



WORKPLACE ADJUSTMENT POLICY

Co-ordinator:

Director of HR

Reviewer:

Grampian Area
Partnership Forum

Approver:

Grampian Area
Partnership
Forum.

Signature

Signature

Signature

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NHSG/POL/43/HR

Review :

This policy will be
reviewed biennially
by Grampian Area
Partnership
Forum.

**Implementation
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19th June, 2009.

UNCONTROLLED WHEN PRINTED

VERSION 1

The provisions of this policy, which was developed by a partnership group on behalf of Grampian Area Partnership Forum, apply equally to all employees of NHS Grampian.

**NHS GRAMPIAN
WORKPLACE ADJUSTMENT POLICY**

If you have difficulty understanding the English language, this policy can be made available to you in a language of your choice.

This policy can also be made available, on request, in other formats e.g. in large print or on a computer disk.

For all requests for copies of this policy in another language, or in an alternative format, please call the Corporate Communications Team on 01224 554400.

NHS GRAMPIAN WORKPLACE ADJUSTMENT POLICY

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NHS GRAMPIAN WORKPLACE ADJUSTMENT POLICY

1 INTRODUCTION

NHS Grampian (NHSG) recognises the importance of promoting good health and maintaining a positive work/life balance, which has clear benefits for both employees and the organisation and is committed to providing a process that:

- enables employees who might otherwise go on sick leave to remain at work or,
- supports employees who are absent on sick leave to return to work earlier than might otherwise have been possible.

This process is based on implementing Workplace Adjustment Programmes which provide for:

- a comprehensive assessment of the employee's current ability in relation to their substantive post
- appropriate interventions which will enable the employee to maintain or regain their ability in relation to their substantive post and
- the identification and provision of reasonable workplace adjustments which enable the employee to return to, or continue in, their substantive post, despite ongoing difficulties or, where this is not possible, either temporary or permanent redeployment to a more appropriate area of work. Such redeployment may be within the same department/location, or elsewhere in the organisation

2 PRINCIPLES

- 2.1 Successful implementation of this policy requires effective communication between the employee, the employee's line manager, the employee's GP, the Occupational Health Services (OHS), Human Resources (HR) and the employee's Staff Side representative. It also depends on an appropriate and realistic programme for the employee being identified and agreed.
- 2.2 All meetings held under the provision of this policy, including details of any agreed support programme, will be formally recorded and a copy of this record will be provided to all present.
- 2.3 All Workplace Adjustment Programmes will be designed using a risk assessment approach in order to ensure that employees do not undertake work that is detrimental either to their health or the health of others.

- 2.4 Employees have the right to be represented by a Trade Union or Staff-Side Organisation representative (including full-time Trade Union Officers), a fellow member of staff, or a friend or relative not acting in a legal capacity, at all stages of the procedure.

Where an employee chooses to be represented by a Trade Union or Staff-Side Organisation representative, it will be their responsibility to make the arrangements for representation and to provide their representative with copies of any documents (letters, Workplace Adjustment Programme etc) which they consider appropriate.

Employees who have limited experience of working life and employees with learning difficulties, also have the right to be accompanied by a parent, guardian or appropriate advocate at each stage of the procedure

- 2.5 Where required, appropriate assistance must be made available to employees whose first language is not English.
- 2.6 Employees have the right to state their own case at all stages of the process outlined in this policy.
- 2.7 This policy should be read and applied in conjunction with any other NHS Grampian policy which may be appropriate e.g. Attendance Management Policy, Alcohol and Drug Policy, Dignity at Work Policy, Redeployment Policy etc., which are available on NHSG's intranet and internet sites. Alternatively, employees can obtain a copy of any of these policies from their manager, a member of their HR Team, or their Staff Side/Professional Organisation representative.
- 2.8 Workplace Adjustment Programmes for employees returning to work after a period of sick leave will only commence after the employee's GP and OHS agree that they are fit to return to work on such a programme.
- 2.9 Should a dispute arise, this should be referred to the appropriate member of HR staff and the appropriate Staff Side Lead who will assist in resolution. This will not remove the right of an employee to invoke the Grievance Procedure.

3 PROCEDURE

- 3.1 The employee should be referred to OHS, in line with the provisions of NHSG's Attendance Management Policy, either
- (a) when returning from a period of extended sick leave or
 - (b) when it is recognised that there is a mismatch between their current functional ability and the demands of their substantive post because of a health condition.

Under either circumstance OHS will carry out a comprehensive assessment of the individual employee's current ability in relation to their substantive duties.

3.2 An OHS advisor will carry out the initial assessment after which the employee may be referred for further assessment by an appropriate specialist within the OHS and/or linked to external agencies. Such specialists may include:

- an occupational health physician
- a senior occupational health advisor
- a counsellor
- an occupational therapist
- a physiotherapist
- a substance misuse specialist
- a disability employment advisor (via the Job Centre)

3.3 The employee will have a designated member of the occupational health team who will co-ordinate the process and liaise with both the employee's line manager and HR.

3.4 The assessment will determine the most appropriate intervention to enable the employee to maintain/regain their ability in relation to their substantive duties. Such intervention may include:

- treatment/support from an appropriate clinical specialist
- recommendation of an appropriate Workplace Adjustment Programme
- recommendation of redeployment, on either a temporary or permanent basis, to a more appropriate area of work either within the same department/location, or elsewhere in the organisation

3.5 The aim of any Workplace Adjustment Programme which is recommended will be to enable the employee to either:

- remain in the workplace without incurring sickness absence
- achieve a graded return to work following a period of sickness absence

The workplace adjustments made in a Workplace Adjustment Programme may include:

- altering working hours or patterns of work

- altering work tasks, including the reallocation of duties with the employee doing more of the tasks within their capability
- the provision of alternative equipment
- the provision of training, mentorship and supervision

3.6 OHS will provide the employee, line manager and HR with a proposed/draft Workplace Adjustment Programme, detailing:

- the hours and pattern of work
- the tasks to be carried out and any which should be temporarily avoided
- the equipment required to carry out the tasks
- the expected duration of the programme
- the support offered by OHS during this time
- the review arrangements

3.7 The employee's line manager, in consultation with the employee and HR, must decide whether the proposed workplace adjustment programme is reasonable, taking account of:

- the potential effects on the employee, their colleagues and the service
- the existing generic risk assessments for the area of work
- the support and monitoring capability
- the expectation of a return to normal duties and the likely time-scale for this

3.8 Where agreement cannot be reached on the proposed workplace adjustment programme, clear reasons must be given for this. If it is subsequently recognised that the employee cannot return to their substantive post, the situation can be re-assessed in relation to the following alternative courses of action:

- redeployment to a more appropriate post (refer to NHS Grampian's Redeployment Policy which is available on the intranet)
- termination of employment on health grounds
- retirement on health grounds

- the implementation of an additional or alternative policy

3.9 The Workplace Adjustment Programme will be considered successful if:

- the employee maintains/regains their ability to carry out the full range of duties of their substantive post or
- the employee remains or returns to work with a permanent workplace adjustment which is acceptable to all parties or
- the employee is redeployed to an alternative post

4 PAYMENT DURING A WORKPLACE ADJUSTMENT PROGRAMME

Any employee who either returns to work on an agreed Workplace Adjustment Programme, or who participates in one as an alternative to going on sick leave, will receive their full contractual pay for the duration of their time on that programme.

5 EMPLOYEES WITH PERMANENT RESTRICTIONS

The decision on whether it is possible for an employee to return to, or continue in, work with a permanent restriction rests with the manager, who should discuss the matter with OHS and HR before reaching their decision. They should also take into account any special schemes and services offered by the Disability Service Team (via the Job Centre) to assist the employee to remain in employment.

An employee's return to work with a permanent restriction can only be refused for valid and objective service/operational, or for regulatory/legislative reasons. Consequently, where a manager is unable to agree a return to or continuation on, work on this basis they must provide the employee with clear, written, reasons for their inability to agree.

An employee whose manager is unable to agree their return to or continuation in, work with a permanent restriction may refer the matter to an appropriate member of HR staff and the appropriate Staff Side Lead who will assist in resolving the matter. This will not remove the right of an employee to invoke the Grievance Procedure.

**NHS GRAMPIAN
OCCUPATIONAL HEALTH SERVICE
WORKPLACE ADJUSTMENT PROGRAMME AGREEMENT**

Dear _____

Name: _____ Date of Birth: _____

Grade: _____ Location: _____

Following a recent OHS appointment, the following Workplace Adjustment Programme is recommended for the above named employee. Once approved by you (or your deputy) no changes should be made without consultation with the relevant parties i.e. OHS and employee.

	Sun	Mon	Tues	Wed	Thurs	Fri	Sat	Hours Worked
Week 1								
Week 2								
Week 3								
Week 4								

ADDITIONAL RECOMMENDATIONS:

I trust the outlined programme meets with your approval. Please do not hesitate to contact me should you wish further clarification.

Signed: _____ JobTitle: _____

To be completed by the manager, Copies should be sent to the Employee, the appropriate HR Team, Payroll and OHS.

I agree the above Rehabilitation Programme:

Signed: _____ Location: _____

(Print name) _____ Date: _____

GUIDANCE

Prior to approving this programme the manager must ensure that the allocated dates and times comply with OHS recommendations and department needs. If the manager has any problem with the programme, they should contact OHS prior to approving it.