

16 March 2020

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

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

Dear Colleague

### **PHASED RETURN TO WORK FOLLOWING SICKNESS ABSENCE**

Annex 26 of the Agenda for Change Handbook characterises phased return as a process that enables staff to work towards fulfilling their duties and responsibilities within a defined and appropriate time period, through interim flexible working arrangements, whilst receiving their normal pay. The Handbook does not, however, stipulate a time period for phased returns nor the offsetting of accrued annual leave during a phased return.

As part of the Once for Scotland work around Attendance Policy, the need for a consistent NHS Scotland approach to the use of phased return was identified. The Once for Scotland Programme Board asked STAC to consider this issue and, after a period of consultation with stakeholders, STAC has agreed the following:

- a) Any employee who returns to work on a phased return as recommended by Occupational Health will be entitled to be paid for a period of up to 4 weeks at their normal contractual pay.
- b) If the phased return needs to extend beyond this period, the employee will be expected to contribute any untaken accrued annual leave. However, if an employee does not wish to use their annual leave they can opt to be paid according to the actual hours worked during the phased return period.
- c) Phased returns should not normally last for periods of longer than 8 weeks.

## Scottish Terms and Conditions Committee

---

- d) The type of work and the work pattern that the employee is asked to undertake during a phased return needs to take into account any advice received from Occupational Health.

These provisions will now be included as part of the Once for Scotland Attendance Policy.

Yours sincerely



Calum Campbell  
Chief Executive  
NHS Lanarkshire  
**STAC Management Side Co-Chair**



Colin Poolman  
Senior Officer  
Royal College of Nursing  
**STAC Staff Side Co-Chair**