

## RETURN TO THE WORKPLACE POLICY

		POLICY	
Reference	HR 0042		
Approving Body	Joint Staff Partnership Forum		
Date Approved	July 2025		
For publication to external SFH website	Positive confirmation received from the approving body that the content does not risk the safety of patients or the public:		
	YES	NO	N/A
	X		
Issue Date	July 2025		
Version	3		
Summary of Changes from Previous Version	Amendments to job titles, and references to “People Directorate” to HR, as appropriate.		
Supersedes	2		
Document Category	Human Resources		
Consultation Undertaken	Clinical Chairs, DGM's, JSPF, Advice and Guidance Group, Workforce Group		
Date of Completion of Equality Impact Assessment	June 2025		
Date of Environmental Impact Assessment (if applicable)	N/A		
Legal and/or Accreditation Implications	<ul style="list-style-type: none"><li>• ACAS Code of Practice on Grievance and Disciplinary Procedures</li><li>• Equality Act 2010</li><li>• Employment Rights Act 1996</li><li>• Employment Relations Act 1999</li><li>• Employment Act 2002</li><li>• Trade Union and Labour Relations (Consolidation) Act 1992</li><li>• Trade Union Act 2016</li><li>• Working Time Regulations 1998</li></ul>		
Target Audience	All colleagues except Bank Staff		
Review Date	May 2027		
Sponsor (Position)	Chief People Officer		
Author (Position & Name)	People Services Lead		
Lead Division/ Directorate	People Directorate		
Lead Specialty/ Service/ Department	People Directorate		

<b>Position of Person able to provide Further Guidance/Information</b>	People Services Lead	
<b>Associated Documents/ Information</b>	<b>Date Associated Documents/ Information was reviewed</b>	
<ol style="list-style-type: none"> <li>1. GD03 Secondment Guidance</li> <li>2. GD08 Reasonable Adjustments Guidance</li> <li>3. GD12 Adoption guidance for managers</li> <li>4. GD13 Adoption guidance for employees</li> <li>5. GD14 Maternity Leave Guidance for Managers</li> <li>6. GD15 Maternity Leave Guidance for Employees</li> <li>7. GD16 Paternity guidance for managers</li> <li>8. GD17 Paternity guidance for employees</li> <li>9. GD18 Shared Parental Leave guidance for managers</li> <li>10. GD19 Shared Parental Leave guidance for employees</li> <li>11. GD21 Career Break</li> <li>12. GD26 Acting Up Guidance</li> <li>13. GD29 Annual Leave Guidance for AFC</li> <li>14. GD30 Annual Leave Guidance for Medical Staff</li> <li>15. GD31 Bereavement Leave and other Special Leave Guidance</li> <li>16. GD33 Parental Leave Guidance</li> <li>17. GD34 Fixed Term Contract Guidance</li> <li>18. GD38 TOIL Guidance</li> <li>19. GD40 Disciplinary Policy Supplementary Guidance for Managers and Employees</li> <li>20. GD42 Flexible Working Guidance</li> <li>21. GD51 Agile Working Guidance</li> <li>22. GD53 Creating a Mentally Healthy Workplace</li> <li>23. GD58 Carer's Leave</li> <li>24. GD60 Return to Work COVID-19 Toolkit</li> <li>25. GD63 Redeployment Guidance Document</li> <li>26. GD69 Public Duties Leave Guidance</li> <li>27. GD70 Injury Allowance Guidance</li> <li>28. GD71 Supporting Colleagues with a Terminal Diagnosis</li> <li>29. GD74 Supporting Colleagues through Infertility and Baby Loss</li> </ol>		
Template control	April 2024	

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## 1.0 INTRODUCTION

- 1.1 This policy outlines the Trust approach in relation to supporting colleagues who are returning to work following a period of extended absence.
- 1.2 Colleagues who are not fit to return to work will continue to be supported via the Trust's Sickness Absence & Wellbeing Policy & Procedure. Further information or support relating to the Trust's Sickness Absence & Wellbeing Policy can be sought from the People Services Team.
- 1.3 It is important that colleagues understand their obligations and rights regarding this aspect of employment.

## 2.0 POLICY STATEMENT

- 2.1 The aim of this policy is to provide a framework within which managers can work with colleagues to facilitate a safe, sustainable return to the workplace.
- 2.2 This policy has been agreed to ensure that all colleagues are supported to return to work in a safe and timely manner and that any issues are addressed fairly and compassionately.
- 2.3 This policy applies to all staff of the Trust, including medical staff, with the exception of Bank Staff.

## 3.0 DEFINITIONS/ ABBREVIATIONS

<b>The Trust:</b>	Means the Sherwood Forest Hospitals NHS Foundation Trust
<b>Employee/Colleague:</b>	Employees of the Trust with the exception of bank staff.
<b>Family Leave:</b>	A period of leave from the Trust including maternity, paternity, shared parental or adoption leave
<b>Career Break:</b>	A career/employment break whereby staff take an agreed period of time away from their job on the understanding that they will return when that period has expired.
<b>Long Term Sickness Absence:</b>	A period of continuous sickness absence of more than four weeks.
<b>Shielding:</b>	Recipients of a letter from the NHS / Medical Practitioner to advise of clinical extreme vulnerability, advising to stay at home at all times and avoid any face-to-face contact.
<b>Stood Down:</b>	Employees of the Trust who have remained on full pay, not working on site but available to the organisation to work as and when needed.

## **4.0 ROLES AND RESPONSIBILITIES**

Line managers are responsible for:

- Ensuring colleagues are aware of and understand this policy
- Adopting a person centred approach to managing colleagues
- Addressing any problems at the earliest opportunity and encouraging informal resolution in the first instance, where appropriate
- Maintaining confidentiality throughout the process
- Supporting colleagues to ensure their health and wellbeing is considered and correct support is put in place e.g. referral to Occupational Health, sign posting to Employee Assistance Programme (EAP), staff counselling or other resources as appropriate
- Maintaining regular contact with the colleague who is away from the workplace (frequency to be agreed between manager and employee); keeping a log of all contact made such as date, time, message left and details of discussion
- Completing relevant Risk Assessments where appropriate to mitigate any risk to individuals and facilitate a safe return to work
- Ensuring measures are taken to establish a safe working environment, considering infection control and social distancing measures, where applicable

## **4.2 Employees**

All colleagues are responsible for:

- Ensuring their conduct is aligned with Trust CARE values and behaviours at all times
- Engaging with informal and formal procedures within the policy
- Raising any concerns or issues preventing a return to work with their line manager
- Having honest and open discussions with their manager to facilitate appropriate support being implemented
- Complying with any measures put in place to ensure safety at work, including with social distancing and infection control measures, where applicable
- Ensuring they are aware of and adhere to professional Codes of Conduct

## **4.3 People Directorate**

People Directorate colleagues are responsible for:

- Providing best practice advice and guidance to colleagues regarding implementation of this policy
- Supporting any formal meetings where required, to provide support and advice

## **4.5 Trade Union Representatives**

- Trade Union Representatives have an important role to play in providing advice and/or support to individual colleagues, whilst working in partnership with the Trust to ensure conduct and behaviour is in line with the Trust's CARE values and behaviours at all times

## **5.0 APPROVAL**

### **5.1 Joint Staff Partnership Forum**

## **6.0 DOCUMENT REQUIREMENTS**

### **6.1 Reasons for absence from the workplace**

- 6.1.1 There are several reasons why colleagues may have been away from their normal working environment including a period of maternity or family leave, a career break, longer term sickness absence, bereavement, redeployment, suspension or a secondment.
- 6.1.2 There may be other extenuating circumstances, such as a pandemic, which may see colleagues being stood down or shielding

### **6.2 Arranging a Return to Work**

- 6.2.1 Engaging with colleagues who have been absent from work is essential in order to facilitate their return to work.
- 6.2.2 Line Managers are encouraged to write to colleagues in advance of their return to work.
- 6.2.3 For any staff who have been absent due to a health-related reason, , a risk assessment must be completed, and adjustments made to ensure colleagues can safely return to work. This must be discussed with the colleague and retained on their personal file.
- 6.2.4 It may be appropriate to consider a referral to Occupational Health if further advice and guidance is required in relation to underlying health conditions and the impact this may have at work

### **6.3 Staying in Touch**

- 6.3.1 Whilst the colleague is absent from work the line manager should maintain contact with the colleague, which should be appropriately documented (including the date, time, message left and details of discussion). The line manager and colleague should agree the frequency, and method, of the contact.

### **6.4 Working Environment**

- 6.4.1 Prior to a colleagues' return to work, line managers should review the working environment and consider whether any changes are necessary to facilitate the staff members return. Further advice may be sought by Occupational Health.
- 6.4.2 It is important to consider whether any reasonable adjustments or supportive measures are required to assist a colleague to remain well, and at work. Please refer to GD08 Reasonable Adjustments guidance document for further information.

## 6.5 Prior to Return to Work

- 6.5.1 Prior to the colleague returning to work, line managers must have a one-to-one conversation where a key focus is on health, safety, and wellbeing. Line managers should hold sensitive and open discussions to consider any reasonable adjustments and/or ongoing support to facilitate an effective return to the workplace.
- 6.5.2 Where applicable, individual risk assessments should be completed with the colleague to identify any risks and appropriate mitigation.
- 6.5.3 Occupational Health advice should be sought where appropriate and where individuals have an underlying health condition and reasonable adjustments may be required.

## 6.6 Annual Leave

- 6.6.1 Colleagues who have been absent from work will still have accrued annual leave in line with national Agenda for Change Terms and Conditions of Employment
- 6.6.2 To support a safe return to work that prioritises the colleagues' health and wellbeing; annual leave may be used in order to support a phased return to work. This must be discussed and approved prior to the individual's return to work.
- 6.6.3 As per Agenda for Change Terms and Conditions and employment legislation colleagues will only be entitled to an additional day off for a public bank holiday, when absent due to maternity leave.
- 6.6.4 When a colleague is absent for any other reason on a public bank holiday, the entitlement for the bank holiday must be deducted.
- 6.6.5 The Trust acknowledges the importance of taking annual leave regularly, to support colleague health and wellbeing.
- 6.6.6 Colleagues will only be able to carry over annual leave to the following leave year due to exceptional circumstances. This must be authorised by the relevant Divisional General Manager.
- 6.6.7 In line with the Working Time Regulations, colleagues are able to carryover 5.6 weeks annual leave into the next holiday year if they are unable to take the leave due to having taken statutory leave (e.g. maternity leave, adoption leave etc).
- 6.6.8 In line with the Working Time Regulations, colleagues are able to carry over a **maximum** of 4 weeks annual leave if they are unable to take the leave because of sickness absence.

## 6.7 Return to Work

- 6.7.1 It is vital that every colleague feels that they are returning to a supportive and caring environment. Absences from the workplace can affect individuals in different ways, depending on the individual's job role and individual circumstances.



- 6.7.2 To ensure an inclusive culture, and to facilitate the colleague's return to work, it is vital that line managers undertake a one to one return to work discussion with each employee, which is focused on health, safety and wellbeing. This should be held within 48 hours of a return to the workplace. Line managers must have a sensitive and open discussion with the individual to discuss any adjustments and / or on-going support that may be required.
- 6.7.3 During the colleague's absence, there may have been extensive changes to the service / department's working practice, e.g. use of PPE, changes in procedures, how queries or issues are being addressed. It is imperative that colleagues are informed of these changes to working practice as soon as possible.
- 6.7.4 Whilst the colleague has been absent from work, it may be that some / all competencies have expired. The return to work discussion should cover any expired competencies, and how the colleague will be supported to gain these competencies. This will ensure the colleague is fully equipped to deal with the changing work environment.
- 6.7.5 It is essential that as part of the colleague's return to the workplace, that line managers complete a follow up meeting to ensure the colleague is receiving the relevant support. This must be held following the first week of the colleagues' return.

## **6.8 Training and Support**

- 6.8.1 It is recognised that colleagues who are absent from the workplace for a prolonged period of time may need support to refresh their knowledge and skills.
- 6.8.2 Line managers should discuss with the colleague any support required in order to resume their role safely and fulfill the duties of their role.
- 6.8.3 In line with the Trust's training and compliance standards, all staff have a duty to complete their mandatory training. Any outstanding training must be completed upon the colleague's return to work, in line with Mandatory and Statutory Training requirements.
- 6.8.4 A supportive action plan outlining the competencies to be achieved should be created, with agreement from the colleague. Support should be provided to the employee to enable achievement of the competencies and to be signed off as competent.
- 6.8.5 Consideration should be given to a supernumerary period to allow the individual to gain confidence and complete competencies. Line managers should consider amending job plans /job duties during this period in order to support the colleague's return to work.
- 6.8.6 Consideration should also be given to on-call rotas; and ensuring the colleague is competent and comfortable to undertake on-call duties.
- 6.8.7 A review of the colleague's competencies should be undertaken regularly throughout the supportive return. Upon completion of competencies, this should be signed by the line manager and the employee and retained in the personal file.

## **6.9 Additional Support Required**



- 6.9.1 As outlined above, colleagues may have been absent from the workplace for a range of reasons and which can impact individuals differently including psychological and physical changes. These include anxiety about returning to the workplace as well social isolation due to long term absence, or adjusting to significant life events.
- 6.9.2 Some may have experienced challenging domestic situations, such as juggling childcare, caring for a vulnerable relative, or financial worries. Some will have experienced illness, or bereavement.
- 6.9.3 Good communication with colleagues is imperative - ensuring colleagues are fully informed will help in their return to work. Colleague health and wellbeing is pivotal, line managers should pay specific attention to those who have particular requirements (e.g. health issues, childcare or other caring responsibilities) and offer support in relation to these requirements, including Occupational Health referrals, Carer's Passport, Parental Leave, Flexible Working etc.

## **6.10 Childcare**

- 6.10.1 It may be that colleagues require a phased return to their full role, or want to discuss a new working arrangement, especially if their personal circumstances have changed during their absence.
- 6.10.2 Some colleagues may not be able to return to their contracted hours / base site, especially if they have childcare responsibilities. Line managers are encouraged to look at ways that colleagues can be supported, such as Flexible Working Requests and Parental leave.

## **6.11 Sickness absence**

- 6.11.1 If a colleague remains unfit to return to work, they will continue to be supported via the Trust's Sickness Absence & Wellbeing Policy & Procedure, which can be found on the Intranet.
- 6.11.2. For further information or support relating to the Trust's Sickness Absence & Wellbeing Policy, please contact the People Services Team.

## **6.9.3 Occupational health advice**

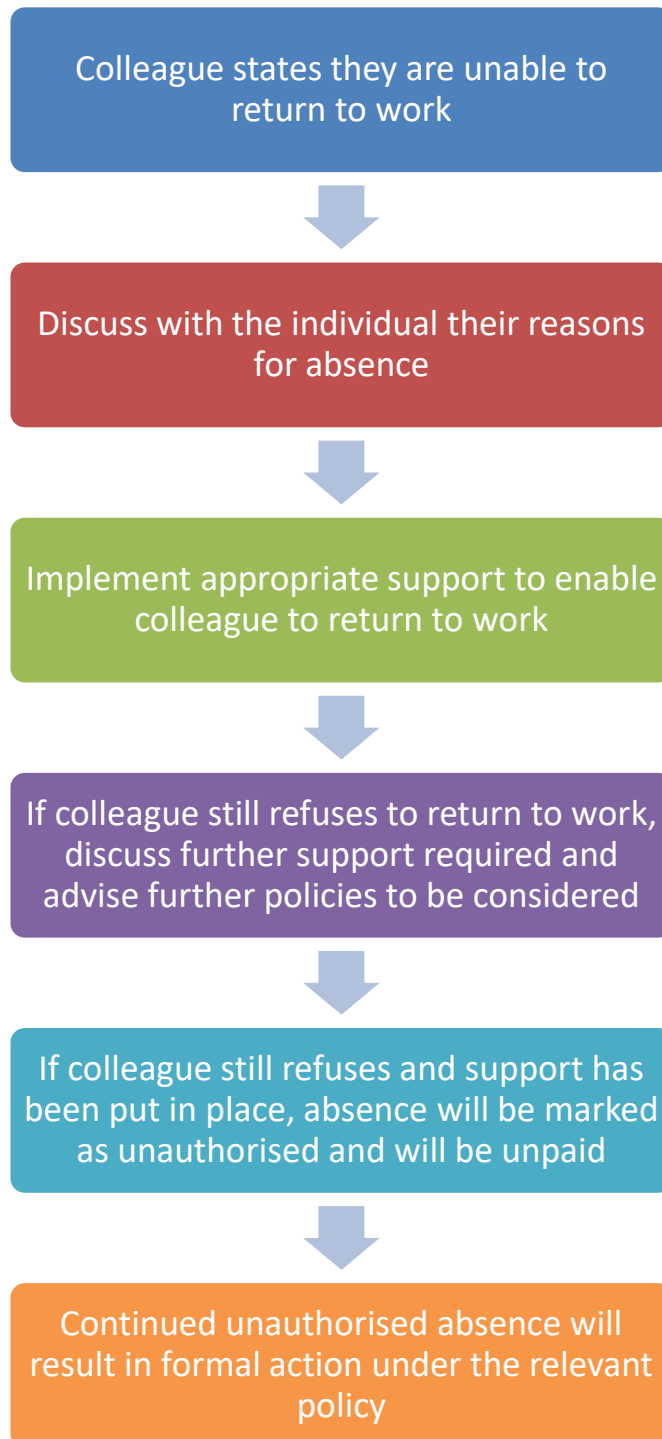
- 6.9.3.1 Colleagues who had a reasonable adjustment in place prior to their absence may need the appropriateness of these adjustment reviewing. Line managers should also take into consideration the psychological impact of absence from work and consider signposting to other support and resources such as the Trusts EAP provider as appropriate.
- 6.9.3.2 For further support relating to pre-existing or new medical conditions, please contact the Trust's Occupational Health Department.
- 6.9.3.3 For information regarding disability leave, please see the Trust's Sickness Absence and Wellbeing Policy, which can be found on the intranet.

#### **6.9.4 Bereavement**

- 6.9.4.1 Where a colleague has suffered bereavement, they should be managed sensitively with appropriate leave and support offered.
- 6.9.4.2 Colleagues who suffer bereavement shall be granted paid leave up to a period of two weeks leave, which may be taken on separate occasions according to individual need. In special circumstances line managers may extend the period of leave which can be paid or unpaid. Advice should be taken from Human Resources when considering extending paid or unpaid leave. Further guidance around leave provisions can be found in the Special Leave Guidance (GD31).

#### **6.10 Failure to Return to Work**

- 6.10.1 The Trust will endeavour to resolve all issues informally in the first instance and implement appropriate support to facilitate a return to work.
- 6.10.2 However, if an informal resolution cannot be reached and an individual continues to refuse to attend work, this will be viewed as a breach of contract and managed in line with either the Trust Disciplinary Policy or the Trust Sickness Absence & Wellbeing Policy as appropriate.



## 7.0 MONITORING COMPLIANCE AND EFFECTIVENESS

<b>Minimum Requirement to be Monitored</b>  (WHAT – element of compliance or effectiveness within the document will be monitored)	<b>Responsible Individual</b>  (WHO – is going to monitor this element)	<b>Process for Monitoring e.g. Audit</b>  (HOW – will this element be monitored (method used))	<b>Frequency of Monitoring</b>  (WHEN – will this element be monitored (frequency/ how often))	<b>Responsible Individual or Committee/ Group for Review of Results</b>  (WHERE – Which individual/ committee or group will this be reported to, in what format (eg verbal, formal report etc) and by who)
Policy Implementation	Associate Director of People (Operations)	Audit	Monthly	JSPF
Policy Implementation	Director of People	Audit	Monthly	Private Board of Directors

## **8.0 TRAINING AND IMPLEMENTATION**

8.1 Training has been provided to line managers on the application of this procedure and updated training is made available on a regular basis. Trade Union Representatives also receive training via their union's training resources.

## **9.0 IMPACT ASSESSMENTS**

- This document has been subject to an Equality Impact Assessment, see the completed form in Appendix 1
- This document is not subject to an Environmental Impact Assessment

## **10.0 EVIDENCE BASE (Relevant Legislation/ National Guidance) AND RELATED SFHFT DOCUMENTS**

### **Evidence Base:**

- ACAS Code of Practice on Grievance and Disciplinary Procedures
- Equality Act 2010
- Employment Rights Act 1996
- Employment Relations Act 1999
- Employment Act 2002
- Trade Union and Labour Relations (Consolidation) Act 1992
- Trade Union Act 2016

### **Related SFHFT Documents:**

- Grievance Policy
- Dignity at Work Policy
- Appeal Policy
- Capability Policy
- Sickness Absence and Wellbeing Policy
- Disciplinary Policy
- Leave Policy

## **11.0 APPENDICES**

- Equality Impact Assessment Form (EQIA)
- Competency Action Plan

## APPENDIX 1 - EQUALITY IMPACT ASSESSMENT FORM (EQIA)

<b>Name EIA Assessor:</b> Sarah Cooper		<b>Date of EIA completion:</b> 3 <sup>rd</sup> July 2025
<b>Department:</b> People Directorate		<b>Division:</b> Corporate
<b>Name of service/policy/procedure being reviewed or created:</b> Return To The Workplace Policy		
<b>Name of person responsible for service/policy/procedure:</b> Anber Hardy, People Services Lead		
<b>Brief summary of policy, procedure or service being assessed:</b>		
The policy outlines the Trust's approach in relation to supporting colleagues who are returning to work following a period of extended absence. Colleagues who are not fit to return to work will continue to be supported via the Trust's Sickness Absence & Wellbeing Policy & Procedure.		
<b>Please state who this policy will affect:</b> Colleagues		
<b>Protected Characteristic</b>	<b>Considering data and supporting information, could protected characteristic groups' face negative impact, barriers, or discrimination? For example, are there any known health inequality or access issues to consider? (Yes or No)</b>	<b>Please describe what is contained within the policy or its implementation to address any inequalities or barriers to access including under representation at clinics, screening. Please also provide a brief summary of what data or supporting information was considered to measure/decipher any impact.</b>
<b>Race and Ethnicity</b>	No	The Trust's WDES report has been considered.  The policy clearly outlines that colleagues must consider the provision of reasonable adjustments where a colleague is likely to be deemed disabled for the purposes of the Equality Act. Colleagues are encouraged to take supportive measures in addition to this for all colleagues and to seek HR/OH advice where appropriate.
<b>Sex</b>	No	
<b>Age</b>	No	
<b>Religion and Belief</b>	No	
<b>Disability</b>	No	
<b>Sexuality</b>	No	
<b>Pregnancy and Maternity</b>	No	
<b>Gender Reassignment</b>	No	
<b>Marriage and Civil Partnership</b>	No	

<b>Socio-Economic Factors (i.e. living in a poorer neighbour hood / social deprivation)</b>	No																			
<p><b>If you have answered 'yes' to any of the above, please complete Stage 2 of the EIA on Page 3 and 4.</b></p>																				
<p><b>What consultation with protected characteristic groups including patient groups have you carried out?</b> JSPF, WAND Network</p>																				
<p><b>As far as you are aware are there any Human Rights issues be taken into account such as arising from surveys, questionnaires, comments, concerns, complaints or compliments?</b> No</p>																				
<p><b>On the basis of the information/evidence/consideration so far, do you believe that the policy / practice / service / other will have a positive or negative adverse impact on equality? (delete as appropriate)</b></p> <table border="1"> <thead> <tr> <th colspan="3">Positive</th> <th colspan="4">Negative</th> </tr> <tr> <th>High</th> <th>Medium</th> <th>Low</th> <th>Nil</th> <th>Low</th> <th>Medium</th> <th>High</th> </tr> </thead> </table>							Positive			Negative				High	Medium	Low	Nil	Low	Medium	High
Positive			Negative																	
High	Medium	Low	Nil	Low	Medium	High														
<p><b>If you identified positive impact, please outline the details here:</b> This return to work policy will have a positive impact on colleagues as it clearly outlines the process to be followed when returning from an extended period of absence regardless of the reason for this absence. The provision of reasonable adjustments and other supportive measures outlined within provides equity for colleagues who consider themselves to have a disability or have a chronic underlying health condition.</p>																				
<b>Protected Characteristic</b>	<b>Please explain, using examples of evidence and data, what the impact of the Policy, Procedure or Service/Clinical Guideline will be on the protected characteristic group.</b>			<b>Please outline any further actions to be taken to address and mitigate or remove any in barriers that have been identified.</b>																
<b>Race and Ethnicity</b>																				



Gender		
Age		
Religion		
Disability		
Sexuality		
Pregnancy and Maternity		
Gender Reassignment		
Marriage and Civil Partnership		
Socio-Economic Factors (i.e. living in a poorer neighbourhood / social deprivation)		
<b>EIA Form Stage Two:</b>		
<b>Signature:</b> Sarah Cooper, People Services Manager		
*I can confirm I have read the Trust's Guidance document on Equality Impact Assessments prior to completing this form*		
<b>Date:</b> 03.07.2025		
<p>Please send the complete EIA form to the People EDI Team for review. Please send the form to: <a href="mailto:sfh-tr.edisupport@nhs.net">sfh-tr.edisupport@nhs.net</a></p>		

## Appendix 2 Competency Action Plan

*This form may be used to support a colleague following their return to work following a prolonged period of absence, such as long-term sickness, secondment, maternity leave, career break etc.*

Name of employee	
Job title	
Department	
Date of Initial Meeting	

	Competencies required	Support & Development Actions	Competency Signed off (Signed and Dated)
1			
2			
3			
4			

	Review Date:	Comments.
1		
2		
3		