
ABSENCE MANAGEMENT POLICY




J & E Hall Limited

Policy Owner – Director of HR

Document History

Issue	Date	Amendment Comment
Issue 1	January 2014	General Issue
Issue 2	May 2018	Review, General Issue
Issue 3	February 2022	Updated to incorporate home working
Issue 4	November 2022	Updated to incorporate sick pay schemes

Document Authorisation

Description	Name	Position	Sign
Prepared By:	Amy Millis	HR Advisor	
Reviewed By:	Lauren Mann	HR Advisor	
Authorised By:	Martin Jenkins	Director of HR	

Policy aims and objectives

This policy is designed to help us meet our attendance objectives, which are:

- For employees to have high attendance standards;
- To deal positively and sympathetically with employees who have medical conditions or injuries which affect their ability to work normally;
- To avoid operational difficulties and maintain effective staffing levels; and
- To deal fairly and reasonably with employees who have either frequent periods or extended periods of absence.

This policy applies to all employees in the company except for the **Attendance review procedure**, which does not apply to employees in their probationary period.

Should I attend work when I am unwell?

If you do not feel sufficiently well to attend work and safely and effectively fulfil your duties, then you should report yourself as sick. It may be tempting to work from home; however, this is only a suitable option for certain roles and if you are well enough to work but are having to self-isolate due to an infectious illness and are without symptoms. Such home working is at the discretion of your line manager. Not taking adequate time to rest when unwell can prolong your recuperation.

Notifying us of your absence and keeping in touch

On the first day of any absence, you must telephone your line manager prior to your normal start time. You should explain your reason for the absence, what you think might be the length of your absence and whether you are intending to seek medical advice. You should also confirm a telephone number on which you can be contacted.

You should make the call notifying us of your absence yourself, where at all possible, rather than asking someone else to do so on your behalf. It is not acceptable to leave messages with colleagues. You must not send a text message or email instead of calling.

If you leave work early because you are unwell, the time lost will be treated as sickness absence and you must inform your line manager that you are leaving work.

It is our policy to keep in touch with employees during all absences, whatever their length. Unless your line manager tells you otherwise, you should telephone your line manager prior to the start of your normal working day on each and every day of your absence.

If it becomes clear your absence is likely to become longer-term, your line manager will agree with you how frequently you need to contact the company to keep us informed of your progress. You will normally be asked to telephone once a week. Your line manager may also arrange to meet you periodically, either at work or at home, to discuss your on-going absence.

Certificates explaining why you are absent

You must provide your line manager with a self-certification form covering any absence of less than eight calendar days. You should submit this form as soon as possible, by the very latest on the day that you return

to work. Self-certification forms are available on Cascade and will automatically be sent you by email, for completion on your return to work.

You must provide a doctor's medical certificate (known as a 'fit note') to cover any absence from the eighth day onwards. You should send a copy of your fit note to your line manager.

If you cannot return to work when a fit note expires, you must obtain another one to cover any further absence.

We reserve the right to require you to provide a fit note to cover an absence lasting less than eight days. You will be told in writing if this requirement applies to you.

A fit note is always required if you ask to postpone a period of holiday due to sickness (see **Sickness during holidays**).

We welcome suggestions, from either you or your GP/medical adviser, which might assist you in returning to and/or staying in work. In particular, if your GP has ticked the box on your fit note indicating that you 'may be fit for work' if certain temporary adjustment(s) are made, you should telephone your line manager immediately, so that we can discuss these suggestions with you.

You do not need a fit note to confirm that you are fit to return to work. So, when your fit note expires, you can return to work without visiting the doctor again, unless your doctor has told you that they wish to see you again first, or you wish to return before your fit note expires.

Appropriate certificates, be it a self-certificate, fit note and/or a Return-to-work plan under the Fit for Work Scheme (see **Fit for Work Service**), are required to cover the total length of your sickness absence. Any day where you have not complied with any of your obligations under this policy in respect of providing such certificates will be treated as a day of unauthorised absence.

Sick pay

You may be entitled to statutory sick pay (SSP) if you are absent due to sickness and if you satisfy the relevant statutory requirements. Qualifying days for the purpose of SSP are Monday to Friday, unless stated otherwise in your contract of employment. The rate of SSP is set by the government each year. SSP is payable for up to 28 weeks. If you are not eligible to receive SSP, or if your SSP entitlement is coming to an end, you will be supplied with a form (an SSP1) informing you of this.

Details of your entitlement to receive company sick pay will be set out in your Contract of Employment. Any company sick pay you receive in accordance with your Contract of Employment will be inclusive of any SSP due for the same period.

Company sick pay will be paid from day one of your sickness absence, subject to the conditions set out in this policy and your contract of employment. Employees within C&P are entitled to these rates from the fourth working day of absence. These rates are paid pro rata for part time employees

Period of Continuous Employment	Entitlement to Payment
Less than 6 months	Full payment – 2 working weeks
Over 6 months but less than 5 years (conditional on passed probation)	Full payment – 12 working weeks
Over 5 years	Full payment – 26 working weeks

Some employees who joined the business before 1st January 2014 and decided not to move to the new scheme have a slightly different sick pay scheme as detailed below:

Period of Continuous Employment	Entitlement to Payment
Less than 1 year	Full payment – 4 working weeks
Over 1 year but less than 3 years	Full payment – 8 working weeks then half payment upto a further 8 working weeks
Over 3 years but less than 10 years	Full payment – 14 working weeks then half payment upto a further 14 weeks
Over 10 years but less than 20 years	Full payment – 16 working weeks then half payment upto a further 16 weeks
Over 20 years	Full payment – 24 working weeks then half payment upto a further 24 weeks

Your right to company sick pay (and in some cases your right to SSP) will be lost:

- If you fail to follow the rules of this policy on notifying us about your absence and keeping in touch with us during your absence;
- For any day not covered by an applicable certificate;
- Where such certificates are not provided on time;
- If you do not let us know immediately that your GP has ticked ‘may be fit for work’ on your fit note
- If you fail to co-operate with us in implementing any suggestions for temporary adjustments made by your GP or our medical advisers or as part of a Return-to-work plan, (see clause **Fit for Work Service**);
- If you fail to co-operate in providing further medical information or attending for further medical or occupational health assessment, if requested.

Any sick pay that has been overpaid may be deducted from any future pay.

Sickness during holiday

If you fall ill before, or during a period booked off as holiday so that your sickness absence and booked holiday coincide or overlap, you can postpone this holiday, or part thereof, until a later date. However, you can only do so if you provide an applicable medical certificate/fit note to cover each day of sickness absence. You will not be able to self-certify such absence, even if it is for less than eight days. You must also comply with the other sickness absence reporting requirements contained in this policy. These requirements apply even if you are abroad, so for example, you should use a hotel internet to send/scan applicable certificates obtained from a local doctor to us.

It is only in the most exceptional circumstances that you will be able to make a request to postpone holiday retrospectively, i.e. once you have returned to work.

In addition, if you are seeking to postpone a holiday in this way, you will need to amend your original holiday request form in relation to the period of holiday you are seeking to postpone and obtain your line-manager’s written approval for this amendment.

Days converted from a period of holiday to sickness absence will count in the normal way for the purposes of the Attendance review procedure, (see **Attendance review procedure**).

Requesting paid holiday during sickness absence

If you are absent on long-term sick leave, you can apply to take some or all of your outstanding holiday entitlement during your sickness absence. If you wish to do so, you must complete a holiday request in the normal way. We reserve the right to refuse such a request as per the Company's normal discretion in relation to holiday requests.

We will not accept a request to take a short period of holiday to cover short-term sickness absence.

When you take a period of paid holiday at a time when you are absent on sick leave, SSP is still payable if all the usual qualifying criteria apply. This means your holiday pay will be inclusive of any SSP pay due to you. You will not be entitled to company sick pay and holiday pay for the same period.

Company notification of holiday during sickness absence

If you have exhausted your entitlement to company sick pay (and/or SSP), and it is clear to us that you are unlikely to return to work before the end of the company's holiday year, we may nominate days of your sickness absence to be taken as a period of outstanding holiday entitlement.

If we choose to do this, we will give you advance written notice of at least twice the number of days of holiday we are nominating. If you do not wish to take the period of holiday at the nominated time, you should let us know within 7 days of receiving our letter of notification.

Medical reports/assessment

We may ask you to attend our occupational health provider (OHP) for assessment, or we may ask you to give us permission to seek a medical report from your own GP or other medical adviser.

The circumstances in which we may make such requests include, (but are not limited to):

- To explore whether there is an underlying medical condition causing your sickness absence;
- To enable us to get a clearer picture of the way your health is affecting your ability to work and how long this is likely to last;
- To explore whether there is anything the company can do to help you return to full normal working; and
- To make decisions about your future employment.

If you fail to co-operate in obtaining such information/reports, your case will be considered on the basis of the information we have available at the applicable time. This could include a decision as to whether or not your employment should be terminated. A failure to co-operate with such a request will also result in your loss of eligibility for company sick pay.

Injury at work

All accidents and any injury, however slight, which occur whilst on company premises, or on authorised company business, must be reported as soon as possible to your Line Manager. Full details of the accident must be recorded under the Accident Reporting Procedure (found on the JEH secure area / website).

Return to work interviews

On the day that you return to work or as soon as reasonably possible your line manager will meet with you to discuss the reason for your absence, your current fitness to work and what has happened at work in your absence. If there are any underlying problems or reasons that have caused you to take time off, which you have not already informed the company about, this is a good opportunity to discuss them. If you have not already sent us your self-certification form or fit note you should hand these in at this meeting.

If you are a home worker this process may take place by phone, video conference or you may be requested to attend a Company site.

Attendance review procedure

See **Management of longer-term absence and underlying medical conditions** for the application of the Attendance review procedure where an employee has an underlying medical condition.

Our procedure has the following stages:

- Informal counselling or caution;
- First formal written caution;
- Final formal written caution; and
- Dismissal.

Please note that we may start the Attendance review procedure at any stage where, in our view, an employee has an unacceptable pattern of attendance.

Before taking any formal action under this procedure we will carry out the following steps:

- We will hold an attendance review meeting at an appropriate location, which may be remote or in person at the discretion of the business
- Before the review meeting we will send you a letter setting out your attendance record and informing you of the possible outcomes of the meeting (which will depend on the stage of the procedure that is being applied).
- If applicable, the letter will also tell you that you have the right to be accompanied at the meeting by a co-worker or certified trade union official.
- We will give you, (and if applicable, any permitted person that you may choose as a companion), reasonable time to consider any information we give you before the review meetings.
- At the meeting we will discuss your attendance record and the impact it is having on the business. You will be given the opportunity to explain the reason for your absence/pattern of absence.

Trigger levels for formal action

We have set 'trigger levels' to help us identify unsustainable patterns of absence using the Bradford Factor – visible on Cascade. It is important that you understand that a trigger level is not an entitlement to sickness absence and you may be called to account for any level of absence. We reserve the right to change the trigger levels at any time.

The Bradford factor is calculated using the Bradford Formula $S^2 \times D = B$

- S is the total number of separate absences by an individual
- D is the total number of days of absence of that individual
- B is the Bradford Factor score

First written caution

The first 'trigger level' is:

- A Bradford Factor score of 100 points; or
- Pattern of absence otherwise considered unacceptable by the company, e.g. a pattern of absences on Mondays and/or Fridays.

If your attendance record reaches the first trigger level, your line manager will ask you to a review meeting to discuss your attendance record and the reasons for it. If appropriate in the circumstances, you will be given a formal caution. If your attendance record can be improved and maintained at an acceptable level, the caution will lapse after twelve months from the date it is issued.

Final written caution

If, during the period of your first written caution, your attendance does not improve and, in particular, if you:

- A Bradford Factor score of 350 points; or
- Have a pattern of absence otherwise considered unacceptable by the company

Your line manager will hold another review meeting with you to discuss your attendance record levels and the reasons for it. If appropriate in the circumstances, you will be given a final written caution. You will be informed that, unless your attendance record can be improved and maintained at an acceptable level, dismissal may follow. If there is a substantial and lasting improvement, the final written caution will lapse after twelve months from the date it is issued.

Dismissal

If, during the period of your final written caution:

- You have a Bradford Factor score of 650 points or more; or
- Your pattern of absence is otherwise considered unacceptable by the company.

We will write to you asking you to attend a further review meeting. You should be aware that, if you reach this stage, you may be dismissed (with notice).

Right of Appeal

You have the right of appeal against a formal caution or dismissal. To appeal you should submit your grounds of appeal in writing to HR within five working days of receiving the company's written decision under this Attendance review procedure.

Management of longer-term absence and underlying medical conditions

If we are aware that you have an underlying medical condition or injury that is causing you to have frequent short-term absences or results in a long-term period of absence, we will consider how best to take this condition into account when dealing with your absence. Therefore, we encourage you to tell us as soon as you are aware of any underlying condition which may be impacting on your attendance.

Where appropriate, we will also look at whether the company can take any measures to help you improve your attendance or return to work.

Depending on the circumstances of any frequent short-term absences, where there is an underlying medical condition, we may at our discretion choose to manage your attendance outside of the Attendance review procedure described above or adapt certain elements of the procedure. For example, we may alter trigger levels in your case, or choose not to give you a caution in circumstances where you would have otherwise received one.

If your condition or an injury causes longer term absence, we will generally manage your absence outside of the Attendance review procedure.

Whether we manage your condition within or outside the Attendance review procedure, we will usually obtain medical advice, consult with you and consider how your condition is preventing you returning to work (and consider possible adjustments that can be made to assist you in returning to work), as well as seek advice on your prognosis for recovery.

We will keep in touch with you throughout your absence and will expect you to co-operate fully in our absence management measures, including enabling us to receive medical reports and co-operating with any arrangements or measures to enable you to return to work, such as temporary adjustments to working arrangements.

There are limits to the amount of absence which the business and your co-workers can sustain and there may come a point when we will consider ending your employment, for example when, taking into account the circumstances, we believe that:

- We cannot reasonably hold your job open any longer; or
- We cannot reasonably sustain your level or pattern of absence; or
- There is no reasonable prospect of you resuming full duties.

The company would not generally hold your job open beyond 6 months of long-term sickness absence except in unusual circumstances.

The company may terminate your employment before your sick pay entitlement has been exhausted.

Where it is possible we will meet with you formally before a decision to dismiss you is made. Before the meeting we will send you a letter setting out the circumstances and informing you of the possible outcome of the meeting. The letter will also tell you that you have the right to be accompanied at the meeting by a co-worker or certified trade union official. We will give you, together with any permitted person that you may choose as a companion, reasonable time to prepare for the meeting. If you are dismissed, you have the right to appeal against your dismissal by putting your grounds for appeal in writing to the HR department within five working days of receiving the company's written decision.

Fit for Work Service

Fit for Work (FFW) is a government-funded advice and occupational health assessment service. The service is intended to assist employees return to work through the production of a Return-to-work plan following a FFW assessment. The implementation of the Return-to-work plan will be overseen by an FFW caseworker.

Your GP may suggest a referral for you for a FFW assessment, if you have been absent for work for 4 weeks or more, or they believe that you may be absent for such a period. If your GP has not made such a referral

after you have been absent for four weeks, the Company can make a referral to FFW directly. A FFW referral is subject to your express consent. If the Company seeks to make a FFW referral directly, we expect you to co-operate with us in this respect.

If your GP refers you to FFW, please let your line manager know. Your FFW case manager may wish to speak to us to prepare a Return-to-work plan. We would encourage you to agree to any Return-to-work plan being shared with us, as it may include suggestions for actions/support on the Company's part to assist you back to work.

If we are supplied with a Return-to-work plan in relation to your absence this will be acceptable in place of a fit note, (as per **Certificates explaining why you are absent**) for the period the Return-to-work plan is in place.

Phased returns to work

If you return to work on a phased basis with temporary adjustments to your hours or duties you will be paid your normal pay for the hours that you work. If you are eligible for it and you have not yet exhausted your entitlement, you will be paid company sick pay for the days or part days when you are not working.

Status of this policy

This policy does not give contractual rights to individual employees. The company reserves the right to alter any of its terms at any time although we will notify you of any changes.