



DIOCESE OF SODOR AND MAN

RECOVERY AND RETURNING TO WORK

It is important to deal with cases of long-term sickness in a fair and sensitive manner, and to emphasise that the capability procedure is used for all cases of underperformance, including those which are caused by ill-health. This is to provide protection to the officeholder and ensure that a fair assessment is made of the possibilities for reasonable adjustments, support and rehabilitation.

Courses of Action

There are a number of course of action that may be appropriate in the case of long-term sickness, depending on the circumstances of the particular case. They include the following.

1. Changes to the role or making other adjustments that would enable the person to carry out the role.

This might, for example, involve some reasonable adjustments to the parsonage facilities or providing alternative computer technology, or it might mean making arrangements for some of the duties of the office to be covered for a limited period. It is important to be imaginative and explore possibilities here, and bear in mind the requirements of the Disability Discrimination Act (DDA) 2006 to make reasonable adjustments if they will enable a person with a disability to carry out the requirements of the office.

2. Providing alternative work for the office holder

Sometimes it may be that the requirements of the particular office exacerbate the ill health, and it would be beneficial for the office holder to consider a move. See the section above on alternative posts.

3. Ill health retirement

This may be an option in cases where the office holder is unable to work, the condition is permanent and there is no likelihood of a return to work either in the current office (whether to full duties or duties adjusted after mutual agreement) or in an alternative position (whether in priestly ministry or not).

4. Removal from current office

It might be used, as a last resort, in a case where the office holder was no longer capable of carrying out the duties of their current office and was unlikely

to achieve an acceptable standard in another ministerial appointment, but ill health retirement pension was not available. In certain circumstances it might be appropriate to use the shortened procedure, which would miss out one stage, but using the procedure will always include a formal warning stage with appeal rights, prior to holding a final capability meeting that might result in removal from office.

In reaching a decision about how to proceed, it is valid to weigh the impact of long-term sickness on the parish and the need for cover. Uncertainty over a sustained period can be very damaging, especially if there does not appear to be a timescale for resolving that uncertainty. This is likely to become more difficult over time, as people find that the office holder's absence from work results in increased demands on them. The circumstances of each individual case will determine what would be considered reasonable.

In cases of long-term sickness where recovery and return to work are expected, it is nevertheless important that the appointed person has regular meetings with the office holder or their representative to keep the position under review. Discussion of these matters is sensitive but best not avoided. Keeping someone in suspense and leaving them unclear where they stand can be stressful for them and is not kind in the long run either to the individual or to the people he or she serves.

Medical Examination

The Bishop is able, where there are reasonable grounds for concern about the physical or mental health of an office holder, or where he requires additional information to direct that the office holder undergoes a medical examination. In cases of long-term sickness, it will be useful to consult the Human Resource Officer about referring the office holder to an occupational health adviser.

This will help to address the following points:

- whether there is an underlying medical condition
- whether sickness absence is likely to improve
- if currently absent, when the office holder is likely to return to work
- whether there are any health and safety issues
- any recommended work restrictions or adjustments considered appropriate to the workplace and their duration
- whether further review is recommended and by whom
- whether the office holder is likely to be within the scope of the DDA
- if the DDA applies, then what reasonable adjustments are required and what is their likely duration.

Confidentiality

Particular care is needed in communicating sickness cases, as office holders may want to keep the nature of their illness confidential. However, churchwardens, other members of the parish staff team, and Archdeacon (who may be involved in trying to organise cover) need to be kept informed about the likelihood of, and timescales for, a possible return to work.