



Making Northern Ireland Safer For Everyone Through Professional, Progressive Policing

FREEDOM OF INFORMATION REQUEST



Request Number: F-2009-00139

Keyword: Human Resources

Subject: RETURN TO WORK INTERVIEWS

Request and Answer:

This is to inform you that the Police Service of Northern Ireland has now completed its search for the information you requested.

Question 1

Why are return to work interviews completed?

Answer

This is not a valid question under the Act as it is not asking for recorded information. Had the question been phrased in such a way as to ask for records of reasons for return to work interviews, the answer would refer to the existence of Policy Directive 08/07 which deals with the management of sickness absence for both police officers and police staff and which all police and staff are obliged to comply with.

Question 2

What is the responsibility of a police line manager in conveying return to work information to OHW for further medical assessment?

Answer

Policy Directive 08/07 (Management of Sickness Absence) outlines the PSNI approach to the management of sickness absence. Paragraph 7.3(4)(a) details management responsibilities in relation to OHW referrals.

“ Management will refer an individual officer/police staff member to OHW (via the Personnel Manager) for assessment or examination in any of the following circumstance:

- (i) When the member of staff has been on a continuous period of absence in excess of 14 days and an imminent return to work date has not been identified;
- (ii) When absences in a rolling 12-month period give cause for concern and the organisation wishes to establish whether or not there is an underlying medical condition which may be causing the absences;
- (iii) When a member of staff reaches the relevant trigger point;
- (iv) When a member of staff has been on prolonged sickness absence and for medical reasons wishes to return on a temporary or alternative working pattern;
- (v) When the duration of the absence seems to be excessive for the reported nature of the illness;
- (vi) When at any time a member of staff's behaviour gives cause for concern;
- (vii) When a probationer's sickness absence record raises doubt with regard to the advisability of continuing their

employment;

- (viii) When management is of the opinion that retirement on ill health/medical grounds may be considered, in light of previous and current sickness absences;
- (ix) When the rate of sickness absence in a particular work area is significantly higher than average and there is no obvious explanation;
- (x) It is recognised that in exceptional circumstances a referral may not be appropriate (e.g. hospitalised)."

Question 3

Is the failure/neglect of a line manager to complete a return to work interview for a subordinate a disciplinary matter?

Answer

A return to work interview must take place after every period of sickness absence. This is not an option for either party. This direction is contained within our Policy Directive on the Management of Sickness Absence.

The PSNI's Code of Ethics sets ethical standards required of police officers. Failure to comply with the Code of Ethics constitutes a misconduct breach. Article 1.5 of the Code under the heading of Professional Duty states that the Police Service is a disciplined body. Unless there is good and sufficient cause to do otherwise, police officers shall obey all lawful orders and abide by the provision of Service policy and procedure. Such a failure may also constitute a breach of Article 10.3. of the Code under the heading Duty of Supervisors - supervisors have a particular responsibility to secure, promote and maintain professional standards and integrity through the provision of advice and guidance or other remedial or appropriate action.

A failure/neglect to conduct a return to work interview without good and sufficient cause would therefore constitute a misconduct breach. However, it should be noted that each misconduct breach is examined on an individual basis to determine the level and nature of misconduct of the officer and the extent to which the PSNI's Code of Ethics has been breached. The seriousness of the offence, the circumstances surrounding its commission and its potential impact will dictate the level of action to be pursued and the misconduct sanction ultimately imposed.

The Code of Ethics can be viewed at http://www.psnipolice.uk/code_of_ethics_2008.pdf.

Question 4

Who is required to conduct a return to work interview?

Answer

Paragraph 7.3(9)(a) in Policy Directive 08/07 (Management of Sickness Absence) details "line management shall conduct a return to work interview on the day the individual returns to the workplace."

Question 5

What systems are in place to ensure return to work interviews are completed?

Answer

Paragraph 7.3(9)(f) in Policy Directive 08/07 (Management of Sickness Absence) details "The line manager should forward the documentation to the local personnel office for retention on the individual's personnel file."

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this email. If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible, or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psnipolice.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.