

11 August 2025

Your request for information under the Freedom of Information (Scotland) Act 2002 (“the Act”)

Thank you for your email which was received by VisitScotland on 18 July 2025 at 5.49 pm requesting :-

Copies of all current sick pay policies applicable to employees of your organisation. Specifically, I am seeking:

- Copies of any documents, handbooks, or guidance outlining entitlement to sick pay (including occupational sick pay schemes).
- Details of eligibility criteria, rates of pay, and duration of sick pay entitlement.
- Any separate policies or variations that apply to different staff groups, grades, or types of employment (e.g., permanent, temporary, agency, or casual workers).

VisitScotland’s response

VisitScotland’s Absence Management Policy is attached which provides the information you have requested. This current version was approved by VisitScotland’s board in July 2025

Your right to request a review

If you wish to request a review of your application under either the Freedom of Information (Scotland) Act 2002 or the Environmental Information (Scotland) Regulations 2004, your request should be submitted to us in writing, or another permanent format (for example e-mail or voice recording) to:

Ms Vicki Miller
Chief Executive
VisitScotland
Waverley Court
4 East Market Street
Edinburgh
EH8 8BG
Telephone: 0131 473 3603
E-mail: vicki.miller@visitscotland.com

The request for a review should be received by us within 40 days of the date of this letter. Any request for a review should also set out, in as much detail as possible, the reasons why you are not satisfied with our response or the manner in which we have dealt with your application

If you are not satisfied with the result of the review, then you have the right to appeal to the Scottish Information Commissioner.

You can contact the Scottish Information Commissioner at:

Scottish Information Commissioner

Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Telephone: 01334 464610
Fax: 01334 464611
Email: enquiries@itspublicknowledge.info

You also have the right to appeal to the Court of Session in Scotland on a point of law concerning our response.



Absence Management Policy

Approved July 2025

Version 3.2

Document Control

Title	Absence Management Policy
Prepared By	F Lockhart
Approved By	VisitScotland Board
Date of Approval	July 2025
Version Number	3.2
Review Frequency	3 yearly
Next Review Date	February 2028

Status Control

Version	Date	Status	Prepared by	Reason for Amendment
1	April 2014	Approved	S Hastings	
2	Nov 2017	Draft	F Lockhart	Review and Update
2.1	May 2018	Draft	PCS	Trade Union Comments
2.2	February 2019	Approved	F Lockhart	Final Version including Oracle and trigger update
3	June 2022	Draft	T Scott & M Black	Review and Update
3.1	July 2022	Draft	PCS	Trade Union Comments
3.2	February 2025	For approval	F Lockhart / C Cairns	Updated in line with review timescales and best practice.

Why have an Absence Management Policy?

VisitScotland has a duty of care to take all steps which are reasonably practical to ensure the health, safety and wellbeing of its employees. This policy outlines the expectations, responsibilities and procedures in place to provide clarity over the actions required, in the event of an employee's absence from work. The following policy is designed to ensure that VisitScotland's approach to absence is fair and consistent.

VisitScotland makes a distinction between absence on grounds of illness or injury and absence for no good reason, which may call for disciplinary action. Where disciplinary action is called for, the normal disciplinary procedure will be used, including the right to appeal.

General principles

VisitScotland provides generous sick pay entitlement to its staff in the event they are unable to attend work due to illness or injury. In return for this provision, staff are required to follow certain procedures when absent from work, so that VisitScotland can ensure its operation can continue as a best as possible, and so that sick pay, or other forms of remuneration for absent staff, are paid appropriately, fairly and efficiently.

VisitScotland commits to the following when responding to absence situations in the workplace: fairness, promptness, consistency, consideration of individual circumstances, communication and the right for accompaniment and appeal, where required.

Where employees are entitled to accompaniment this is by a fellow worker, a trade union representative or an official employed by a trade union.

Where a request is made for meetings to be rescheduled, the alternative must be reasonable and within five days of the initial request. Where an employee is unable or unwilling to attend meetings without good cause, a decision will be made, based on evidence available.

Employees may only take sickness absence when they themselves are too unwell to attend work. If a dependent is unwell and the employee cannot attend work as they are required to care for them, they should consult the Special Leave Policy or request annual or unpaid leave.

Reasonable adjustments

VisitScotland will make reasonable adjustments to make sure workers with disabilities, or physical or mental health conditions, aren't substantially disadvantaged throughout their employment. This includes making reasonable adjustments to the processes outlined in this policy for example (but not limited to), a note taker, more frequent breaks or an extension of time to lodge an appeal.

Sickness absence reporting and certification

On the first day of absence:

- If you are prevented by sickness or accident from reporting for duty, you must contact your manager as soon as possible, by telephone unless otherwise agreed, by no later than one hour after your scheduled start time, to advise them that you are going to be absent from work that day. Due to operational requirements iCentre's may have their own sickness reporting requirements to be adhered to. During this phone call the reason for and, if possible, the anticipated duration of your absence should be given. Your manager will record this absence and anticipated duration on Oracle immediately.

- It is expected that you make this telephone call personally, but if you are unable due to incapacity, please ask someone to call on your behalf. If you are unable to phone, then an email or text message is acceptable, but must be followed up with a phone call as soon as practicable.
- VisitScotland reserves the right for your manager to call you during your sickness absence to check on your welfare or, where appropriate, to query any work that needs to be carried out in your absence. This will be proportionate to the situation.
- Depending on circumstances, your manager can request access to your VisitScotland email account to set an out of office message or check urgent work. This request can be on the first or any subsequent day of absence and must be confirmed by HR.

If you don't report for work, and do not make contact with or respond to calls from your line manager, they or HR will contact your emergency contact. If no further information is received, you will receive a letter confirming your absence as unauthorised which may result in your pay/sick pay being stopped. Continued unauthorised absence could be classed as gross misconduct and will be dealt with under VisitScotland's Disciplinary Policy and procedure.

On the second and following days of absence:

- If you are unsure on a day-to-day basis when you will be returning to work, you must inform your manager on a daily basis of your continuing absence, following the above procedure. Your manager will update the end date of the Oracle absence record they created.
- You do not need to inform your manager on a daily basis, if you have advised an anticipated duration previously, but you should keep in contact with your manager if the anticipated duration changes.

If you are absent for over seven calendar days:

- You must contact your healthcare professional (it can be a doctor, nurse, pharmacist, physiotherapist or occupational therapist) to receive a Fit for Work Certificate, which will confirm that for a specified period, you are either 'not fit for work' or 'may be fit for work'. If this certificate states you 'may be fit for work', your line manager or HR will discuss the recommendations and any changes with you that might help you return to work. A good quality copy of your Fit for Work Certificate should be emailed to your line manager, who will attach it to the absence record they have created on Oracle – a hard copy can be requested if required. This should arrive as soon after the eighth day of absence as possible and is required for sick pay purposes. If a Fit for Work Certificate is not received before expiry of the previous one, VisitScotland reserves the right to cease sick pay.
- You must contact your manager to advise them of any continuing absence and extensions to your Fit for Work Certificate. Your manager will update the absence record on Oracle with a revised anticipated end date.
- If absence continues, you must follow the above process for any updated Fit for Work Certificate on, or before, the expiry of the previous one. If this is not possible, please let your manager know that your absence is continuing and keep them informed on a regular basis.

Working from home

If you feel unwell and unable to attend work, this should be recorded following the above process. You should not work from home to conceal sickness absence and should only work from home if you are mildly ill or have impaired mobility but are still capable of carrying out full duties, and if your job role allows home working. You should also not attend the office if you are potentially infectious.

Return to work

Regardless of absence duration, on return to work you must ensure that an absence record has accurately been created on Oracle by your line manager and update or edit this record if required. Any updates or edits will be reviewed and approved or rejected by your line manager.

When you return to work your manager may ask to have a short meeting with you to ensure that you are fit to return to work, discuss any adjustments you feel necessary and the duration of these adjustments and to ensure all Oracle records have been completed accurately. You can request a return to work meeting if your manager has not arranged one, and one should always be arranged for absences of longer than two working weeks.

Occupational sick pay

If you are off work due to sickness or injury and comply with the requirements regarding notification of absence you may be entitled to VisitScotland's occupational sick pay.

The level of entitlement to occupational sick pay will depend on your length of service with VisitScotland:

- up to 6 months continuous employment- maximum of one week full pay and one week half pay
- between six months and one year's continuous employment - maximum of three months full pay and three months half pay
- One year or more continuous service – maximum of six months full pay and six months half pay

When assessing an employee's eligibility for sick pay, the amount of time they have been absent over the previous 24 months will be taken into account. Amendments to payroll, where necessary, will be made by the HR department in discussion with the employee and their line manager. Employees may also elect to top up half or no pay absences with annual leave.

VisitScotland reserves the right to refuse to pay occupational sick pay if it has reasonable cause to think that an employee is not genuinely sick, if it has cause to believe that an employee is abusing the sick pay scheme, or if an employee has failed to comply with the notification requirements. If the sick pay scheme has been abused, disciplinary action may follow. Time off for elective surgery, such as cosmetic or vision correction, will be reviewed on a case-by-case basis, however, there is no automatic right to be paid during periods of time off work to undergo elective surgery.

Payments of occupational sick pay may also be terminated, suspended or reduced if an employee fails to notify VisitScotland of relevant facts, or if their absence or continued absence is due to their taking an unwarranted risk (in or out of work), conducting themselves in a way that prejudices their recovery, abusing alcohol or drugs or other substances, or recklessly endangering the health and safety at work of themselves and others.

Sickness during annual leave

If you are sick for four working days or more whilst on annual leave, you should make your line manager aware at the time you are ill. These days will be credited to you as annual leave. If the total period of ill health exceeds seven calendar days you must provide a Fit for Work Certificate completed by a qualified medical practitioner.

Monitoring of sickness absence

Regular monitoring of employees' sickness absence frequency and reasons for sickness absence will be undertaken by HR. Managers can access detailed reports via Oracle for their area of the business only.

Procedure for dealing with persistent short-term absence

Informal action:

Your line manager will make you aware of any concerns about your absence levels at the earliest opportunity. Absence should be a regular topic at employee 121s to ensure timely identification of issues and any factors which are having a detrimental effect on attendance will be identified, to ensure that appropriate support can be given.

Formal action (also shown in appendix 1):

If you are off work due to sickness absence for:

- Five individual occasions, or
- A combined total of 28 working days (pro rata for part time employees)

in any rolling 12 months, you will be invited to a Formal Absence Review (Stage 1) meeting. During an employee's probation period, matters of absence and capability will be dealt with under the Probation Policy rather than this Absence Management Policy. You will be given advance notice of the date of this meeting and informed of your right to be accompanied to this meeting. Your line manager will chair this meeting and a member of the HR Department may attend to provide support and advice where required.

The purpose of the Formal Absence Review meetings is for line managers to consider what action to take next, and to consider appropriate intervention which may include (but is not limited to) referral to Occupational Health, requested examination by an independent doctor, management referral to Employee Assistance Programme or implementation of reasonable (temporary or permanent) adjustments. Please see section below on special cases for additional information.

During this meeting your manager will:

- Inform you of how often you have been off work and the reasons you have given for these absences
- Tell you that the absences are a cause for concern and ask if there is any additional information that should be taken into consideration
- Advise you to seek further medical attention if there is an underlying or persistent problem. If this is the case, VisitScotland may ask for your permission to obtain a medical report from your doctor to help VisitScotland support you in the most appropriate way
- Advise you that whilst VisitScotland has no reason to doubt that your absence is genuine, your absence from work on such regular occasions is causing difficulties
- Give consideration to any personal problems, and if possible suggest ways of helping you resolve them; this may include referring you to the independent Employee Counselling Service.
- Advise a time period over which your attendance can be reviewed, which will be six months unless contract length dictates a shorter period. VisitScotland reserve the right to extend this review period where necessary.
- Indicate what the next step will be if the regular absences continue (i.e. formal warnings in line with VisitScotland's Disciplinary Policy for unsatisfactory attendance, progressing to capability meetings)

Notes will be taken at this meeting recording the discussion. You will be given a copy of these notes and a copy will be kept on your personnel file, which is held confidentially in the HR Department.

First absence review period

If, after this review period, your manager is satisfied with the level of attendance that has been achieved, you will be advised of this and encouraged to maintain this attendance level. You will receive a letter confirming the formal process has ended satisfactorily and if relevant, any changes to the rolling 12-month period.

Should your absence record not be improving satisfactorily (a further two instances or seven (pro rata) days – or more - within the review period), a Formal Absence Review (stage 2) meeting will be held. This meeting will follow the same format as the first and it will usually be appropriate following this meeting to issue a first written warning for poor attendance*. A further review period of three months will be instigated, unless contract length dictates a shorter period.

Second absence review period

If, after this review period, your manager is satisfied with the level of attendance that has been achieved, you will be advised of this and encouraged to maintain this attendance level. You will receive a letter confirming the formal process has ended satisfactorily and if relevant, any changes to the rolling 12 month period.

Should your absence record not be improving satisfactorily (more than one instance or 3.5 (pro rata) days – or more - within the review period), a Formal Absence Review (stage 3) meeting will be held. This meeting will follow the same format as the first two and it will usually be appropriate to issue a final written warning for poor attendance*. A further review period of three months will be instigated, unless contract length dictates a shorter period.

Third absence review period

If, after this review period, your manager is satisfied with the level of attendance that has been achieved, you will be advised of this and encouraged to maintain this attendance level. You will receive a letter confirming the formal process has ended satisfactorily and if relevant, any changes to the rolling 12-month period.

Should your absence record not be improving satisfactorily after these review periods (more than one instance or 3.5 (pro rata) days – or more - within the review period), you will be advised that your level of attendance falls short of what is required and could lead to termination of employment. A Final Review Meeting will be held, where all facts, medical evidence and redeployment options (if appropriate) will be considered before a decision is taken whether dismissal is merited. The decision to dismiss can only be taken by a Director in consultation with the Head of People and Culture. The employee will be provided with written reasons for dismissal, the date on which employment will terminate and the right of appeal. It is expected that an adjournment is held to consider all available evidence and to gain the approvals required, before an employee is dismissed.

Any warnings issued under the Formal Absence Review process will be given in line with VisitScotland's Disciplinary Policy, including the right to appeal as set out in that policy. Live disciplinary warnings will be taken into consideration when making the decision to issue new warnings or the decision to dismiss.

*VisitScotland can and will issue warnings set out in this policy, even where there are genuine reasons for the absences such as certified illness or injury. Warnings are given for unsatisfactory attendance and not for ill health or personal problems. Warnings are necessary to advise that attendance is falling short of what is required and could eventually lead to further action or even termination of employment. Warnings will be given only where proportionate in the circumstances.

Capability hearing

At any time throughout these review periods it may be agreed that following VisitScotland's Capability Policy would be more appropriate. In making the decision to move to a capability hearing there are a number of factors that will be considered, including the reason for the absences and anticipated recurrence. It is expected that short term sporadic

absences follow the Formal Absence Review process, whereas long-term or related persistent short-term absences may follow the capability process.

Procedure for dealing with longer term absence

Absences over 28 continuous calendar days are considered long-term. There are two main types of long term sickness absence:

1. Planned absence: for example, when you have a planned operation and a recovery period
2. Unplanned absence: for example, when you are injured in an accident or become unwell, for example due to depression or a chronic back condition.

Managing planned absence

A planned absence is when an employee is absent for a specified time to receive medical treatment and recuperate. For these absences, it is important that they and their manager discuss and arrange:

Time away

Discuss how long you are likely to be off, including any recuperation or rehabilitation period. Find out from your doctor if the treatment is likely to impact on your job in any way and whether any adjustments could reduce this impact. This will give you an idea of what sort of adjustments may be required upon returning to work.

Contact

Agree how you will maintain regular contact with your manager while you are absent and how you will provide them with Medical Certificate/Fit Notes. Your manager will undertake review meetings at appropriate intervals i.e. it may be appropriate to have weekly calls and for your manager to conduct an informal meeting after an absence of four weeks

Reasonable adjustments

Reasonable adjustments or a rehabilitation programme should be discussed with you when it's closer to your expected return to work. You or your manager can seek guidance from HR if required, and ensure that adjustments are made in a timely manner and documented (e.g. a phased return to work)

Your absence will be logged on Oracle by your manager, clearly stating this was a planned absence, and a return to work discussion should be carried out upon your return.

If a planned absence extends past the recovery period originally indicated, or if your condition changes, this may move to be an unplanned absence. Your manager will arrange a meeting and seek guidance from HR about whether or not an Occupational Health referral would be beneficial.

Managing unplanned absence

Informal action

When an absence commences which is likely to be long-term, your line manager will maintain regular contact to understand the likely duration of the absence and what appropriate support can be given. Employees should be encouraged to liaise with their doctor about what work they may be fit to undertake and make their manager aware.

Formal action

Once you have been absent for 28 continuous calendar days and your return to work date is unknown, your manager will contact you to arrange an Absence Review Meeting. This meeting can be held via Teams, at your home, at a VisitScotland office or a neutral location. You will be given advance notice of the date of this meeting and informed of

your right to be accompanied at this meeting by a fellow worker, a trade union representative or an official employed by a trade union. A representative from HR may also be present.

During this meeting your manager, or another manager within the structural hierarchy, if necessary in the circumstances, will discuss any support that can be offered and assess your expectations for your return to work. Appropriate interventions will be discussed, which may include (but are not limited to) referral to Occupational Health, requested examination by an independent doctor, management referral to Employee Assistance Programme or implementation of reasonable (temporary or permanent) adjustments to amongst others; job duties, hours and working pattern. If deemed suitable, the possibility of offering suitable alternative employment may be discussed.

Meetings will be scheduled monthly whilst you remain absent to keep contact and discuss the above, to encourage a return to work. When it is unclear about your expected return to work date, a referral to Occupational Health or a doctor's report may be sought.

If you have not returned to full duties after a maximum of six months and a return to work date remains unknown, you will be invited to a Formal Capability Review Meeting (as set out in VisitScotland's Capability Policy).

In making the decision to move to a capability hearing there are a number of factors that will be considered, including the reason for the absences and the amount of occupational sick pay entitlement remaining.

Annual leave during and following sickness absence

Annual leave entitlement continues to accrue during a period of sickness absence, as if you continued to be at work. As a result, during a period of extended absence you may build up annual leave entitlement, which you are unable to take within the annual leave year.

Where the employee returns to work and there is no realistic prospect of you being able to take the accrued leave within the remaining annual leave year, carry over of holidays to the following year may be agreed. Where carry over is approved, a plan must be put in place for its usage in the new annual leave year. Where the accrued entitlement exceeds five days, and there is no prospect of you being able to use this entitlement, VisitScotland may, at its discretion, make a payment in compensation for the removal of the accrued leave.

Where the employee remains on sickness absence at the end of the annual leave year then their annual leave entitlement will be automatically carried over and added onto their entitlement for the new year.

Phased return

When you are returning from long term absence, your doctor may suggest a phased return to the workplace. VisitScotland supports phased returns, which are usually over a period of no more than four weeks. When on a phased return to work, the hours which you work will be paid at full pay and the hours which you are not working will be paid as occupational sick pay - at full, half or nil pay depending on the entitlement you have remaining.

Pregnancy related absences

Pregnant employees who are off work because of pregnancy-related ill health must abide by the absence reporting procedure set out above. For example, a pregnant employee is subject to the usual notification and evidence requirements, and can be asked to attend a return-to-work meeting when returning to work.

Absences specifically relating to pregnancy will not count towards the above triggers, however, it may be necessary for your line manager and HR to meet with you to discuss your health, safety and wellbeing.

If a manager is in any doubt as to whether or not a pregnant employee's absence is related to their pregnancy, the manager should contact their HR Business Partner for clarification.

Disability related absences

Where an employee gives as the reason for absence as an underlying health issue that could amount to a disability under the Equality Act 2010, the manager should highlight this to their HR Business Partner. This includes where the employee states that they are suffering from stress (work related or personal).

The organisation is under a duty to make reasonable adjustments for disabled employees. The definition of disability in the Equality Act 2010 is a legal not a medical definition, which means that only the court can ultimately decide if someone does or does not meet the definition. Doctors and medical advisers e.g. occupational health can give their opinion and we will seek this where relevant. Where the absence is wholly or partly for a disability-related reason, the trigger points referred to in this policy may need to be modified to take proper account of the employee's disability, and other adjustments to the procedures set out in this policy may need to be made. Your HR Business Partner will provide clarification.

If triggers are modified due to disability the purpose of this is:

- To remove any disadvantages disabled employees may face by being expected to reach the same attendance standard as non-disabled employees
- To ensure that disabled employees are clear about the attendance standard they are expected to meet and remove uncertainty about the possible consequences of taking time off as a result of their disability
- To promote the continued employment of disabled employees.

A separate trigger point for disability related absences will be instigated, and therefore formal action will begin when:

- Absences that are not related to the disability, reach or exceed the trigger points set out above (five in 12 months or 28 days (pro rata) or,
- The combination of disability-related and any non-disability related absences reach or exceed the modified trigger point.

This means that whether an employee is disabled or not, formal action will begin at five instances/ 28 days for absences unrelated to disability. But disabled employees have added flexibility to use these instances, (or some of them) as well as the additional number which has been agreed, for absences related to their disability, if needed.

It is expected that discussion around setting disability triggers will arise from a Formal Absence Review once an employee has reached the initial triggers and make their disability known. At this stage it would be usual to involve Occupational Health or the employee's doctor, to receive information on the likelihood of the condition being a disability and a suggested amendment to trigger points for disability-related absences. Employees are however welcome and encouraged to disclose their disability and request to set disability triggers prior to reaching a Formal Absence Review.

Other associated policies

Probationary Policy
Disciplinary Policy
Annual Leave Policy
Capability Policy

Appendix 1. Formal absence review process

VisitScotland fully recognise that all absence situations are different, however, the below provides a clear structure following the formal absence process, which does allow for consideration of individual circumstances and absence reasons / durations. Decisions are not pre-determined, however, sanctions can apply where required.

