

THE UNIVERSITY OF SUSSEX

SICKNESS BENEFIT SCHEME FOR TECHNICAL STAFF

Preamble

1. These regulations apply to all members of the technical staff.
2. The University's Sick Pay Scheme covers employees who are absent from duty owing to certificated illness, including industrial disease or accident. During their absence, employees shall receive not more than normal pay as defined in Paragraph 6 by way of (i) payments arising from Statutory Sick Pay (SSP) during 28 weeks of absence in any tax year (ii) payments arising from State incapacity benefits after 28 weeks of absence and (iii) allowances provided by the Scheme.
3. Following the introduction of Statutory Sick Pay (SSP) from April 1983, some requirements of the University's Sick Pay Scheme may vary from the statutory requirements of SSP. Care should be taken to distinguish between the respective requirements of the two Schemes. It is not intended that employees shall receive, during the first eight weeks of absence, less than the normal pay as defined in Paragraph 6.

Conditions for claiming allowance

4. a) A member of staff absent from duty owing to illness should send notification of the fact to the University (i.e. inform his or her Section Head immediately by telephone or letter) on the first day of absence. (This is in order that arrangements may be made for his or her duties to be carried out);
- b) a self certificate must be furnished to cover four to seven calendar days of absence;
- c) a doctor's statement must be furnished to cover absence of more than seven calendar days;
- d) if the period of absence extends beyond the period covered by a medical statement, further medical statements must be submitted. The last medical statement must show the date on which the incapacity ended.

Scale of Allowances

5. A member of staff to whom the above regulations apply who is absent from duty owing to illness (which term is deemed to include injury or other disability) shall be entitled, subject to the provisions of this scheme, to payment in accordance with the following scale:

	Full pay	Half pay
During first 4 months' service	1 month	Nil
First year after 4 months' service	1 month	2 months
During second year of service	2 months	2 months
During third year of service	4 months	4 months
During fourth and fifth years of service	5 months	5 months
After fifth year of service	6 months	6 months

Additional leave on full or on part pay may be approved by the Vice-Chancellor.

6. "Pay" in this Scheme means the salary and allowances (whether paid monthly or weekly or in some other way) which would have been received by the member if he or she had not been absent owing to illness.

Calculation of Allowances

7. a) The rate of allowance and the period for which it shall be paid in respect of any period of absence due to illness shall be ascertained by deducting from the period of benefit appropriate to service on the first day of absence the aggregate of the periods of absence due to illness during the twelve months immediately preceding the first day of absence. In aggregating the periods of absence no account shall be taken of any unpaid absence on sickness leave.
 - b) Where a public or bank holiday occurs during paid sickness leave, the allowance shall be suspended and holiday pay substituted.
 - c) The allowance shall not exceed the sum (if any) by which the total amount of benefits, allowances and payments referred to below falls short of full pay.
8. The following deductions shall be made from an allowance equal to full pay:
 - a) The amount of incapacity benefit receivable under the National Insurance Acts and Regulations for the period after the first 28 weeks of absence.
 - b) The amount (if any) received as a treatment allowance from the Department for Work and Pensions. The dependency element only of the treatment allowance shall be deducted from sickness allowance. The employee will, therefore, be allowed to retain the personal element of his or her treatment allowance.

The following deductions shall be made from an allowance equal to half pay;

- c) The amount by which the total of the allowances receivable under a) to c) above plus half pay exceeds full pay except that
 - d) married women and widows exercising their right to be exempted from the payment of flat rate National Insurance contributions shall be deemed, in regard to the scheme for sickness payments, to be insured in their own right, and in their case deductions will be made from full and half pay (in accordance with a) to c) above) of an amount equal to the benefit that would have been receivable had full National Insurance contributions been paid. This provision is distinct from any obligations arising from Employers' Statutory Sick Pay where separate rules apply.
9. A member of staff shall be under an obligation to declare to the University in whatsoever manner may be required, his or her entitlement to benefit under the foregoing Acts, and any subsequent alteration in the circumstances on which such entitlement is based, in default of which the University shall be entitled to determine the benefits by reference to the maximum benefits obtainable.

Accident - third party

10. Where a member of staff is absent from duty as a result of an injury or accident in such circumstances that damages may be recoverable from a third party, the university shall instead of sick pay advance to the member a sum or sums of money equivalent to the sick pay which he or she would otherwise have received, on condition that the member will refund to the University any sums recovered by him or her from a third party in so far as those sums represent compensation for loss of earnings from the University. The member shall be obliged to make a claim or to take legal proceedings against a third party for such compensation if required so to do by the University on the basis of indemnity from the University as to his or her expenses. Any period of absence in a case where refund of monies advanced is made in full will not be recorded for the purposes of the Sickness Benefit Scheme. Where the refund is made in part only, the University may, at its discretion, decide to what extent the period of absence may so be recorded.