandatory welfare screening, mandatory referral to a Selected Medical Practitioner, and physio, counselling and Consultant appointments if referred at the request of OHU. Where a staff member is on a recuperative program of

reduced hours, where appropriate appointments must be attended outside of the agreed recuperative hours.

N.B. Staff claiming for travel and subsistence in respect of attendance at OHU/WCS appointments must ensure they have 'business cover' on their motor insurance.

17. WORKPLACE ADJUSTMENTS

The Equality Act 2010 states that a disability is "a physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out normal day to day activities". Long term is defined as has lasted at least 12 months, or is expected to last at least 12 months, or is going to last for the rest of the natural life of the person concerned.

Employers are required under the disability discrimination provisions of the Equality Act 2010 to consider making adjustments whenever any aspect of their premises or working practices puts a disabled employee (or job applicant) at a substantial disadvantage compared to a non-disabled employee. In these circumstances the employer is obliged to consider taking whatever steps are reasonably necessary to prevent the working arrangements from having that detrimental effect on the disabled person, or to reduce the effect. Examples of adjustments may include:

- Changes to premises/workplace.
- Improving/facilitating communication.
- Changes to working hours or place of work.
- Provision of training.
- Changes to the role/duties.

Line managers will ensure that they comply with their responsibilities to provide workplace adjustments where appropriate. Advice should be sought from a HR and Occupational Health.

Line managers must consider workplace adjustments. Not considering workplace adjustments may result in excluding a staff member from the workplace. In cases where the facilities are inhibiting a member of staff's return to work, their absence from work may not be treated as sickness absence.

For further information regarding workplace adjustment, please refer to the [Working with a Disability Policy](#).

18. PAY ENTITLEMENTS

18.1 Overview

Members of staff who are absent from work due to ill health are eligible to receive Occupational Sick Pay (OSP). A Police Officer's entitlement to OSP is determined within Police Regulations 2003, Regulation 28, and Annex K. The Police Staff Handbook/Conditions of Service governs the entitlement of Police Staff.

The Regulations and the Police Staff Handbook confer on the Chief Constable a discretion to extend pay in exceptional cases.

Extending Period of Pay

Circumstances in which the Chief Constable will consider extending staff's period of full or half pay include.

- Where there is evidence that the Police Officer/Police Staff's incapacity is directly attributable to an injury or illness that was sustained or contracted in the execution of their duty.
- The Police Officer/Police Staff is suffering from an illness that may prove to be terminal.
- Should a Police Officer's case be supported by the Selected Medical Practitioner (SMP) for ill health retirement, they will be reinstated onto full pay upon date of the SMP report by the Force and the Force has made the decision to Ill Health Retire.
- Should a Police Staff's case be supported by the Force Medical Advisor (FMA) for Ill Health Retirement, they will remain on their current pay status (full or half pay) once the application for ill health retirement has been submitted. If authority is given for the staff member to be ill health retired, they will revert to full pay on the date of the report (i.e. on the date of the report not just when the IRMP report has been received).

18.2 Entitlement to Statutory Sick Pay (SSP)

Payroll is responsible for the payment of SSP through the normal payroll arrangements.

When a member of staff is not entitled to SSP, or when the organisation's responsibility to pay SSP has expired (usually after 28 weeks of payment), Payroll will send the necessary form (SSP1) to the member of staff's home address to enable them to register

a claim for Employment and Support Allowance (ESA) with the Department for Work and Pensions (DWP); this will be at least 40 days prior to the cessation of SSP.

Where the DWP decline to pay ESA notification of this must be sent to the Payroll who will redress the shortfall; additionally, where the amount paid by the DWP is at the lesser rate Payroll must also be notified of this. Payroll will assume the member of staff has made an application for ESA and deduct the amount from their salary (ESA is paid direct to the member of staff); it is therefore for the staff member to progress accordingly – this is the case even when discretion is afforded to retain a member of staff on occupational sick pay.

18.3 Police Officers (Regulation 28)

If an officer has been on sick leave for an accumulative period of 183 days during a twelve-month period, they will cease for the time being to be entitled to full pay and will become entitled to half pay while on sick leave.

If an officer has a cumulative total of twelve months sick leave in a rolling twelve-month period they will cease to be entitled to any sick pay while on sick leave.

The cumulative sickness total is the sickness accrued in the calendar year prior to the first day of the current period of sickness, plus the current sickness period.

The Chief Constable has the discretion to extend the time under which pay continues at full rate and half rate. There is no entitlement for periods to be extended, and officers should not expect this to happen.

If the period of full pay is extended, the entitlement to the period of half pay is reduced proportionally, i.e., full pay extended by 2 months, leaves an entitlement of 4 months (not 6 months) at half pay rate.

When an officer's pay is reduced to half rate:

- Payment of 'Essential User' allowance will be paid at full rate for the first three months, and at half rate for the next three months.
- Payment of 'Rent' or 'housing' allowance will continue to be paid at full rate.

18.4 Police Staff

Police Staff have a qualifying period for sickness pay which is determined by length of service, please note for the purposes of the contractual benefits one month equates to 30 days:

During 1 st year of service	1month full pay and after 4 months service, 2 months half pay
During 2 nd year of service	2 months full/2 months half pay
During 3 rd year of service	4 months full/4 months half pay
During 4 th and 5 th year of service	5 months full/5 months half pay
After 5 years' service	6 months full/6 months half pay

Payment of essential user allowance will continue for the month in which the staff member falls sick. It will then be paid for 3 months at full rate and 3 months at half rate and then cease to be paid until the staff member returns to work.

The cumulative sickness total is the sickness accrued in the calendar year prior to the first day of the current period of sickness, plus the current sickness period.

18.5 Police Officers and Police Staff

For sick pay purposes, if a Police Officer or member of Police Staff is injured or becomes ill whilst undertaking the requirement of their role, the Chief Constable, can determine that full pay is extended beyond the normal period, and the case will be reviewed monthly at the Force Case Review.

Other factors are considered by the Force Case Review when determining whether exceptional circumstances exist, and full pay should be extended.

18.6 Chief Officer Discretion

North Wales Police will ensure consistency and fairness, whilst taking cognisance of any special circumstances and the merits of each individual case, in the operation of its sick pay scheme. The aim is to outline a fair, objective, and consistent procedure for the consideration of exceptional extensions of sick pay beyond the normal provisions as outlined in Regulation 28 of the Police Regulations 2003 and the Police Staff Handbook/Conditions of Service.

Police Officers - Annex K to the Regulations provides that a Chief Officer may in a particular case determine that for a specified period a Police Officer who is entitled to half pay receives full pay, or when not entitled to any pay receives either full pay or half pay.

Police Staff - The Police Staff Council Handbook states that Forces have the discretion to extend the application of OSP in exceptional circumstances.

Criteria for Chief Constable Discretion

All applications for favourable discretion to remain or be extended on either full or half pay are considered by the Chief Constable, or their nominated representative, and will receive careful consideration and will be based on all information available at the time. Importantly, whilst timely medical advice is important it is not the sole determining factor. The decision of the Chief Constable, or their nominated representative, will be final.

Whilst every case will be assessed on its own merits favourable discretion will be considered in the following circumstances:

- Injury on Duty: where the member of staff's incapacity is directly attributable to an injury or illness that was sustained or contracted in the execution of their police duty (i.e. not simply whilst 'on duty').
- Terminal Illness: where the member of staff is suffering from an illness which may prove to be terminal.
- Disability related absence: where a disabled member of staff is on long term sickness absence relating to their disability and agreed workplace adjustments are awaiting implementation to enable a return-to-work favourable discretion will generally be considered appropriate. Where it is the case that the options for workplace adjustments have been exhausted and/or the disabled member of staff could not return to work regardless of the adjustments made favourable discretion would not be applied.
- Referral of Permanency to Selected Medical Practitioner (SMP)/Independent Registered Medical Practitioner (IRMP): where a Police Officer has been referred to the SMP or Police Staff member has been referred to the IRMP favourable discretion will generally be considered appropriate.

Where favourable discretion is afforded, the status quo will be maintained until the SMP/IRMP opinion is known (i.e. if on full/half/no pay when referred to the SMP/IRMP will

remain on full/half/no pay until the SMP/IRMP decision is received). Thereafter, whatever the decision of the SMP/IRMP the member of staff will revert to their OSP entitlement.

The lodging of an appeal against the determination of the SMP/IRMP does not give rise to a re-instatement of any discretionary pay that had been awarded during the SMP/IRMP process.

Overview of Chief Constables discretion, or their nominated representative, may decide to exercise discretion favourably in circumstances not covered in the criteria set out above or alternatively may decide not to exercise discretion favourably in a case which is covered by the criteria above.

Timescales for length of discretion

Whilst North Wales Police wishes to be supportive of any member of staff who suffers a long-term illness the organisation is unable to sustain paid absence for a protracted period. Therefore, where favourable discretion is afforded any retention on full pay will be for a specified period, to be granted at 1 – 2 monthly intervals, and reviewed on a regular basis.

Withdrawal/suspension of OSP

The Chief Constable, or their nominated representative, reserves the right to withhold or suspend OSP (Police Staff) or not exercise discretion favourably (Police Officers) in the following circumstances:

- Where a member of staff fails to co-operate with the requirements of the force sickness procedure/guidance, including:
 - Failure to notify their line manager of an absence due to ill health.
 - Failure to provide a valid Statement of Fitness for Work (Fit Note) from a registered medical practitioner.
 - Refusal to maintain contact.
 - The non-attendance at any pre-scheduled appointment or interview, including medical reviews as arranged.
- In any case where a member of staff's sickness absence relates to a condition where this is caused in whole or in part to:
 - Management action or a management decision, for example transfer to another Division/Department.
 - Refusal of a change to working hours or shift pattern change.

- To an allegation of misconduct or poor performance or any matter to be investigated by management and the timing of this sickness absence coincides with the time that the staff member is informed of any such action, decision, concern or with the issuing of any warning or disciplinary sanction.
- Where a member of staff fails to seek permission to take a holiday or absence away from their normal place of residence whilst on sick leave.

18.7 Recovery of OSP

Any overpayment of OSP entitlement will be recoverable and the method of recovery will be agreed between the member of staff and Payroll.

18.8 Pensionable Service

Pensionable Service (Police Officers) - Sick leave on full or half pay counts towards pensionable service as normal. Unpaid sick leave can only count as pensionable service if pension contributions are paid. Officers are only able to do this for a period of unpaid sick leave which is less than six months in duration. Pension contributions cannot be paid for a total of more than 12 months of unpaid sick leave aggregated across their police service.

Pensionable Service (Police Staff) - Sick leave on full or half pay counts towards pensionable service as normal. When on unpaid sick leave the member of staff will not pay any pension contributions, however membership will continue to accrue as normal.

18.9 Administrative process

A member of staff approaching their half pay or no pay date will be notified in writing of the impending pay reduction date. HR will ensure that all members of staff are given reasonable notice of this change, however, short service (Police Staff) and accumulation of sickness absence during previous periods in the last 12 months (Police Officers and staff) may result in a shorter notice period and a lack of notification will not prevent a move to half/no pay.

A staff member, or their representative, may make an application seeking an extension of pay and will need to detail the circumstances which they believe may warrant an extension to sick pay entitlement. Staff who do not make an application will automatically move to half/no pay on the date of exhaustion of their OSP entitlement. Where a member of staff makes an application and discretion is not afforded, they will move to half/no pay

on the date of exhaustion of their OSP entitlement. Where discretion to remain on full pay is afforded the entitlement to the period of half pay is reduced proportionally i.e. full pay extended by 2 months, leaves an entitlement of 4 months (not 6 months) at half pay. If a member of staff leaves the service of North Wales Police whilst on sickness absence, they will not be reinstated to full pay during the notice period. They will continue to receive their sick pay entitlement, which may be half or no pay.

18.10 Payment of standby/on call allowance (Police Staff only)

North Wales Police will pay Police Staff for standby/on call allowance whilst absent from work through sickness/ill health. Please note that standby/on call allowance will be pro rata when a member of staff is moved to half pay and will not be paid when a member of staff is moved to no pay. Police Staff will be able to claim via the normal channels.

19. RETURN TO WORK

19.1 Returning to work

It is important that on the day a member of staff becomes fit for work/duty that they report that they have resumed from sick leave and are fit for work/duty regardless of whether or not they are rostered for duty that day. Failure to do so may have an impact on sick pay and any management intervention taken by the Force. When notified of a return-to-work date the line manager must ensure they notify HR Employment Services via email immediately and the Return-to-Work Form is completed on the system no later than 3 working days after their return.

19.2 Returning to work prior to expiration of a medical statement

The Statement of Fitness for Work (Fit Note) provides information on the member of staff's condition and how it affects what they do, with the aim being to provide greater flexibility in the management of sickness absence.

There are two options:

1. **Not fit for work** – means that the member of staff has a health condition which prevents them from attending work for the stated period of time, and;
2. **May be fit for work taking account of the following advice** - means that the member of staff's condition does not necessarily prevent them from returning to work but there are adjustments required.

If it is not possible to implement the recommended adjustments, the Statement of Fitness to Work (Fit Note) should be used as if the doctor had advised 'not fit for work'. The member of staff does not need to return to their doctor for a new statement to confirm this.

The Statement of Fitness to Work (Fit Note) does not include the option for the doctor to advise that the member of staff is fully fit for work; therefore, any planned return to work should be in accord with the Attendance Management/Officers Capability and Deployment Policy and agreed with the member of staff. Any issues should be referred to Occupational Health.

19.3 Return to Work Meeting

Line managers must conduct a meeting with any member of staff returning from sickness absence regardless of the duration of the absence. Where it is not practicable to conduct the return-to-work meeting immediately, it must take place within three working days of their return to work. The format of the meeting will vary according to circumstance; for example, a member of staff who has had one day off after a year with no absence does not require a lengthy discussion unless it is obvious that there is a real problem; whilst a member of staff returning after a prolonged absence may need to be supported carefully and sensitively back into the workplace, and special arrangements may be needed for a while. If there are welfare or medical issues these need to be flagged to Occupational Health and/or HR. It may also be beneficial to complete a Stress Assessment Tool and Stress Action Tool to create a list of actions to help address the stressors that are negatively affecting them. This can be accessed via the following link- [Welfare Support Team \(sharepoint.com\)](#)

The return-to-work meeting is not a formalised meeting but must be held in private to preserve confidentiality.

The meeting is to ensure that:

- The member of staff feels supported and welcomed (particularly further to protracted absence).
- The member of staff has not returned to work prematurely.
- Any specific needs of the member of staff have not been overlooked.
- Any underlying reasons for their absence are explored.
- Any organisational issues can be identified in order to support a healthy workforce.

- The member of staff and their line manager have the opportunity to discuss any welfare issues.
- The staff member's attendance record is discussed, verifying the number of days sick, and any concerns brought to the attention of the member of staff, for example emerging patterns of absence.

Before the return-to-work meeting, the line manager should collate and review relevant information to include, where appropriate:

- Notes on contact during sickness.
- Previous return to work interview notes.
- Attendance support meeting notes.
- The staff member's absence record for the past 12 months.
- Occupational Health reports.
- Recuperative duties programme.
- HR and/or OHU advice regarding workplace adjustments.

The following issues will be covered during all return-to-work interviews:

- Ensure that the member of staff is fit to return to work - if there is any concern that the staff member has returned too soon the line manager can ask the member of staff to provide evidence from their doctor confirming they are fit. If a line manager is not satisfied a member of staff is fit to be in the workplace, HR/OHU advice must be immediately sought.
- The staff member's welfare and any necessary support to help manage it.
- Confirming the reasons for the absence.
- Any health, personal or work-related problems, including completion of a risk assessment where appropriate.
- Work/activity team updates.
- If the staff's sickness record is approaching absence triggers as defined by this protocol, ensure they are aware of the triggers and the implications of continued unsatisfactory sickness levels.

Where the staff member has met a trigger as a result of the period of sickness absence, an Attendance Support Meeting will be held (this is First Stage).

Depending on the circumstances of the sickness absence, the following issues may also be covered, where appropriate:

- Planned recuperative duties programme.
- Latest available medical advice.
- If the absence was work related, ensure that any necessary steps are taken to prevent a recurrence.
- If the staff member's condition is or may be a disability, whether any workplace adjustments are required.

The line manager must record the Attendance Support Meeting via the Attendance Support Plan on the Continuous Professional Development section on HR Self Service.

20. MANAGING UNSATISFACTORY LEVELS OF ATTENDANCE

20.1 Attendance Support Meetings

Where an attendance trigger has been met the line manager will undertake an Attendance Support Meeting (ASM) to discuss and implement an attendance support plan with the member of staff unless formal procedures have already been initiated in line with the Police (Performance) Regulations 2020 or Capability procedures.

Attendance Indications are - in a rolling 12-month period:

- 3 or more sickness absence periods.
- 10 or more working day's absence.
- Recognisable patterns or absence causing concern, examples include absence on the Friday before a Bank Holiday Monday, days before or after booked leave, and days before or after a weekend (this is not an exhaustive list).
- Single episode of 4 continuous weeks or more.

The purpose of an ASM is to discuss a staff members attendance at work, identifying reasons for absence, document the support being provided and is a supportive mechanism with the aim of improving attendance at work.

Areas discussed during the ASM will include:

- The nature of the illness, injury, or condition.
- The likelihood of the illness, injury, or condition recurring.
- The pattern and length of absence.
- The impact on the workplace.
- What supportive management action has been put in place and the extent to which the staff member has co-operated.

- Actions to support an improvement in attendance at work.
- A reasonable time frame within which sufficient improvement should be achieved.
- That if attendance does not improve sufficiently, Capability or Unsatisfactory Performance procedures might be instigated.
- Any disability issues requiring consideration of workplace adjustments.
- Any wellbeing considerations.

Further ASM's will be undertaken at least once a month to review progress, until the line manager is satisfied that sufficient improvement has been achieved and maintained. The PDR will be used to record progress.

The line manager must record the meeting on the Attendance Support.

20.2 Unsatisfactory Levels of Sickness Absence – Line Managers

Line managers are responsible for monitoring, supporting, and intervening where staff members are absent from work. This includes identifying levels of absence which may be unsatisfactory and taking action to support the staff member back to satisfactory attendance.

The aim of managing repeated lengthy absences is primarily to identify, support and address the underlying cause. Line managers must be alert to repeated absence and investigate it early to prevent the problem increasing.

The line manager will review a staff member's absence when a trigger is met.

Attendance triggers may also be used to determine whether a staff member's attendance record is relevant for the purposes of internal recruitment, promotion, and career breaks. HR advice should be taken in relation to any absences that are disability related or arise from an injury on duty.

Time off to attend appointments or procedures as part of transitioning should be recorded as medical appointments. Any subsequent sickness as a result of any process or procedure should be recorded as sickness absence, in order to safeguard a staff member's privacy. However, such sickness will not count towards frequent sickness totals or result in a staff member being penalised for promotion or specialisation.

Information, guidance, and support can be found on the Equality and Diversity SharePoint site - **Diversity - Diversity Home Page (nwp.net)**.

20.3 Pattern of Sickness

Any sickness absence that appears to form a pattern should be reviewed with a view to considering whether it is unsatisfactory or potentially a misconduct matter or whether is an underlying welfare consideration.

Examples of a pattern of sickness absence may include.

- Absences before or after non-working days (rest/free days/annual leave).
- Regular part day absence.
- Similar periods of absence each year.

20.4 Process to follow when dealing with Unsatisfactory Attendance

Informal Processes

Line managers are expected to deal with unsatisfactory attendance issues at the earliest opportunity to ensure they have a full understanding of the situation. Where having monitored attendance there is concern that acceptable standards are not being achieved, this should initially be dealt with by means of a Supportive Plan within HR Self Service with agreed timescales for improvement.

In the first instance the line manager must meet with the staff member highlighting the evidence of unsatisfactory attendance and having considered the case on its own merits decide whether action is necessary. Where action is necessary the line manager should record on the Support Plan the nature of the attendance issue, the advice given, and steps taken to address the problems identified. Placing matters on record is important to ensure continuity.

As part of a management process, this is an informal discussion between line manager and staff to discuss support, improvement, and ways forward. Advice may be sought from HR by either party before and/or throughout informal process as required. This discussion does not require any HR, Federation or Unison representatives present.

The agreed time scales for improvement must be set by the line manager, not normally more than 6 months, with regular reviews during this period to support improvement. The period of time in which an improvement is expected may be extended to a maximum of

12 months if the member of staff is unable to demonstrate whether or not the required improvement has been achieved.

The line manager must be satisfied that all reasonable and supportive actions have been offered to support an improvement in attendance.

Where there is no improvement, insufficient improvement, or the improvement is not sustained over the 12 month 'validity period' following completion of the plan, then stage one of the formal procedure is able to be initiated.

Formal Stage Procedures

There are three formal stages to the process:

- First Stage Meeting – normally conducted by line manager.
- Second Stage Meeting – normally conducted by the second line manager.
- Third Stage Meeting – conducted by a panel.

Progression through the formal stages of the process should be for matters connected with unsatisfactory attendance already referred to by line management. There are exemptions to following the sequential approach which are explained further in the policy.

Right to be Accompanied: During the formal stage of the process or any subsequent appeal hearings staff have the right to be accompanied by a workplace companion.

A workplace companion can be a colleague or a trade union officer.

Role of a Workplace Companion: Any workplace companion should, subject to having informed their line manager, be allowed to attend to such duties during normal working hours. The workplace companion may:

- Advise and confer with the staff member throughout the procedure.
- Attend any formal meetings or interviews with the staff member, which form part of the procedure.
- During any formal meeting request to adjourn to advise or confer with the staff member.
- Address any formal meetings to both state and sum up the staff case.

- Provide any relevant documentation to the first or second line manager/panel as appropriate, who shall give full consideration to such documents.
- Respond on the staff member's behalf at any views expressed at formal meetings.
- During formal meetings ask questions of any witness.
- Make representations to the appropriate authority concerning any aspect of the procedure.
- Not answer any questions asked of the staff member during the meeting.

The workplace companion cannot be appointed to act as such if there is a conflict of interest.

Right to Postpone Formal Stage Meetings: Every effort will be made to ensure that such meetings are set at a mutually convenient date, location, and time. If the member of staff or their workplace companion are unavailable for the meeting, an alternative date should be proposed which must be within 5 working days of the original date of the planned meeting.

However, non-attendance of either the staff member concerned or their workplace companion at the revised date will not invalidate proceedings and such formal meetings may proceed if considered appropriate. In such instances an outcome may be decided based on the facts available to the decision maker.

A meeting may be progressed in their absence if a member of staff is persistently unwilling to attend such meetings.

Provision of notices or documents: Where any written notice or documentation is to be given to the staff member concerned, it must be:

- given to the staff member in person.
- left with a person at, or sent by recorded delivery to, the staff member's last known address.
- given to the staff member by their nominated workplace companion.
- given to the staff member in any other manner agreed between the person who is required to give the notice or document and the staff member.

Formal Notification for Stages One and Two: The decision maker will write to the staff member (providing a minimum of 10 working days' notice) advising them of the decision

to take the matter forward and that a stage one meeting has been arranged. The written notification will include the following:

- Date and time of meeting.
- Summary of the reasons that the member of staff's attendance is unacceptable.
- What the possible outcomes of the stage one, stage two and stage three meetings are.
- That the staff member should provide the decision maker with any documentation that they intend to rely on at least 48 hours in advance of the meeting.
- Confirmation that a HR representative will attend to support the process.
- That they may be accompanied by a workplace companion.
- Request notification of any special arrangements required to allow attendance at the meeting i.e. workplace adjustments.
- All documentation which the decision maker will rely upon.
- Reference will be made to this policy.

Records of Formal Meeting: All formal meetings will be audio recorded and/or meeting minutes will be taken. The audio recordings are available to the staff member upon request. All documentation relating to the formal meeting will be retained and filed.

First Formal Meeting

If the line manager considers that reasonable supportive actions have been offered and there has not been an improvement in attendance, then the line manager will advise HR their decision to progress to the formal stage of the process. In deciding whether to take Formal Action, each case must be treated on its own merits taking account of all the pertinent facts available at the time.

HR are able to provide advice and guidance regarding the procedures but will not be the decision maker.

A line manager may refer a case directly to a First Formal meeting whereby there is documentary evidence that ongoing support has been provided to the staff member. Line managers will need to demonstrate why additional informal support is inappropriate and provide a rationale as to why the case is progressed directly to the formal stages. Each case must be considered on its own merits and the line manager must discuss the matter with their own line manager and HR.

The First Formal Meeting will normally be held by the first line manager who will act as the decision maker unless there's a justifiable reason to appoint an alternative decision maker. A HR representative must attend to support the process.

The purpose of the meeting is for the decision maker to:

- Discuss with the staff member the standards of attendance required.
- Provide objective evidence to support the belief that the staff member is failing to meet the required standards.
- Review the staff member's attendance to date, together with any previous support provided.
- Allow the staff member and/or their workplace companion the opportunity to make representations providing any mitigating circumstances.
- Listen to representations made by or on behalf of the staff member, ask questions and comment as appropriate.
- If considered appropriate, recommend that the staff member concerned seek assistance in relation to any matter affecting their health or welfare.
- Explain that there are potentially three stages to the procedure and that the maximum outcome of a stage one meeting is a Written Improvement Notice (WIN), the maximum outcome of a stage two meeting is a Final Written Improvement Notice (FWIN) and at a Third Stage Meeting options are dismissal, extended improvement notice (in exceptional circumstances). For Police Officers this could also include reduction in rank.
- Confirm whether or not the expected standards of attendance have been achieved.

The decision maker may postpone or adjourn the meeting to a specified time, or date, if it appears to the decision maker necessary or expedient to do so.

The decision maker will confirm the outcome of the meeting in writing within 7 working days of the meeting being held.

If it is decided the acceptable standards have not been achieved, the decision maker will:

- Issue a Written Improvement Notice (WIN) within 7 working days of the meeting, which will specify the improvement required and the timescale within which the improvement will be achieved. It will also confirm the 'validity period', a period of 12

months (depending on the circumstances) over which time the required standards must be maintained.

- Update the Attendance Support Plan to reflect the result of the First Formal Meeting.
- Advise the staff member what action may be taken if they do not meet and maintain the required standards.
- Determine what reasonable support, guidance and/or training can be provided.
- Agree with the staff member how frequent feedback should be provided on progress, for example feedback once a month.
- Ensure the staff member is informed if or when their attendance reaches a satisfactory standard.

If having issued the Written Improvement Notice (WIN) it can be demonstrated the staff member has now achieved the required level of improvement, and this has been maintained for the validity period of the WIN a decision that no further action will be taken should be confirmed with the staff member.

If it is demonstrated the staff member has not achieved the required level of improvement as outlined within the WIN, the first line manager will, following consultation with HR, inform the second line manager of their view that the staff member has breached the requirement of their WIN. The second line manager will consider the information provided and consider whether the matter should progress to the next stage of the process and hold a Second Formal Meeting.

Second Formal Meeting

Progression to the Second Formal Stage must be due to the required standards not being achieved or maintained as set out in the WIN and/or supportive plan. In deciding whether to progress to the Second Formal Stage, each case must be treated on its own merits taking account of all the pertinent facts available at the time.

The Second Formal Meeting will normally be held by the second line manager who will act as the decision maker unless there's a justifiable reason to appoint an alternative decision maker. The meeting may be attended by the first line manager and a HR representative will attend to support the process.

The purpose of the meeting is for the decision maker to:

- Discuss with the staff member the standards of attendance required.
- Provide objective evidence to support the belief that the staff member is failing to meet the required standards.
- Review the staff member's attendance to date, together with any previous management action taken.
- Allow the staff member and/or their workplace companion the opportunity to make verbal representations providing any mitigating circumstances.
- Listen to representations made by or on behalf of the staff member, ask questions and comment as appropriate.
- Explain the remaining stages to the procedure and that the maximum outcome of a stage two meeting is a Final Written Improvement Notice (FWIN) and at a Third Stage Meeting options are dismissal, extended improvement notice (in exceptional circumstances).
- Confirm whether or not the expected standards of attendance as described in the current WIN and/or have been achieved.

The decision maker may postpone or adjourn the meeting to a specified time, or date, if it appears to the decision maker necessary or expedient to do so.

The decision maker will confirm the outcome of the meeting in writing within 7 working days of the meeting being held.

If it is decided the acceptable standards have not been achieved, the decision maker will:

- Update and amend the existing Attendance Support Plan to reflect the result of the Second Formal Meeting.
- Issue a Final Written Improvement Notice (FWIN) within 7 working days of the meeting, which will specify the improvement required and the timescale within which the improvement will be achieved. It will also confirm the 'validity period', a period of 12 months over which time the required standards must be maintained.
- Advise the staff member what action may be taken if they do not meet and maintain the required standards.
- Determine what reasonable support, guidance and/or training can be provided.
- Agree with the staff member how frequent feedback on progress should be provided for example feedback once a month.

- Ensure the staff member is informed if or when their attendance reaches a satisfactory standard.

If having issued the Final Written Improvement Notice (FWIN) it can be demonstrated the staff member has now achieved the required level of improvement, and this has been maintained for the validity period of the FWIN a decision that no further action will be taken should be confirmed with the staff member.

If it is demonstrated the staff member has not achieved the required level of improvement as outlined within the FWIN, the second line manager will consult with HR as to whether to progress to the next stage of the process and inform them of the decision to take the matter forward to a Third Formal Meeting.

Right of Appeal at First and Second Stage

The staff member has the right of appeal against the findings and outcome imposed within 7 working days of the receipt of the Written Improvement Notice (WIN) or Final Written Improvement Notice (FWIN). The appeal must be made in writing to:

- Assistant Director/Head of People Services (for Police Staff) who will allocate the submission to appropriate Senior Manager.
- decision makers line manager (for Police Officers).

The notice of appeal must clearly set out the grounds and evidence for the appeal and be accompanied by any evidence on which the staff member relies. The only grounds are:

- That the finding of unsatisfactory attendance was unreasonable.
- That the terms of the improvement notice (length of the period and/or improvement specified) are unreasonable.
- That there is critical new evidence that could not reasonably have been considered at the formal meeting which could have materially affected the finding of unsatisfactory attendance or any of the relevant terms of the Improvement Notice.
- That there was a breach of the procedures or other unfairness which could have materially affected the finding of unsatisfactory attendance or any of the terms of the improvement notice.

Any finding and outcome from the First or Second Stage Meeting will continue to apply up to the date that the appeal is concluded. Therefore, where the staff member contests the

finding or outcome, they will continue to follow the terms of the WIN or FWIN and any accompanying Attendance Support Plan pending the determination of the appeal.

The appeal decision maker should assess the submission received in order to determine whether it meets the criteria for grounds for appeal. Should the submission meet the criteria set, the appeal meeting should take place within 7 working days after the day they receive the appeal notice. The appeal decision maker needs to notify the staff member in writing of any delay to the process.

The appeal decision makers will write to the staff member advising them the outcome of their initial assessment. Should the submission meet the criteria set the written notification will include the following:

- Date and time of the appeal meeting.
- Confirmation that a HR representative will attend to support the process.
- Advising that any previous decision makers may be requested to attend.
- That they may be accompanied by a workplace companion.
- Request notification of any special arrangements required to allow attendance at the meeting i.e. workplace adjustments.

The purpose of the meeting is to:

- allow the staff member and/or their workplace the opportunity to make representations.
- listen to what the staff member and/or workplace companion has to say, ask questions and comment as appropriate.

The appeal decision maker may postpone or adjourn the meeting to a specified time, or date, if it appears to the decision maker necessary or expedient to do so.

Having considered the facts of the case the appeal decision maker will:

- Confirm or reverse the findings of unsatisfactory attendance.
- and/or
- Confirm or vary the relevant terms of the WIN or FWIN appealed against

Where the appeal decision maker reverses the finding of unsatisfactory attendance, they must also revoke the WIN.

The staff member will be informed of the outcome in writing within 3 working days of the appeal decision. The notice will include a summary of the reasons for the decision made.

The outcome of any Appeal is deemed as final and there will be no further rights of appeal.

Case Review

Where it is evident that the member of staff has a long-term ill-health issue where it is not possible to improve attendance by any means, their case should be referred to the Force Case Review.

Should the Force Case Review decide that the staff member will be referred to an independent doctor (SMP for Police Officers, IRMP for Police Staff) for an opinion as to whether they meet the criteria for ill health retirement, the appropriate stage above shall be paused/held in abeyance and no further action shall commence or continued until the issue has been considered and the medical report is received.

Action can however be taken where a case has been referred if the unsatisfactory attendance is unrelated to the condition forming the basis of the ill health referral.

Should the criteria for ill health retirement not be met, the Force Case Review may consider the formal procedures being initiated at the Third Formal Stage without the requirement of progressing through a sequential approach. Force Case Review must fully discuss and document all the options available for the member of staff. This action will need to be reasonable in all the circumstances, i.e. no other course of action is available:

- There is no reasonable prospect of the health of the staff member improving.
- There is no workplace adjustment which can be made to improve attendance, including any flexible working options.

Above is not an exhaustive list of examples.

Third Formal Meeting

Assessment following Second Stage Meeting: Where a staff member has received a Final Written Improvement Notice (FWIN), should there be concerns that the staff member is unlikely to achieve the required standards set within the specified time period,

in consultation with the second line manager and a HR representative, a determination will be made as to whether the matter should be forwarded onto a Third Formal Meeting.

The second line manager will inform the Appropriate Authority of the decision to take the matter forward to a Third Formal Meeting requesting a panel be appointed to hear the case.

Referral following the force case review assessment: In the circumstances whereby Force Case Review confirm that the matter should be referred onto a Third Formal Meeting, notification will be provided to the second line manager who will inform the Appropriate Authority of the decision to take the matter forward to a Third Formal Meeting requesting a panel be appointed to hear the case.

Panel Membership: The panel will be appointed by the appropriate authority and will comprise a panel chair and two other members. Membership will be as follows:

- Panel Chair: A Chief Officer of NPCC rank.
- Second Panel Member: must be either a Police Officer of at least the rank of superintendent or Police Staff equivalent.
- Third Panel Member: must be either a Police Officer or a Police Staff member of at least the rank of Superintendent or Police Staff equivalent.

A HR Representative and/or Legal Advisor will attend the hearing to advise the panel.

None of the panel members should be junior to the staff member concerned i.e. they must be of at least the same rank or equivalent (in the opinion of the appropriate authority)

None of the panel members should be an interested party e.g. someone who is related to the member of staff or has had prior involvement in the case.

Formal Notification for Third Formal Meeting: the Appropriate Authority must send the staff member written confirmation of the decision to take the matter forward to a Third Formal Meeting and require them to attend (providing a minimum of 20 working days' notice of the meeting). The written notification will include the following:

- Confirmation that at the Third Formal Meeting the case will be heard by a panel.

- The procedure for determining the date and time of the meeting.
- Details of the panel members.
- Confirmation that a HR representative/or legal advisor will attend to support the process (For Police Officers this could also be a Police Officer, with experience of UPP and independent of the line management chain).
- Summary of the reasons why the staff member's attendance is believed to be unsatisfactory including copies of all documentation to be relied upon.
- Requirement to provide a minimum of 14 working days prior to the meeting, written confirmation of their attendance and a copy of any documentation that they intend to rely on.
- That they have the right to be accompanied by a workplace companion. In the case of a Police Officer, they also have the right to be legally represented at a Third Stage Meeting.
- Request notification of any special arrangements required to allow attendance at the meeting i.e. workplace adjustments.
- Confirmation that previous decision makers and/or HR Representative may attend the meeting as a witness(es).
- Advise the staff member that they may propose witnesses to attend in support of their case.
- Confirmation of the right to object to a panel member.
- A summary of the reasons why the member of staff's attendance is considered unsatisfactory and could lead to dismissal.
- Where the officer is an Officer of the Special Constabulary, that a member of the Special Constabulary will attend the meeting to advise the panel.

The documents or other material to be relied upon at the meeting are required to be submitted a minimum of 14 working days prior to the date of the Third Formal Meeting. Documents or other material that was not submitted with the required notice may be considered at the meeting at the discretion of the panel chair.

Objection to Panel Members: The member of staff has the right to object to any panel members and any such objection must be made in writing to the appropriate authority no later than 3 working days after receipt of the notification of the names of the panel members. The staff member must include the ground of their objection to the panel member(s) in their submission.

Witnesses: The staff member may propose witnesses to attend the Third Stage Meeting in support of their case. Details of all proposed witnesses together with evidence of their probative value must be submitted to the Chair of the Panel a minimum of 14 working days prior to the date of the Third Formal Meeting. The panel chair will consider the list of proposed witnesses and will determine which, if any, witnesses should attend the meeting.

The panel chair can determine that persons not named in the list should attend as witnesses.

Officers of the Special Constabulary and Third Stage Meetings: In cases relating to the Special Constabulary, the force will appoint a member of the Special Constabulary, who has sufficient seniority and experience, to attend the meeting to advise the panel. The Officer of the Special Constabulary advisor will not form part of the panel and will not have a role in determining whether or not the staff member's attendance is unsatisfactory.

Non-attendance: Where the staff member does not participate or attend a Third Stage Meeting, the meeting may be proceeded with and concluded in their absence whether or not the staff member is so represented.

Third Stage Meeting: At the Third Stage Meeting the panel chair will conduct the meeting in accordance with the principles of natural justice and fairness and will:

- Explain to the staff member the reasons why they have been required to attend a Third Stage Meeting.
- Discuss with the staff member the standards of attendance.
- Review the staff member's attendance to date, together with any previous management action taken.
- Require the second line manager to present evidence to support the belief that the staff member is failing to meet the required standards.
- Provide the staff member or their representative with the opportunity to make representations in response.
- Listen to what the staff member has to say and ask questions and comment as appropriate.

- Explain that the options of a Third Stage Meeting are no case to answer, dismissal or extended improvement notice (in exceptional circumstances).

Where a witness attends to give evidence then any questions to that witness must be made through the panel chair. This does not prevent the panel chair allowing questions to be asked directly if they feel that this is appropriate.

Having considered any representations, the panel will come to a finding as to whether or not the attendance of the staff member has been unsatisfactory and an outcome. If there is a difference of view between the three panel members, the finding or decision will be based on a simple majority vote, but it will not be indicated whether it was taken unanimously or by a majority.

Where the panel have found that the member of staff's attendance has been unsatisfactory, the decision must also state their reasons and the outcomes are:

- Dismissal with notice, the notice period is determined by length of service, subject to a minimum period of 28 days.
- Redeployment of the staff member concerned to alternative duties.

or

- Extension of a Final Written Improvement Notice (in exceptional circumstances)

Please note: a FWIN may only be extended once.

Within 3 - 5 working days of the meeting the panel chair will send a written copy of the decision and outcome to the staff member concerned and the line manager. This will include the right to appeal.

Third Stage Appeals: Staff members dismissed at a Third Stage Meeting have a right of appeal against the finding and/or outcome imposed. The appeal is made to the:

- Police Appeals Tribunal in the case of Police Officers.
- Chief Constable in the case of Police Staff.

Any finding and outcome of the Third Stage Meeting will continue to apply up to the date that the appeal is determined.

The outcome of any Appeal is deemed as final and there will be no further rights of appeal.

Assessment following Third Stage Meeting:

Where a staff member has been issued or received an extended Final Written Improvement Notice, as soon as reasonably practicable after the date with which the period specified end, the panel chair must assess the attendance of the staff member concerned.

The panel chair must give the staff member written notice as to whether they consider that there has been a sufficient improvement in attendance during the period specified. If the panel considered that there has not been sufficient improvement, the staff member will be required to attend another a Third Stage.

Support sources: It is recognised that staff members may require support throughout the Unsatisfactory Performance Procedure. The following sources of support are available, further details can be found on the intranet:

- Line management.
- Unison/Trade Unions.
- North Wales Police Federation.
- Superintendents Association.
- Staff Support Network.

This list is not exhaustive.

20.5 Absence within Probation

Absence of Police Officers and staff within their probation will be monitored as part of the Force Case Review.

Police Officers

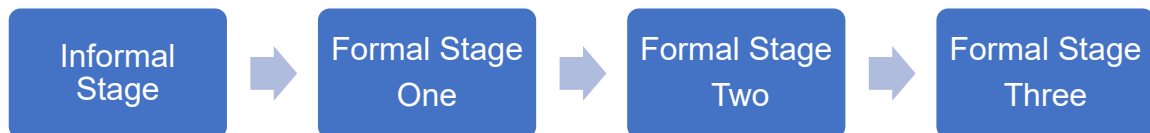
Where a student Police Officer has a period of absence, an Attendance Support Meeting will be held and thereafter reviewed on a monthly basis.

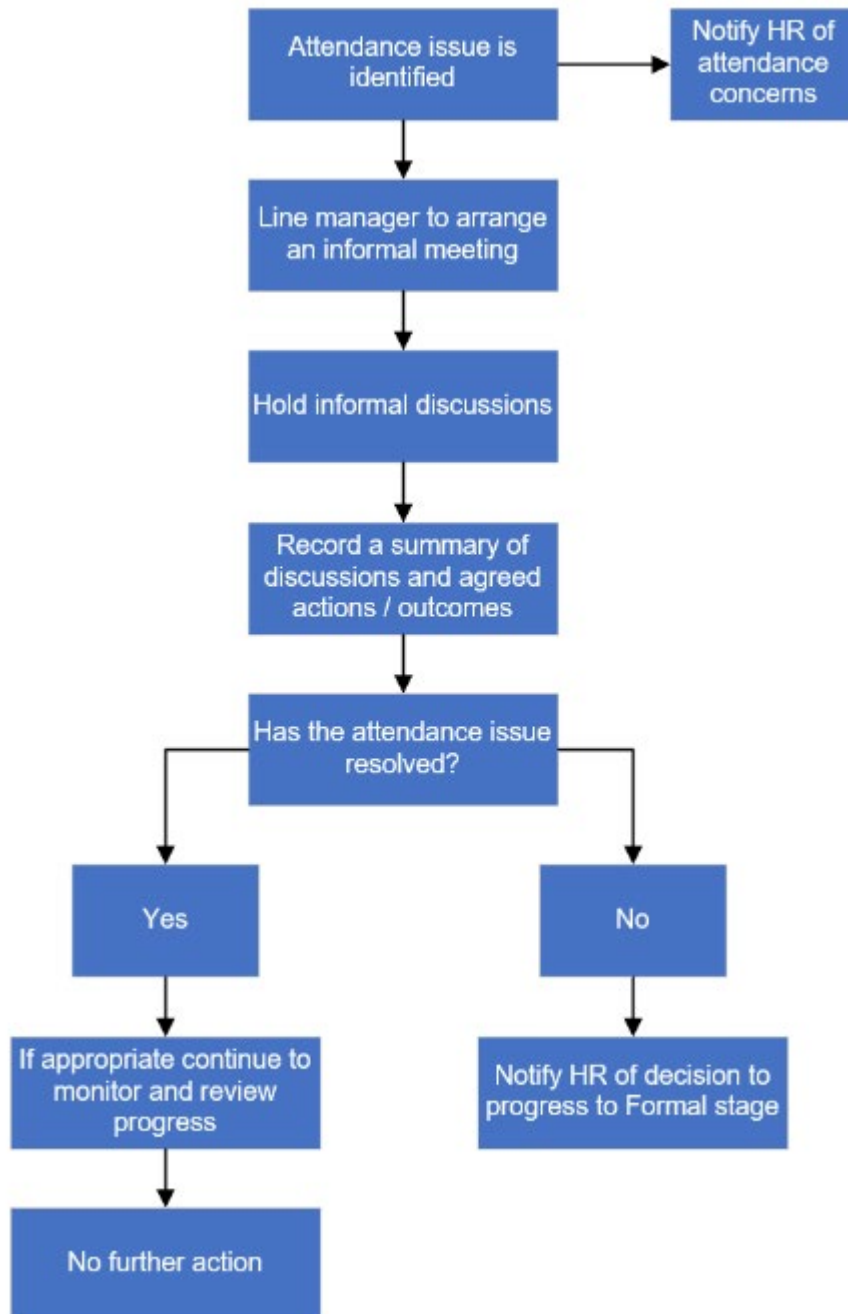
Where an absence or period of absences reaches a level that could be considered unacceptable, Regulation 13 of the Police Regulations 2003 Discharge of Probationers may be followed which is outlined in the. Line managers should obtain advice from their HR.

Police Staff

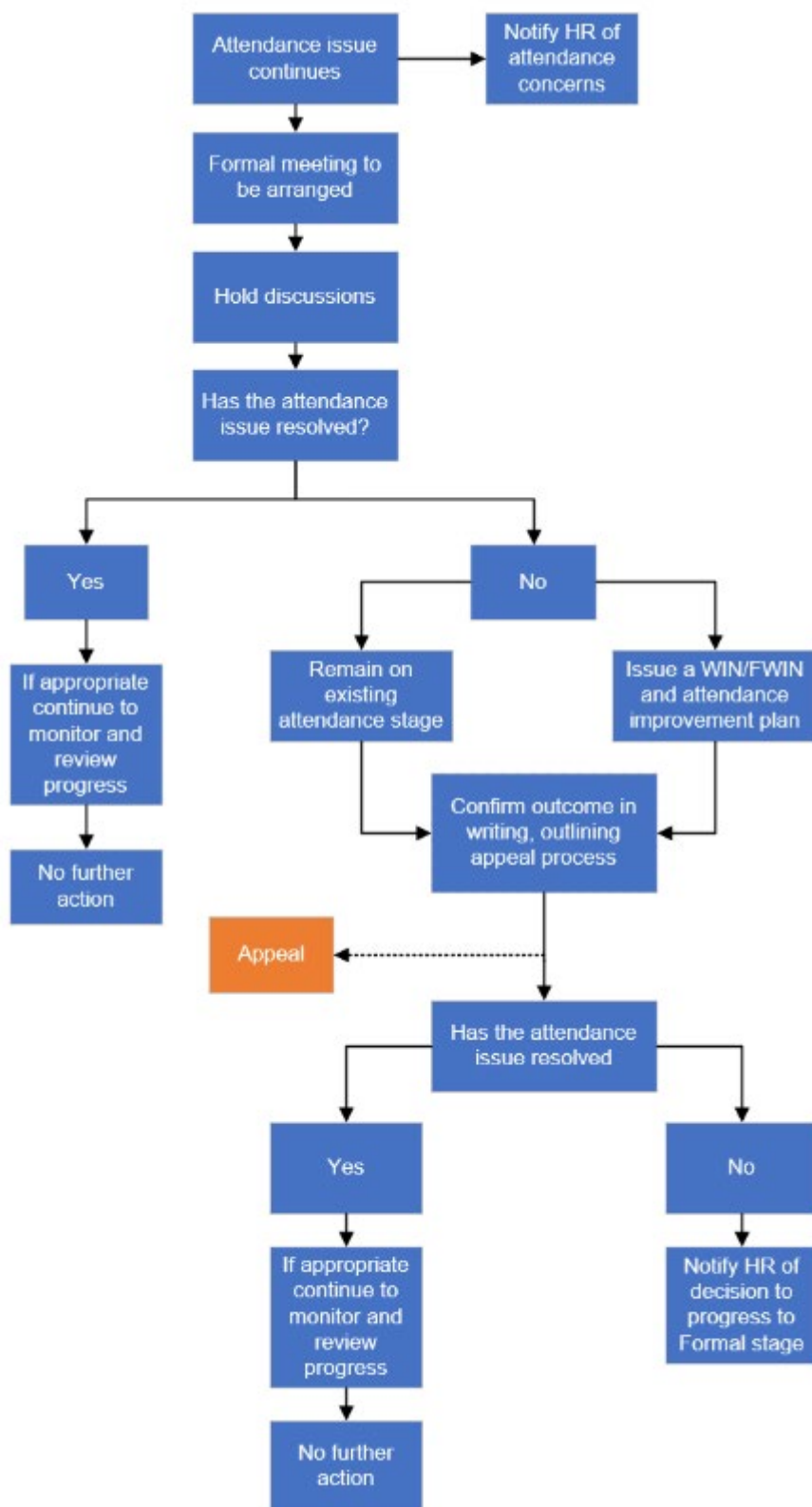
Where a staff member within probation has a period of absence, an ASM will be held and thereafter reviewed on a monthly basis to monitor attendance improvement.

Where absence continues and reaches unacceptable levels, capability procedures in line with existing policies will be followed whereby staff within probation will be dealt with at stage three, please refer to the [Dismissal During Probationary Period](#) local agreement. Line managers should obtain advice from their HR.

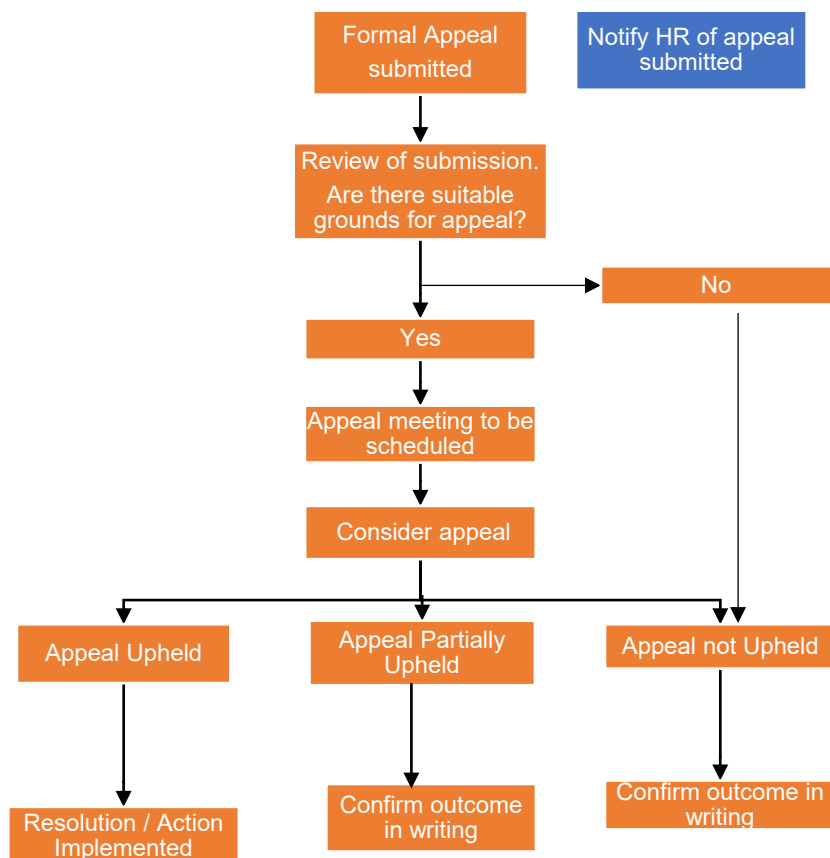
21. MANAGING UNSATISFACTORY LEVELS OF ATTENDANCE – THE KEY STAGES**21.1 Preliminary Investigation – Informal Attendance Stage**



21.2 Formal Meetings – Poor Attendance



21.3 Appeal Process



22. RECUPERATIVE/RESTRICTED DUTIES

Recuperative Duties (Police Staff Only). For Police Officers please refer to the Officer Capability & Deployment Policy.

22.1 Overview

Recuperative duties are intended to facilitate a member of staff returning to their substantive role (i.e. the role they are employed to perform) at an earlier stage following an injury, accident, illness, or medical incident and to enable rehabilitation back into their work environment/full duties. It is not a mechanism to avoid a loss of pay and it also will not be necessary in every case of a staff member returning from sick leave.

Return onto recuperative duties in circumstances where a staff member indicates a desire to return to work at an earlier stage following a period of sickness absence the line manager shall be responsible for deciding if such a return is appropriate. In consideration of this issue the line manager should have regard to the following, which is not an exhaustive list:

- The staff member circumstances of the particular case should also be taken into account, along with the latest Occupational Health advice.
- Is the member of staff fit to return to the workplace?
- Is the staff member able to recommence work on at least half of their normal hours, but not less than 4 hours per day, and be able to return to full hours within 28 days (56 days in exceptional circumstances)?
- Are there adjustments which can reasonably be made to accommodate a return to work?
- Is the member of staff able to carry out the recuperative duty period in their normal role?

Where recuperative duties are appropriate details must be documented within the return-to-work meeting form, and HR Employment Services and the relevant HR Advisor should be informed.

Phased return

Any agreed return on reduced hours will be on at least half normal hours, but not less than 4 hours per day, and will be for a maximum period of 28 days.

In exceptional circumstances a further 28-day period (56 in total from return-to-work date) may be afforded, in consultation with the HR and where necessary Occupational Health.

Examples of exceptional circumstances are:

- Is the staff member engaged in the recuperative process because of an injury on duty?
- Is the absence and subsequent recuperation period due to a disability as defined under the Equality Act 2010? Whilst this would not automatically warrant an extension to the recuperative period, it is a matter for consideration.
- Are there any organisational delays in the provision of equipment to facilitate a return to a staff member's contracted hours and/or their contracted role. E.g., any delays in the provision of IT, a suitable desk or chair.
- Has the staff member paid for private medical treatment to facilitate their return to their full contracted hours or their full contracted role?

22.2 Recuperative duties

Recuperative duties are defined as duties falling short of full deployment and should be a structured, time-limited, supportive, and rehabilitative process. They are short-term in nature and should, therefore, lead to a return to full duties within a defined period of time. It must be understood that a return to work on a recuperative duties basis is not a right or entitlement; it is a useful management process to assist a member of staff's reintroduction to the workplace in circumstances that are beneficial both to the organisation and the staff member. Where recuperative duties extend beyond the phased period of 28 days (56 in exceptional circumstances) pay will be adjusted in accordance with the hours or shifts that are worked, for example if a member of staff is in receipt of a shift allowance and weekend enhancements but their recuperative duties means working days regular no additional allowances will be paid.

The recuperative duties plan must include information about the range of duties and work routines that the member of staff will be expected to undertake. Importantly, where normal duties and/or routines are affected, plans should focus on the timescale over which the staff member's return to their substantive role is achieved. The plan will be of substance to constitute a risk assessment based on medical restrictions.

Recuperative plans must be reviewed by line managers regularly. This will assist their staff member in resuming the full role and work routine of their substantive post at the earliest opportunity.

22.3 Recuperative Duties Plan process

- Meeting between the staff member and the line manager to discuss their substantive role and what they can or cannot do and any workplace adjustments required.
- Recuperative plan developed (this will constitute a risk assessment based on medical restrictions). If the member of staff is still under the care of their General Practitioner (GP), they may need to discuss the plan with them and if the General Practitioner (GP) agrees they are fit enough to return to work and undertake their role, to sign it off.
- Any recuperative plan involving a 'phased' return must include an indication of the regular incremental targets expected. This can be as important as the expanding of the duties staff will be expected to undertake if they are to achieve a return to their substantive role at the earliest appropriate time.

22.4 Recuperative duties and Business Interests and Additional Occupations

During a period of recuperative duties approval for a business interest/additional occupation may be rescinded.

22.5 Recuperative duties and overtime

Overtime should not be worked where a recuperative plan is in being, so as not to jeopardise the staff member's recovery. In line with the Business Interest Policy, Line Managers should discuss with PSD if their member of staff is on recuperative duties and has an ongoing business interest/additional occupation.

22.6 Recuperative duties and annual leave

In discussion with their line manager staff members have the ability to utilise annual leave to assist with their rehabilitation, however, if a member of staff decides to take a period of annual leave during any time of their recuperative period this may not necessarily extend or defer their recuperative duties. Additionally, any leave taken during a reduced hours period will be calculated on their substantive hours of work.

The attendance and performance of all will continue to be managed irrespective of whether the member of staff is subject to recuperative duties. The requirement to perform

their role to an adequate standard and maintain acceptable levels of attendance remains. It should be noted that failure to do so will result in appropriate management interventions being instigated.

23. MEDICAL REDEPLOYMENT (POLICE STAFF ONLY)

For Police Officers please refer to Adjusted Duties in the Officers Capability and Deployment Policy (Limited Duties) Procedure/Guidance.

Overview

The aim of medical redeployment is to enable Police Staff who have a disability or a medical condition and where despite the consideration and implementation of all possible workplace adjustments are unable to continue within their current substantive role, to be redeployed to other employment which might be available within North Wales Police, thus retaining their valued skills and experience.

Consideration of medical redeployment

Where the Force Medical Advisor (FMA) forms the view, based on their medical prognosis, that a member of staff can no longer carry out the duties of their substantive post, the FMA will be asked to consider the appropriateness of medical redeployment. The FMA will detail the staff member's capabilities, together with details of the duties and/or work environments which would be suitable, including details of any special or particular needs which should be met. This information will then be provided to the relevant in order to commence the medical redeployment process. Where member of staff disagrees that redeployment should be pursued, they will need to provide further medical evidence from their General Practitioner (GP) (who needs to supply copies of specialist reports with any copies of scans undertaken) or other medical practitioner who is involved in their care for a reconsideration of their case by the FMA. If there is a charge for this service, the costs will not be reimbursed by North Wales Police.

Process to identify a suitable alternative post

In order to identify suitable alternative posts, the staff member will be asked to complete a skills profile form which details their employment history, work experience, skills, and qualifications. The member of staff will then be placed on the redeployment list and as vacancies arise the HR lead will seek to match their skills along with the requirements

as noted by the FMA to the role advertised. There has to be a genuine vacancy; no positions will be created purely for the purposes of redeployment. Staff members should also check the [Police Jobs Wales](#) site regarding internal and external vacancies, to see whether there are any vacancies which they may be interested in. Once a suitable position has been identified and if the staff member meets the essential criteria for the post, they will be given prior consideration for the post. It should be noted that there may be occasions when other Police Staff members on the redeployment list could also be given prior consideration for the same posts. In these circumstances a skills match and/or a selection process would take place. The HR lead will liaise with the member of staff throughout the process.

Timescales

A member of staff will remain on the redeployment list for a period of 12 weeks. On completion of the 12-week period where a staff member cannot be suitably redeployed (or where they have declined roles) and where medical retirement is not appropriate, the member of staff's employment will be terminated on the grounds of incapability, with contractual notice being paid in lieu of notice. In redeploying a member of staff full consideration will be given to any workplace adjustments required and appropriate vetting level will also be taken into consideration. If the member of Police Staff accepts the alternative post, they will be entitled to a trial period of 12 weeks.

For additional information please refer to the Redeployment Local Agreement - [here](#)

Salary Protection

The rate of pay, shift allowance, weekend enhancements and any other allowances please refer to the Salary & Allowances Protection Local Agreement - [here](#)

24. FORCE CASE REVIEW

The purpose of a Case Review is for the chair to review the attendance picture for the force and ensure consistency in application of Force policies and procedures. Meetings will be held on a monthly basis, chaired by the Head of People Services or in their absence their Deputy.

Long term/Recuperative and Adjusted Duties

- Discuss those staff members absent due to sickness or on Recuperative and Adjusted Duties to ensure that cases are managed in line with Police Regulations and Police Staff Conditions of Service.
- Consider and make decisions on the Officers Capability and Deployment (Limited Duties), both recuperative and adjusted.
- Consider and make decisions on medical redeployment.
- Request consideration of Ill Health Retirement (IHR) through OHU and (FMA).
- Monitor application of unsatisfactory attendance procedures.

Medical Funding Requests

- Proposal for medical funding – a business case form is to be completed and submitted before the meeting for each request.
- Recommendations for IHR to Chief Constable if supported by Selected Medical Practitioner (SMP).
- Overview of Force and area absence trends and recommendations for action.

Ill Health Retirement and IOD Award Review

- Monitoring progress of IHR cases, appeals and injury awards.

Force Case Review

This group consists of the Head of Health and Wellbeing, a representative of Operational HR and representatives from staff associations/unions. The Force Case Review meets monthly to review all cases of long-term sickness (28 days +) and reviews care and wellbeing provision of members of staff who are sick for extended periods, or who are repeatedly absent from work due to sickness. The purpose of review is to instigate appropriate actions.

The Force Case Review also looks at cases as they become liable to the reduced pay provisions.

Where pay determinations are required line managers/supervisors must:

- On receipt of a notification letter to the member of staff from HR, explain the Attendance Management protocol to the staff member and the date when they become vulnerable to a pay reduction.
- Provide the member of staff with a copy of this protocol, and explain that they [staff member], with the support of their union or staff association can make representations relating to the reduction.
- Where requested, provide an update to the Health and Wellbeing Services, which will include:
 - Attendance and performance of the member of staff.
 - Brief update regarding the nature of the absence.
 - Injury on Duty information.
 - Any other relevant factors for the Force Case Review to be aware of regarding the staff member's case.

The Force Case Review will determine whether exceptional circumstances exist and pay should be extended by considering one or more of the following factors:

- Injury on Duty: where the member of staff's incapacity is directly attributable to an injury or illness that was sustained or contracted in the execution of their police duty (i.e. not simply whilst 'on duty').
- Terminal Illness: where the member of staff is suffering from an illness which may prove to be terminal.
- Disability related absence: where a disabled member of staff is on long term sickness absence relating to their disability and agreed workplace adjustments are awaiting implementation to enable a return-to-work favourable discretion will generally be considered appropriate. Where it is the case that the options for workplace adjustments have been exhausted and/or the disabled member of staff could not return to work regardless of the adjustments made favourable discretion would not be applied.
- Referral of Permanency to Selected Medical Practitioner (SMP)/Independent Registered Medical Practitioner (IRMP): where a Police Officer has been referred to the SMP or Police Staff member has been referred to the IRMP favourable discretion will generally be considered appropriate.

In line with Police Staff Council changes effective from 01.04.17, a period of absence due to an injury sustained in the course of duty which is not the fault of the member of

staff should be excluded from any calculation in respect of the period of entitlement to full or half pay.

A staff member's pay will be subject to an automatic reduction on their vulnerable date unless an extension to pay is authorised by the Chief Constable.

Following the monthly pay review meeting and upon notification, line managers must:

- Within 48 hours of receipt of the pay notification letter, contact the member of staff by telephone/face call to notify them of the content and following consultation with the staff member concerned, the line manager will then either email the letter to a pre agreed and tested email address, post the letter via recorded delivery, or deliver the letter personally as part of a home visit, the method of delivery to be based on the staff member's choice.
- Address the welfare needs of the member of staff.
- Provide assistance to the member of staff or direct them to the appropriate staff association or support group if an appeal against the decision is desired and ensure the staff member is made aware.
- Continue to take active interest in the member of staff and address welfare needs to facilitate an early return to work.

25. OTHER INTERDEPENDENCIES AND POLICIES

- Officer Capability & Deployment Policy.
- Discharge of Probationer Under Regulation 13.
- Employee Performance Management (UPP/Capability).
- Business Interests and Secondary Employment - located in the Counter Corruption Policy.
- Recruitment and Selection.
- Promotion.
- Working with a Disability Policy.

26. RISK ASSESSMENT

North Wales Police will apply the principles of this policy consistently and fairly and the objectives of this policy are to:

- Contribute to the creation and maintenance of a healthy, productive workforce.

- Enable managers to intervene appropriately to provide support, and address the welfare needs of staff members who are absent from work, or who are returning to work after a period of absence.
- Contribute to the reduction of sickness absence in the forces to an acceptable level.
- Ensure the effective management of recuperative programmes designed to support a member of staff to return to full duties in good health, at the earliest opportunity.

27. PROVISION OF LANGUAGE CHOICE IN WELSH OR ENGLISH

There are a number of operational Welsh language Standards produced under the Welsh Language Measure (Wales) 2011 imposed upon the Chief Constable which apply to Appeals/Grievances and disciplinary processes (Welsh Language standards 109, 109A, 111, 112, 113, 113A, 115 and 116 apply).

We must offer language choice in either Welsh or English as part of this policy and associated processes and inform staff of their right to use Welsh and to facilitate this. Members of staff must be asked if they wish to use Welsh in any meeting as part of this policy. If Welsh is requested, the meeting should preferably be conducted in Welsh. Any related communication or documentation should be in Welsh medium where this is requested.

28. MONITORING AND REVIEW

The monitoring of this HR policy will be by the Head of People Services.

The Policy will be reviewed every two years.

29. DECLARATION & LEGALITIES

- 29.1 In line with all Force policies, the overarching purpose of this document is to directly support the PCC police and crime plan objectives. Overall, the intention of this policy is to make North Wales the safest place to live, work and visit in the UK.
- 29.2 In the writing of this policy cognisance has been taken of the college of policing code of ethics 2024.
- 29.3 North Wales Police policies will be written in accordance with the approved corporate format and published on the Force Intranet, allowing access to staff and public, where

appropriate, on the pages of the public facing Internet site under the Force publication scheme and Freedom of Information Act 2000.

29.4 The following main legal requirements have been identified within this policy:

- Equality Act 2010.
- Human Rights Act 1998.
- The Welsh Language (Wales) Measure 2011 and the Welsh Language Standards for the Chief Constable.
- Data Protection Act 2018.
- Freedom of Information Act 2000.
- Health and Safety Act 1974.

29.5 This policy has been written giving due regard to the above legislation and has considered the risk of unfair and/or disproportionate impacts on individuals or groups (actual or perceived) and has done so via an equality impact assessment (EIA).

29.6 New legislative requirements or changes in Force structure may necessitate a review of this policy document.

30. APPENDIX 1 – PART DAY SICKNESS CALCULATIONS

Total hours scheduled to work		50% of their total hours scheduled to work (Rounded up)	
HH:MM	Decimal	HH:MM	Decimal
03:00	3.00	01:30	1.50
03:15	3.25	01:38	1.63
03:30	3.50	01:45	1.75
03:45	4.75	02:23	2.38
04:00	4.00	02:00	2.00
04:15	4.25	02:08	2.13
04:30	4.50	02:15	2.25
04:45	4.75	02:23	2.38
05:00	5.00	02:30	2.50
05:15	5.25	02:38	2.63
05:30	5.50	02:45	2.75
05:45	5.75	02:53	2.88
06:00	6.00	03:00	3.00
06:15	6.25	03:08	3.13
06:30	6.50	03:15	3.25
06:45	6.75	03:23	3.38
07:00	7.00	03:30	3.50
07:15	7.25	03:38	3.63
07:30	7.50	03:45	3.75

Total hours scheduled to work		50% of their total hours scheduled to work (Rounded up)	
HH:MM	Decimal	HH:MM	Decimal
07:45	7.75	03:53	3.88
08:00	8.00	04:00	4.00
08:15	8.25	04:08	4.13
08:30	8.50	04:15	4.25
08:45	8.75	04:23	4.38
09:00	9.00	04:30	4.50
09:15	9.25	04:38	4.63
09:30	9.50	04:45	4.75
09:45	9.75	04:53	4.88
10:00	10.00	05:00	5.00
10:15	10.25	05:08	5.13
10:30	10.50	05:15	5.25
10:45	10.75	05:23	5.38
11:00	11.00	05:30	5.50
11:15	11.25	05:38	5.63
11:30	11.50	05:45	5.75
11:45	11.75	05:53	5.88
12:00	12.00	06:00	6.00

Total hours scheduled to work		50% of their total hours scheduled to work (Rounded down)	
HH:MM	Decimal	HH:MM	Decimal
03:00	3.00	01:30	1.50
03:15	3.25	01:37	1.62
03:30	3.50	01:45	1.75
03:45	4.75	02:22	2.37
04:00	4.00	02:00	2.00
04:15	4.25	02:07	2.12
04:30	4.50	02:15	2.25
04:45	4.75	02:22	2.37
05:00	5.00	02:30	2.50
05:15	5.25	02:37	2.62
05:30	5.50	02:45	2.75
05:45	5.75	02:52	2.87
06:00	6.00	03:00	3.00
06:15	6.25	03:07	3.12
06:30	6.50	03:15	3.25
06:45	6.75	03:22	3.37
07:00	7.00	03:30	3.50
07:15	7.25	03:37	3.62
07:30	7.50	03:45	3.75

Total hours scheduled to work		50% of their total hours scheduled to work (Rounded down)	
HH:MM	Decimal	HH:MM	Decimal
07:45	7.75	03:52	3.87
08:00	8.00	04:00	4.00
08:15	8.25	04:07	4.12
08:30	8.50	04:15	4.25
08:45	8.75	04:22	4.37
09:00	9.00	04:30	4.50
09:15	9.25	04:37	4.62
09:30	9.50	04:45	4.75
09:45	9.75	04:52	4.87
10:00	10.00	05:00	5.00
10:15	10.25	05:07	5.12
10:30	10.50	05:15	5.25
10:45	10.75	05:22	5.37
11:00	11.00	05:30	5.50
11:15	11.25	05:37	5.62
11:30	11.50	05:45	5.75
11:45	11.75	05:52	5.87
12:00	12.00	06:00	6.00



**HEDDLU
GOGLEDD CYMRU
NORTH WALES
POLICE**

POLICE OFFICER CAPABILITY & DEPLOYMENT (LIMITED DUTIES)

Governance:	Strategic Resource Group		
Document Type:	Policy		
Policy Owner:	Head of People Services		
Department:	People Services		
Policy Writer:	Head of HR		
Policy Number:	044	Version:	1.0
Effective Date:	27/08/2024		
Recommended Review Date:	27/08/2026		

POLICY

CHANGE HISTORY				
Version No	Author	Changes	Ratification	Date

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1. WHY IS THIS POLICY REQUIRED?

The Force accepts that there will be some Police Officers who are temporarily or permanently unable to carry out full operational duties. In accordance with the Police (Amendment) Regulations 2015, namely Regulation 22 and 28A, and Determination Annex EE of the Determination under Regulation 22, these Police Officers will be categorised and managed under 'Limited Duties'.

This policy outlines the procedures to enable the Force to effectively identify and deploy the individual capabilities of these Police Officers, commensurate with their role or rank, into meaningful, permanent positions which best utilise their skills and experience, in support of the overall operational resilience of the Force.

The policy aims to:

- Define Limited Duties.
- Detail the criteria for determining if a Police Officer is to be classed as being on Adjusted Duties.
- Ensure compliance with Police (Amendment) Regulations 2015, namely Regulation 22 and 28A, and Determination Annex EE of the Determination under Regulation 22.
- Ensure compliance with Police (Performance) Regulations 2020, Police Pension Regulations 1987, and Police Pension Regulations 2006 and 2015.
- Ensure that the requirements of the Equality Act 2010 are fully considered and met.

2. WHO SHOULD USE THIS POLICY?

This procedure applies to Police Officers who are unable to undertake full operational duties for any medical reason. This procedure does not apply to the following:

- Police Officers non-deployable due to pregnancy/breastfeeding. Maternity restrictions may be placed on a Police Officer following a pregnancy risk assessment. However, if OHU advise that restrictions are needed once the Police Officer returns to work after having a baby this procedure will be used.
- Police Officers with medical conditions whereby they are still able to undertake full operational duties including working a full range of shifts.
- Welfare, social or domestic issues are not medical restrictions and will not be dealt with using this procedure.
- Where Police Officers are not fully deployable in operational roles due to management decisions, they will be clearly recorded against the Management

Restriction of Duties category of Limited Duties. In all other respects this protocol does not apply to these Police Officers.

- Re-deployment of Police Officers for other reasons, i.e., return from secondment, career break etc.
- Police Officers who are subject to suspension or restriction as part of a complaint or conduct matter may also be designated Limited Duties.

3. DEFINITION OF TERMS RELATING TO LIMITED DUTIES

3.1 Fully Deployable Police Officers will generally demonstrate all the following core capabilities:

- The ability to sit for reasonable periods, to write, read, use the telephone and to use (or learn to use) IT.
- The ability to run, walk reasonable distances, and stand for reasonable periods.
- The ability to make decisions and report situations to others.
- The ability to evaluate information and to record details.
- The ability to exercise reasonable physical force in restraint and retention in custody.
- The ability to understand, retain and explain facts and procedures.
- The ability to work the full range of shifts (earlies, lates and nights).

Not all Police Officers are required to be fully deployable in a particular role, however if any restrictions are in place these should be recorded so that the Force continually understands its capabilities, especially when a move to a critical state is needed requiring Police Officers to be deployed.

It cannot automatically be assumed that a Police Officer subject to Adjusted Duties does not need to participate in the Job Related Fitness Test (JRFT) and Personal Safety Training (PST). Advice will be sought as part of the wider assessment of a Police Officer's medical capabilities. Where they are deemed to be fit to perform JRFT and PST, this should be carried out on an annual basis as per agreed protocol. Where a Police Officer is deemed to be unfit, they will be exempt. For further information please refer to the [Fitness Assessment Policy](#).

3.2 Workplace Adjustments

These are measures to reduce or remove barriers and disadvantages faced by disabled Police Officers. Police Officers are covered by Equality legislation which places a duty on

the Force to consider and make workplace adjustments within the context of operational resilience.

3.3 Limited Duties

A process which enables the Force to understand the capabilities required for each policing role and to fully understand the capabilities of any Police Officer that is not fully deployable; to appropriately match these Police Officers against identified posts; and, thereafter, to keep these arrangements under regular review. Police Regulations and determinations identify three categories of 'Limited Duties' as:

- Management Restricted Duties (not included in this policy).
- Recuperative Duties.
- Adjusted Duties.

3.4 Recuperative Duties

Duties falling short of full deployment, undertaken by a Police Officer following an injury, accident, illness, or medical incident, during which the Police Officer adapts to and prepares to return to full duties and the full hours for which they are paid, and is assessed to determine whether they are capable of making such a return. This is a structured, supportive, and rehabilitative process to facilitate the integration of Police Officers back into the workplace at the earliest possible opportunity, through an appropriate recuperative plan, accompanied by a risk assessment. The aim at the outset being to support the Police Officer to adapt and prepare for a return to a substantive policing role.

3.5 Adjusted Duties

Duties falling short of full deployment, in respect of which workplace adjustments (including reasonable adjustments under the Equality Act 2010) have been made to overcome barriers to working. If a Police Officer is placed on Adjusted Duties, it represents an intention to retain them in the force in a substantive policing role that matches their core capabilities, on the understanding that this may necessitate long term or permanent workplace adjustments. This may include Police Officers who have been retained under Police Pension Regulations.

3.7 Police Officers who have been retained under Police Pension Regulations

Police Officers with restrictions who have been retained through Police Pension Regulations because the Selected Medical Practitioner (SMP) has determined that they are permanently disabled.

3.8 Substantive Role

A role undertaken by a Police Officer subject to Adjusted Duties will be a substantive role:

- That exists in the organisational design of the Force and is funded; and
- Into which a Police Officer is posted.

3.9 Suitability Assessment is an assessment of skills and experience against the occupational skills of the role.

4. ROLES AND RESPONSIBILITIES

4.1 Police Officers	• Contribute to the delivery of policing services to their optimum capability. • Attend appointments with OHU when requested to do so. • Fully contribute to and participate in any agreed support plan. • Engage with suitability assessments for roles which meet their needs. • Monitor adjustments to ensure that they remain appropriate (engage with management in the determination of Workplace Adjustments).
4.2 Superintendent	• Consider workplace adjustments for Police Officers whilst balancing organisational needs of the service. • Accept Police Officers from other Departments, as necessary, to accommodate restricted duties requirements. • Ensure that the number of Police Officers subject to Adjusted Duties is reviewed regularly to maintain operational resilience from an SMT perspective.
4.3 First Line Supervisor	• Write and review support plans for Police Officers on recuperative and restricted duties. • Refer Police Officers to the OHU as required. • Maintain records of meetings. • Consider Police Officers subject to Adjusted Duties for roles in their team. • Carry out risk and/or disability needs assessment as required. • Identify and put in place workplace adjustments. • Monitor adjustments in conjunction with the Police Officer to ensure that they remain appropriate.

	• Use the Police (Performance) Regulations 2020 when appropriate.
4.4 Occupational Health Unit (OHU)	• Provide clear advice on the nature and likely duration of a Police Officer's condition in a timely manner. • Provide advice on recuperative duties. • Provide advice regarding risk assessments.
4.5 Human Resources	• Assist in the monitoring, management, and review of the number of Police Officers on Recuperative and Adjusted Duties force wide. • Support line managers in developing their skills to construct support plans and risk assessments. • Ensure that HR systems accurately reflect the Police Officer's status and are updated. • Assist in identifying posts that may be suitable for Police Officers subject to Adjusted Duties. • Provide advice to Senior Management to assist their decision making regarding the posting of Police Officers subject to Adjusted Duties. • Write to Police Officers 9 months after they have been placed on Adjusted Duties and annually thereafter to give notice of the annual review meeting. • Dip sample and check the consistency and quality of the redeployment process and related support plans, and support Managers on any disclosed performance issues.

5. THE PROCEDURE

5.1 Process for Recuperative Duties

In most cases after a sickness absence, a Police Officer will return to work and continue their normal duties. However, management may permit a Police Officer to reduce their hours and/or change their duties on a temporary basis to enable a return to work (subject to OHU advice and Case Review approval).

Whilst short-term/less complex recuperative arrangements can be agreed between the line manager, the individual and their GP, for the more complex or longer-term cases OHU will need to consider the circumstances and determine any restrictions and workplace adjustments.

The decision to instigate Recuperative Duties should be based on the realistic prospect of the Police Officer returning to full duties and hours as soon as is reasonable and in any event in less than 12 weeks. Where reduced hours are agreed these should start at a minimum of 4 hours/day, anything less being the exception. When working reduced hours by agreement temporarily, within recuperative duties, the Police Officer will receive the pay for working their normal hours. In addition, if the Police Officer takes a day's leave, a full day will be deducted from their entitlement and not the reduced hours they are working.

All Recuperative Duties cases will be monitored at Case Review Meetings.

Most Police Officers will return to work and be able to carry out a full range of duties in their substantive policing role at the end of a short period of recuperation on full pay. However, if the Police Officer does not return to full duties/hours within the 12 week period, or it becomes apparent that they are unlikely to do so before the expiry of 12 weeks, the Police Officer's line manager will refer the Police Officer to OHU for advice on whether an extension to the period of recuperative duties (up to a maximum of six months) is likely to achieve this outcome (and in exceptional cases up to 12 months).

Once the recuperative period, and any agreed extension has ended, the line manager will have a meeting with the Police Officer, a Police Federation representative, or Work Colleague (if required) and a HR representative (if required). At the meeting the line manager, in discussion with the Police Officer, will complete a Limited Duties form.

5.2 Options Following Recuperative Period

5.2.1 Consideration of a variation in the Police Officers working pattern/hours as an adjustment under the Flexible Working Procedure where a Police Officer is not medically capable of resuming their full hours. A reduction in hours via a Flexible Working application will amend the Police Officers contracted hours and pay will be adjusted accordingly.

5.2.2 Where appropriate, **consideration of action under the [Police \(Performance\) Regulations 2020](#)**. When a Police Officer is unable to make satisfactory progress against an agreed recuperative plan which incorporates medical advice and OHU do not support an extension, and it is determined that all supportive approaches to improve attendance to an acceptable level has been implemented, it may be necessary to take formal action under Police (Performance) Regulations 2020.

5.2.3 Referral to Selected Medical Practitioner (SMP) for consideration of permanent disability. If a Police Officer is not able to carry out even a limited range of duties which can be supported by the Force, for example has a detrimental impact on the performance of the team or Force; or contributes to an inability to meet demand, then Ill Health Retirement should be considered.

5.2.4 Placement of Police Officer on Adjusted Duties. Where the Police Officer is not considered suitable for ill-health retirement and their attendance is satisfactory but (even with appropriate workplace adjustments) they are able to carry out only a limited range of duties, the decision may be made to retain the Police Officer subject to Adjusted Duties.

Once the form has been completed, it will be passed to a **Case Review meeting** where a decision on what action should be taken will be made. Details of the Case Review Panel's decision will be communicated in writing to the Police Officer and the rationale for the decision will be recorded on the Limited Duties form and updated on the Police Officer's personal file.

5.3 Process for Adjusted Duties

5.3.1 A Police Officer may be deemed as suitable for Adjusted Duties in the following circumstances:

- Where the Police Officer has returned to work on a recuperative plan and has not achieved a return to full duty within the timescale set. Or at the point of return, it is known that the individual has a medical condition that will require a longer period to achieve a full recovery before full duty can be achieved.
- Where the Police Officer has a long-term medical condition that prevents them from undertaking roles that require full operational duty.

5.3.2 For a Police Officer to be placed on Adjusted Duties, they must:

- Be attending work on a regular basis.
- Be regularly working the full number of hours for which they are paid (in either a full time or part time role).
- Whether Adjusted Duties are agreed in any individual case, will depend on:
 - Whether the Police Officer is able, after any necessary workplace adjustments have been made, to discharge a substantive Police Officer role.
 - For the full duration of the hours for which they are paid.

- Whether such deployment can be accommodated without unreasonable detriment to overall force effectiveness or resilience, as judged by the Adjusted Duties Panel. All reasonable efforts will be made to accommodate the adjustments that the disabled Police Officer requires, and each case will be considered on its individual merits.

5.3.3 If the decision of the **Case Review Panel** is that the Police Officer should be placed on Adjusted Duties, the Assistant Chief Constable will then consider the case. The Police Officer will be given the opportunity to be fully involved in this process and can suggest ways in which any barriers to working can be overcome. It may be necessary for the Superintendent to seek further medical information to inform these discussions, and consultation should take place with HR in these circumstances. The Superintendent should firstly consider the Police Officer's **current substantive policing role** by:

- The Police Officer's medical capabilities based on the medical advice received matched against the requirements of the Police Officer's current substantive post.
- Any workplace adjustments which can be implemented to effectively support the Police Officer, and if not why.
- Any risk assessments which need to be put in place to effectively support the Police Officer in their substantive role.

If the Police Officer subject to Adjusted Duties cannot remain in their substantive role, then a local resolution should be explored by the Superintendent/SMT. The Superintendent will record the rationale for their decision as to whether there is a local solution or not, on the Limited Duties proforma which will be kept on the Police Officer's personal record.

5.3.4 Consideration of substantive policing roles across the Force

If a local solution is not feasible or it is determined that a Police Officer's capability is better matched against the requirements of an alternative role within the Force, the case will be referred to a Limited Duties Panel, which are scheduled to take place monthly. The membership of this panel will be as follows:

- Independent Chair - ACC.
- HR/Workforce Planning.
- Senior Operational Representative(s).
- Occupational Health and Welfare (required).
- Police Federation Representative

The Adjusted Duties Panel will be provided with a copy of the completed Limited Duties form, which will include a summary of what has been considered and the rationale for why there is no local solution. The Panel will review the details of the case to determine whether it should be referred back to the SMT to re-consider how a local solution could be facilitated, or whether a move to a more appropriate, substantive role in another part of the Force is required.

5.3.5 Identification of a Suitable Substantive Policing Role

Consideration will be given to every Police Officer role within the Force to identify a suitable role. The key considerations when deciding whether to post a Police Officer on Adjusted Duties are:

- Whether their workplace adjustments could reasonably be accommodated (including adjustments to the range of duties) to facilitate the Police Officer being capable of performing the specified role.
- Whether it is reasonable for the force to make the adjustments to that role.

This would include consideration of:

- Operational resilience implications.
- Health and safety risk assessment outcomes.
- Cost of workplace adjustments; considering financial and other assistance available.
- Impact of adjustments on colleagues and team/force performance; and whether adjustments have been made for others etc.
- The context of the totality of the Police Officer workforce, vacant posts, the needs of disabled Police Officers and Police Officers returning from maternity leave, as well as any other statutory duties which may apply.
- Whether the Police Officer has the required skill, or they could develop the required skills in a reasonable period.

If the Police Officer's skills match the skills required for the post, the Police Officer may be redeployed straight away. If they do not the Police Officer may be invited for a suitability assessment which will inform any training or re-skilling required.

5.3.5 Appointment into an Adjusted Duties role will be initiated via two potential means as outlined below:

- Via an attachment into a role with any workplace adjustments in place and any additional training or re-skilling provided. This will allow for both the Police Officer and the line manager to ensure that the posting is appropriate.
- An internal advert to all Police Officers subject to Adjusted Duties (including those already placed in a substantive role), and where more than one applies, a selection process will take place.

Wherever possible, Police Officers subject to Adjusted Duties will be placed into current vacancies, however circumstances may arise where another Police Officer needs to move to create an opportunity. Police Officers who are eligible to be moved include fully deployable Police Officers who are in a post which is suitable for Adjusted Duties, or other Police Officers subject to Adjusted Duties where it is believed that a Police Officer subject to Adjusted Duties needing to be placed has a greater necessity for a particular role. The Force will allow for such movement to take place, and management will ensure that where selection processes are required to identify those Police Officers who need to move, that these are fair, transparent, and fully explained to all Police Officers involved in the process.

The ACC reserves the right to post the Police Officer to a role they feel meets their restrictions. If a Police Officer refuses to accept a post and cannot provide suitable evidence to support reasons for the refusal, the matter may be dealt with under Performance Management Policy.

Details of the **Adjusted Duties Panel** decision will be communicated in writing to the Police Officer and the line manager. The rationale for the decision should be recorded on the Limited Duties form and placed on the Police Officer's personal file.

5.4 Management Review of Adjusted Duties

Police Officer subject to Adjusted Duties should be monitored and reviewed regularly, at least one year after being placed on Adjusted Duties, and on an annual basis thereafter by the Adjusted Duties Panel, to check that arrangements are still working for both the Police Officer and the force.

A review can be initiated at the request of either the Police Officer or local managers at any time if there is any change in circumstances. If the review determines that a Police Officer's condition has improved to the point where adjustments are no longer necessary,

they should be taken off Adjusted Duties with effect from the date of the conclusion of the review.

The review will be conducted by the relevant Superintendent, line manager, HR representative (if required), and with the Police Officer concerned, who may invite a Police Federation representative or a work colleague. In assessing the above, the panel will consider whether there have been any changes in the Police Officer's medical circumstances, whether there need to be any changes made to the adjustments already put in place, and whether any such changes can reasonably be accommodated in that role. Prior to any review the Police Officer subject to Adjusted Duties will be referred to the Force Medical Advisor(s) if required.

The Superintendent will complete the Limited Duties form and record their recommendation which will be one of the following:

- The Police Officer remains in role with existing adjustments remaining in place.
- The Police Officer is considered for return to full duties if there has been sufficient improvement in the Police Officer's condition which is validated by supporting information from the OHU.
- Some adjustments are no longer necessary and can be removed, and any necessary arrangements put in place which may potentially enable the Police Officer to be more fully deployed.
- Adjustments are no longer adequate, and further adjustments to the role are agreed to be reasonable and implemented to provide additional support to the Police Officer.
- Business circumstances have changed, and existing adjustments can no longer be accommodated as reasonable, that consideration will be given to posting the Police Officer to a more appropriate role; (in these circumstances consideration would be given to an alternative Adjusted Duties post via referral to the Adjusted Duties panel).
- The Police Officer is referred to the SMP process for consideration of permanent disability via Case Review. This an option when the Police Officer's condition has deteriorated which is validated by supporting information from the OHU, and if there are believed to be no further roles within the organisation suitable for the Police Officer to perform.
- Progression of Police (Performance) Regulations 2020 if there are no further workplace adjustments which can be implemented to support the Police Officer where ill health retirement is not an option.

5.5 Consideration of Ill Health Retirement

A separate procedure exists which outlines the provisions for Police Officers to be assessed for permanent disablement, which can in some circumstances lead to medical retirement. For further information please refer to the IHR Practice Guide - [Link once published](#).

As the Force aims to support Police Officers to remain in the Force wherever possible, in a role which accommodates any medical restrictions as per the above procedure. Therefore, where a Police Officer is assessed as permanently medically unfit for performing the ordinary duties as a member of the police force, it does not automatically mean that they will be retired on ill-health grounds.

5.6 UPP – Police (Performance) Regulations 2020

The attendance and performance of the Police Officer will continue to be managed irrespective of whether the Police Officer is subject to an Adjusted Duties agreement or on recuperative duties. The requirement for the Police Officer to perform the role to the required standard and maintain acceptable levels of attendance remains. It should be noted that failure to do so will result in management interventions that may include the instigation of UAP and/or UPP procedures which have the ultimate sanction of dismissal.

For further information please refer to the [Attendance Management Policy](#) and Employee Performance Management Policy ([Link once published](#)).

6. RECORDING OF MEETINGS

A comprehensive record of any meetings held as part of this process should be kept on a secure Teams Channel with access restricted to relevant HR Members.

7. APPEAL

The Police Officer has the right of appeal regarding a decision made during the process outlined within the Police Officer Capability and Deployment Policy, further information can be found via the [Appeal Policy](#).

8. PROVISION OF LANGUAGE CHOICE IN WELSH OR ENGLISH

There are a number of operational Welsh language Standards produced under the Welsh Language Measure (Wales) 2011 imposed upon the Chief Constable which apply to

Appeals/Grievances and disciplinary processes (Welsh Language standards 109, 109A, 111, 112, 113, 113A, 115 and 116 apply).

We must offer language choice in either Welsh or English as part of this policy and associated processes and inform staff of their right to use Welsh and to facilitate this. Individuals can make complaints in Welsh or respond to allegations in Welsh. They must be asked if they wish to use Welsh in any meeting as part of this. If Welsh is requested, the meeting should preferably be conducted in Welsh or, if required, a simultaneous translation service from Welsh to English should be provided at the meeting. Any related communication or documentation should be in Welsh medium where this is requested.

9. SUPPORT FOR POLICE OFFICER INVOLVED

Police Officers can seek support from the Police Federation, Superintendents Association, HR, and/or Staff Support Networks (including Mental Health Peers). Information on all sources of support may be found on the intranet.

10. ASSOCIATED DOCUMENTS

Name of Document	Location
Attendance Management Policy	Click Here
Performance Management Policy	To be updated once published
Working with a Disability Policy	Click Here
Flexible Working Policy	Click Here
Ill Health Retirement Practice Guide	To be updated once published
College of Policing Code of Ethics	Click Here

11. DECLARATION & LEGALITIES

- 11.1 In line with all Force policies, the overarching purpose of this document is to directly support the Police and Crime Commissioner (PCC) police and crime plan objectives. Overall, the intention of this policy is to make North Wales the safest place in the UK.
- 11.2 In the writing of this policy cognisance has been taken of the college of policing code of ethics (2024).
- 11.3 North Wales Police policies will be written in accordance with the approved corporate format and published on the Force Intranet, allowing access to staff and public, where

appropriate, on the pages of the public facing Internet site under the Force publication scheme and Freedom of Information Act 2000.

11.4 The following main legal requirements have been identified within this policy:

- Equality Act 2010.
- Human Rights Act 1998.
- Police (Performance) Regulations 2020.
- The Welsh Language (Wales) Measure 2011 and the Welsh Language Standards for the Chief Constable.
- Data Protection Act 2018.
- Freedom of Information Act 2000.
- Health and Safety Act 1974.

11.5 This policy has been written giving due regard to the above legislation and has considered the risk of unfair and/or disproportionate impacts on individuals or groups (actual or perceived) and has done so via an equality impact assessment (EIA).

11.6 New legislative requirements or changes in Force structure may necessitate a review of this policy document.



**HEDDLU
GOGLEDD CYMRU
NORTH WALES
POLICE**

Working with Disability Policy

Governance:	Senior Leadership Team		
Document Type:	Policy		
Policy Owner:	Head of People and Organisational Development		
Department:	People and Organisational Development		
Policy Writer:	Human Resources		
Policy Number:	026	Version:	1.1
Effective Date:	31/07/2023		
Recommended Review Date:	31/07/2026		

POLICY

CHANGE HISTORY				
Version No	Author	Changes	Ratification	Date
1.0	...Corporate HR Lead	Changed from Practice Guide back to a Policy	SLT	25/07/23
1.1	FG&PO	Updated hyperlinks section 10.3 and 13.3	N/A	09/01/24

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1. WHY IS THIS POLICY REQUIRED?

- 1.1 North Wales Police are committed to valuing and respecting difference and understanding that people have different needs. We all have a responsibility to uphold the principles of the Equality Act 2010 and treat everybody in a fair and respectful manner. The NPCC Diversity, Equality and Inclusion Strategy has further set an objective to advance equalities by ensuring an inclusive and supportive workplace. The goal is to encourage a culture where people feel able to be open about their health conditions, impairments, disabilities and differing needs and to feel valued as an individual for their skills and contribution to the police service.
- 1.2 This Policy sets out the Force's commitment to every disabled individual, encouraging a proactive approach at every level. It provides guidance for managers and clarifies the support framework that exists to ensure equality of treatment. The primary aim of the Policy is to ensure every existing or potential member of staff has the opportunity and the appropriate resources to perform their role to the best of their ability.
- We value people and want to enable them to make their best contribution to the Force.
 - We want to create a positive and inclusive working environment.
 - We want to remove the barriers to equality to enable full participation.
 - We want to recognise what can be achieved by people rather than what can't.
 - We want to reflect our communities and enhance the service we provide by increasing our understanding of disability.
- 1.3 Consideration should be made to the requirements of the Equality Act 2010, which protects disabled individuals from discrimination and requires employers to make reasonable adjustments in relation to the working environment.
- 1.4 This Policy has also taken into account the College of Policing [Discovery Report into Workplace Adjustments 2021](#)

2. WHO SHOULD USE THIS POLICY?

- 2.1 This Policy applies to all members of NWP including Police Staff, Police Officers, Special Constables, Volunteers. It also applies to Office of the Police and Crime Commissioner (OPCC) staff. Any reference to staff in this Policy will include NWP and OPCC staff.

3. ROLES AND RESPONSIBILITIES

3.1 Line Managers	• Support all individuals (regardless of any formal identification of a disability) to achieve their best and make adjustments where possible to achieve this aim. • Comply with the duty under the Equality Act to make 'reasonable adjustments' for people with a disability if there are any aspects of a job or workplace which put them at a disadvantage. • Be respectful in the language used about disability and expect the same of others. • Assess the operational impact of any adjustments required. • Complete the Workplace Adjustments Passport with the individual, if required.
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	• Regularly review adjustments with the individual to discuss whether or not they are still appropriate. • Seek to identify signs that an individual might have a disability or health condition that is making it difficult for them to do their job and therefore may require adjustments. • Ensure all sensitive personal data provided to the Force is processed in accordance with UK GDPR Principles.
3.2 Individual Members of Staff / Officers	• There is no requirement for individuals to give specific details of their disabilities but managers do need to know the effect of the disability and what support is required. • Participate in regular reviews of adjustments with the Line Manager. • Share ideas about any adjustments you know (or believe) will assist you. • Give honest feedback about how effective existing adjustments are.
3.3 Human Resources	• Help to ensure that the requested adjustment(s) is/are assessed and implemented if reasonable, involving other departments or external agencies if required. • Help to identify potential external organisations with specialist knowledge to seek advice regarding work-based assessments and supportive equipment. • Signpost individuals and managers to any other internal and external support available.
3.4 Occupational Health	• Provide advice on workplace adjustments and accommodations.

4. WHAT IS A DISABILITY?

4.1 The Equality Act 2010 states that a person has a disability when:

A person has a physical or mental impairment and the impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

‘Long-term’ means that the condition must last, or be likely to last, for more than 12 months, or is likely to last for the rest of the life of the person affected.

‘Substantial’ means more than minor or trivial and goes beyond the normal differences in ability which may exist between people.

4.2 The definition of ‘disability’ is very broad. Many conditions could potentially be covered including, for example, depression, chronic fatigue syndrome, arthritis, diabetes, epilepsy, dyslexia, menopause. Individuals with cancer, multiple sclerosis or HIV/AIDS would be covered from the date of diagnosis regardless of the impact the condition is having on their life at the time of diagnosis.

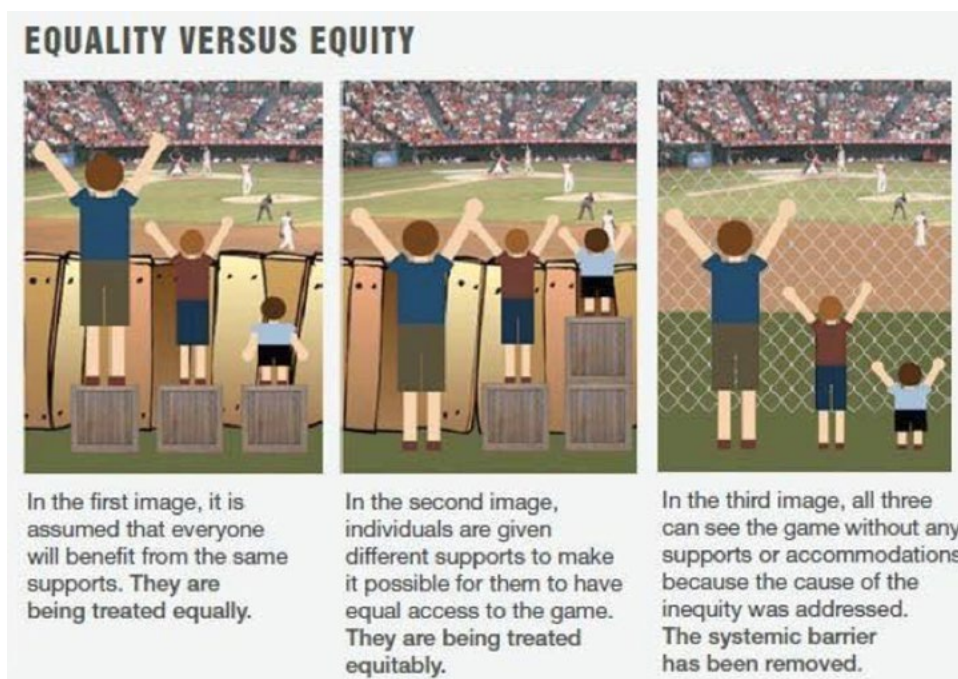
4.3 Whilst the examples provide some guidance in terms of what is and isn’t a disability, **North Wales Police aim to support all individuals (regardless of any formal identification of a disability) to achieve their best and will make adjustments where possible to achieve this aim.**

4.4 To be covered under the Equality Act, a condition does not have to be clinically recognised or diagnosed. Employers should focus on the effects the individual is experiencing at

work, not on the disability or condition from which those symptoms may emerge. Many people with a long-term health condition which could potentially be covered by the Act may not necessarily identify as or consider themselves to be 'disabled', even though they may still need adjustments to support them in the workplace. In practice, this means that employers may need to make adjustments for employees who do not say or think they are 'disabled'.

5. WORKPLACE ADJUSTMENTS

- 5.1 The Force is committed to strengthening the trust and commitment of all communities served and developing and investing in its people. On this basis, we are committed to valuing difference and recognising that individual needs will vary.
- 5.2 Equality of opportunity is not about treating everyone the same but rather treating people equitably dependant upon their individual needs. Although unintentional, we recognise that some workplace practices or physical aspects of the working environment can be challenging for people with disabilities. We are committed to identifying any such challenges that could place a disabled person at a disadvantage, then taking all reasonable steps to remove those barriers. This is illustrated by the pictures below.



Credit: Original author unknown

- 5.3 Employers have a duty under the Equality Act to make 'reasonable adjustments' for people with a disability if there are any aspects of a job or workplace which put them at a disadvantage. An employer failing to make 'reasonable adjustments' for a disabled job applicant or employee is one of the most common types of disability discrimination.

6. LANGUAGE

- 6.1 Disabled people will often have different preferences and views on what language they find appropriate or inappropriate. If you are unsure about how to say something, ask the person what they would prefer.
- 6.2 Be respectful in the language you use about disability, and expect the same of others, whether a disabled person is present or not.
- 6.3 The Equality Act 2010 refers to the requirement to make 'reasonable adjustments'. The College of Policing Discovery Report into Workplace Adjustments 2021 recommends that Forces use the term 'workplace adjustment' in place of 'reasonable adjustment'.

7. THE PROCESS OF AGREEING ADJUSTMENTS

It is essential that Line Managers do not make assumptions about disabled people. Disabilities will often affect different people in different ways and their needs may be different as well. The focus must also remain on what each individual **can** do, rather than what they cannot.

The attached flowchart summarises the process for considering and implementing workplace adjustments:



Workplace
Adjustments process

7.1 What are the individual's needs?

Once it is known that an individual has a disability or an issue with which they require support, listening carefully and finding out what the individual requires will help to meet the organisation's obligations by identifying the best way of meeting that person's needs.

7.2 What is the effect of a disability?

There is no requirement for individuals to give specific details of their condition, impairment or disability but managers do need to know the effects so that they can understand what support is required. Managers should also assess the operational impact of any adjustments required.

7.3 Recording the individual's requirements

The Workplace Adjustments Passport should be completed wherever possible as this allows the individual to inform their Line Manager of their requirements and what adjustments they may need to be supported in work:



Workplace
Adjustments Passpor

The form also allows the Line Manager to identify the impact in the workplace of a disability and any possible risks to mitigate. This may prompt the requirement for a Risk Assessment to be agreed, particularly in circumstances where an individual is a lone worker, or where their disability/medical condition may place them at additional risk when carrying out their role. Risk Assessment templates can be found [here](#).

An embedded document will outline the adjustments agreed without the detail in the rest of the form. Individuals can use this document as confirmation of adjustments if they are working somewhere temporarily, for example, and do not wish to disclose further detail. Individuals may also choose to share this condensed document with their colleagues; it must not be shared without the individual's consent.

Workplace adjustments can include:

- A more flexible working arrangement, for example, allowing someone to work from home or changing their hours so they don't have to travel to work in the rush hour.
- Arranging more one-to-one supervision or additional training or providing a mentor.
- Making a physical change to the workplace or workstation, for example, changing a desk height, or moving office furniture to improve access.
- Providing extra equipment or assistance, for example, a new chair or specific software.
- Altering assessment procedures – such as giving extra time, providing assistive technology or offering a 'work trial' instead of a traditional formal interview.

7.4 Agreeing Adjustments

Once the Workplace Adjustments Passport form has been completed, the Line Manager should liaise with the relevant HR & Training Support Officer (HRTSO) before confirming the adjustments. The HRTSO will help to ensure that the requested adjustment is assessed and implemented if reasonable and will involve other departments (e.g. Occupational Health) or external agencies if required.

An individual can also seek advice from external organisations with specialist knowledge regarding work-based assessments and supportive equipment. The relevant HRTSO can help identify potential organisations considering cost and who is best placed to assist.

7.5 Reviewing Adjustments

An individual's needs may change and therefore it is important that an individual requiring adjustment(s) has a regular review with their Line Manager to ensure their adjustments remain relevant. This may be required following a job change, absence from work or review by the GP/consultant. The review also enables the Line Manager to ensure an individual is being developed and making use of their abilities. This process should be carried out with sensitivity, particularly when it is clear that the member of staff/officer continues to work effectively. The Workplace Adjustments Passport form can be used for any subsequent reviews. As a minimum, a review should take place on an annual basis.

7.6 Case Review

The Force holds a monthly Case Review, which is a multi-disciplinary group comprising HR, Occupational Health, Federation, and UNISON. The purpose of the panel is to provide consistency in decision making on matters relating to workplace adjustments and, where this involves a cost (such as paying for testing or equipment), to record such details accurately against the Force budget. HRTSOs will refer cases involving costs to this panel at the earliest opportunity.

8. WHAT ARE 'REASONABLE' ADJUSTMENTS?

- 8.1 The Equality Act 2010 protects disabled individuals from discrimination and requires employers to make reasonable adjustments in relation to the working environment. Reasonable adjustments are a way of levelling the playing field for people with disabilities. When considering adjustments, Line Managers should identify the barrier

that is caused by the effect of the disability or condition and make an adjustment to remove it.

8.2 The duty to make reasonable adjustment applies where any physical feature of the employer's premises, or any employment arrangements made by or on behalf of the employer, cause a substantial disadvantage to a disabled person compared to a non-disabled person.

8.3 A number of factors are likely to have a bearing on whether it is 'reasonable' to make an adjustment:

- How effective the adjustment is in preventing the disadvantage.
- How practicable it is.
- Its financial and other costs and how disruptive it is.
- The employer's financial and other resources.
- The availability of financial or other help.
- An adjustment will not be reasonable if it compromises anyone's health and safety.

All these factors should be considered and recorded when reasonable adjustments are requested.

8.4 It is lawful to decline a request for an adjustment which is deemed unreasonable. The burden of proof is with the employer to show why an adjustment is unreasonable. Because the potential consequences of refusal are significant, Line Managers should not refuse any request for an adjustment without first seeking the advice of their HR & Training Support Officer (HRTSO). Any such cases should then be referred to Case Review (see point 7.6 above).

9. POTENTIAL DISABILITY/HEALTH CONDITIONS REQUIRING ADJUSTMENTS

9.1 Line Managers should be proactive in seeking to identify signs that an individual might have a disability or health condition that is making it difficult for them to do their job and therefore may require adjustments. These signs might include (but are not limited to):

- Being persistently late.
- Poor or deteriorating relationships with colleagues.
- A negative attitude.
- Poor written or oral communication.
- Missing deadlines or forgetting to do work.
- Irritability or moodiness.
- Lots of short-term sickness absences.
- Long periods of sickness absence.
- Complaints of being tired or in pain.

9.2 If the Line Manager has any concerns they should approach the individual in a sensitive manner and discuss their concerns directly with the individual. This might confirm that adjustments are required in relation to a disability or health condition, or might indicate that there are other issues which may require support through other policies.

10. SUPPORT AVAILABLE

10.1 NWP Disability Support Network (DSN)

The DSN works together as North Wales Police, leaders and individuals, to support those affected by disability, ensuring they remain included, treated fairly and able to fully apply their diverse abilities to serve our communities. Further details can be found by clicking [here](#).

10.2 NWP Equality Diversity & Inclusion (EDI) Unit

There is a variety of useful information available on the EDI Unit document library which covers disability in general and guidance on specific disabilities. There is also a particularly useful guidance section for Line Managers. Further details can be found by clicking [here](#).

10.3 NWP Health and Wellness Centre (Occupational Health)

Supporting individuals with mental health issues is a priority for the Force. According to MIND at least one in four individuals will experience a mental health problem each year. The individual's own GP should be the first point of contact for support; Line Managers and HR can also provide help and reassurance. The Force can also provide support through the Health and Wellness Centre, further details of which can be found by clicking [here](#). The Health and Wellness Centre can provide support for physical as well as mental health issues.

10.4 Disabled Police Association (DPA)

The DPA are the national body representing disability support networks from police forces across the UK. Their main aim, and a key part of their strategic vision is to promote equality of opportunity for disabled people working within the extended police family. Their website can be access by clicking [here](#).

10.5 National Police Autism Association (NPAA)

The NPAA is an independent group supporting police officers, staff and volunteers who are affected by neurodivergent conditions such as autism (including Asperger syndrome), dyslexia, dyspraxia and ADHD. Their website can be access by clicking [here](#).

10.6 Disability Related Leave

Disability Related Leave can be requested via Line Managers in order to take time off during working hours for therapy, hospital appointments, rehabilitation, assessment or treatment. Please refer to the [Duties & Leave Policy](#) for the details for Police Officers and the Police Staff Conditions of Service – [Leave for Police Staff](#)

10.7 Disability Related Sickness Absence

Sickness absence in relation to a disability is recorded as such on the individual's personal record but may not be counted towards any procedural triggers in terms of absence management. Please refer to the [Attendance Management Policy](#) for further details.

11. SUNFLOWER SCHEME – HIDDEN DISABILITIES

11.1 What is a Hidden Disability?

A hidden disability is a disability that might not be immediately obvious. Hidden disabilities don't have physical signs and include learning difficulties, mental health issues, as well as mobility, speech, visual or hearing impairments. They can also include asthma, COPD, and other lung conditions as well as chronic illnesses such as renal failure, diabetes, and sleep disorders when those diseases significantly impact day-to-day life.

Living with these conditions can make daily life more demanding for many people. They affect each person in different ways and can be painful, exhausting, and isolating. Without visible evidence of the hidden disability, it is frequently difficult for others to acknowledge

the challenges faced and as a consequence, sympathy and understanding can often be in short supply.

11.2 What is the Sunflower Scheme?

In 2016 London Gatwick Airport designed a lanyard to be a subtle but visible sign to enable airport staff to identify that the wearer or someone with them had a hidden disability. Staff would know they may require some extra help, time, or assistance when moving through the airport.

The Hidden Disabilities Sunflower has now been adopted globally. It has increased awareness of the challenges individuals with hidden disabilities can face. It has developed to offer a range of different lanyards, cards pins, clothing and more.

- 11.3 Individuals who feel they would benefit from the scheme can request the most suitable item(s) from what is available. Requests can be made by emailing Disabilitysuppnetwork@northwales.police.uk or a Sunflower Supporter. Further details can be found by clicking on this [link](#).

12. DISABILITY CONFIDENT SCHEME

- 12.1 North Wales Police have signed up to the Disability Confident Scheme, which shows we make five commitments:

- Inclusive and accessible recruitment.
- Communicating vacancies.
- Offering an interview to disabled people who meet the minimum criteria for a job vacancy.
- Providing reasonable adjustments.
- Supporting existing employees.

- 12.2 These commitments have been integrated into the relevant policies and procedures. This includes providing reasonable adjustments during recruitment and promotion processes (see the [Recruitment Policy](#)) and ensuring all individuals have access to training and that training events address any potential disadvantages to any protected group (see the [Learning and Development Framework](#)).



13. DISABILITY BY ASSOCIATION

- 13.1 Discrimination can also take place because of a protected characteristic that a person does not personally have. For example, a person can be discriminated against because of their association with a person who has a disability, or because they are wrongly perceived to have one, or are treated as if they do.
- 13.2 Discrimination by association occurs when a person is treated less favourably because they are linked or associated with a protected characteristic. The person does not have the protected characteristic but they are treated less favourably than others because of a protected characteristic of a friend, spouse, partner, parent or another person with whom they are associated.

- 13.3 All employees of the Force who are associated with someone who has a disability must be treated with sensitivity integrity, fairness and respect. Reasonable adjustments should be considered by Line Managers to support individuals with caring responsibilities.

Caring responsibilities is defined as:

A carer is anyone, who looks after a family member, partner or friend who needs help because of their disability, who cannot cope without their support. The care they give is unpaid.

The Parents and Carers Support Network can provide further support. Details can be found by clicking [here](#).

14. SHARING PERSONAL INFORMATION

- 14.1 Whilst officers and staff are not mandated to share information about their disability to Line Manager or the Force in general, we would encourage this for the following reasons:

- It allows NWP to provide better resources, facilities and support for our officers and staff.
- It gives scope for prompting a discussion about workplace adjustments or other support, as required.
- It also enables officers and staff to receive targeted information about support or positive action initiatives, such as development programmes for officers and staff from under-represented groups.
- It contributes to a pool of robust data and evidence that will help the Force meet the diverse needs of officers and staff.
- Officers and staff may also receive increased legal protection by sharing personal information. In many cases, the Force may be placed under an increased obligation to protect officers and staff from discrimination if it has received disclosure information from an officer or staff member – for example, about their disability status – or if it holds broader evidence of the diversity of its workforce.

- 14.2 Any sensitive personal data provided to the Force will be processed in accordance with UK GDPR Principles. Details about an individual's disability will be treated confidentially and used only to help in the management of the individual. Such details should only be disclosed where strictly necessary and managers must inform the individual prior to doing so. In practice it is usually only information regarding individual requirements for workplace adjustments that need to be disclosed.

- 14.3 For monitoring purposes, information will be gathered by the Force to ascertain the profile of staff and applicants with a disability. One way in which we use this information is in the annual [Employment Monitoring Report](#). This provides general statistical information to the public on diversity and disability within the Force, without disclosing any personal data.

15. CONSIDERATION OF REDEPLOYMENT

- 15.1 Where an officer becomes restricted/disabled as a result of an injury or medical condition the Force should make reasonable adjustments to facilitate retention in their current post. If this is not possible use of the Limited Duties process should be considered, with the possibility of redeployment of the officer to another role if the condition warrants such a move. As a final resort, consideration may be made as to possible ill health

retirement or consideration of applying formal procedures for unsatisfactory performance and/or attendance.

- 15.2 It is important to note that an officer who is permanently disabled from the ordinary duties of a police officer may not meet the definition of disability under the Equality Act 2010. The physical requirements for the ordinary duties of a police officer are such that a condition may prevent an officer from undertaking a full operational role, although there is no long-term adverse effect on ability to partake in day-to-day life.
- 15.3 Where a member of staff can no longer undertake the full range of duties relating to their substantive post because of a disability, the Line Manager should make reasonable adjustments and, where necessary and where appropriate, arrange for referral to the Occupational Health Unit. If Occupational Health form the view, based on medical prognosis, that even after considering adjustments an individual can no longer carry out the duties of their substantive post then the appropriateness of medical redeployment should be discussed with the HRTSO. Should it prove impracticable to redeploy an individual to a suitable alternative post, then ill health retirement or termination of employment on the grounds of capability will be considered.

16. UNFAIR TREATMENT

- 16.1 Any individual who feels aggrieved about their treatment on the grounds of their disability can seek support from their staff association, trade union and/or the Disability Support Network.
- 16.2 Individuals can also seek to address this via the [Grievance Resolution Policy](#) or [Appeals Policy](#).

17. DECLARATION & LEGALITIES

- 17.1 In line with all Force policies, the overarching purpose of this document is to directly support the PCC police and crime plan objectives. Overall the intention of this policy is to make North Wales the safest place in the UK.
- 17.2 In the writing of this policy cognisance has been taken of the College of Policing Code of Ethics (2014).
- 17.3 North Wales Police policies will be written in accordance with the approved corporate format and published on the Force Intranet, allowing access to staff and public, where appropriate, on the pages of the public facing Internet site under the Force publication scheme and Freedom of Information Act 2000.
- 17.4 The following main legal requirements have been identified within this policy:
- Equality Act 2010
 - Human Rights Act 1998
 - The Welsh Language (Wales) Measure 2011 and the Welsh Language Standards for the Chief Constable
 - Data Protection Act 2018
 - Freedom of Information Act 2000
 - Health and Safety Act 1974

- 17.5 This policy has been written giving due regard to the above legislation and has considered the risk of unfair and/or disproportionate impacts on individuals or groups (actual or perceived) and has done so via an equality impact assessment (EIA).
- 17.6 New legislative requirements or changes in Force structure may necessitate a review of this policy document.

18. USEFUL RESOURCES

The Diversity Unit Document Library	There is a particularly useful guidance section for Line Managers.
Disability awareness factsheets – Maximus  A-Z-disability-guide -booklet-for-employ	Maximus (previously Remploy) have produced a Disability Guide providing practical advice for employers on supporting people with a range of disabilities in the workplace. They also have awareness factsheets on a range of disabilities and health conditions
Employing people: workplace adjustments Equality and Human Rights Commission (equalityhumanrights.com) http://www.equalityadvisoryservice.com/	The Equality and Human Resources Commission has a guide on 'Employing people: workplace adjustments' The Equality, Advisory and Support Service offers support for individuals and employers in relation to equality and dealing with inequality.
https://www.gov.uk/access-to-work/overview	View this webpage for a guide to Access to Work including eligibility, what you'll get and how to claim.