

# **Sickness & Absence Policy**



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**Tel: 0161 518 4232**

## 1 Policy - Sickness and Absence:

- 1.1 We are committed to ensuring that our employees attend work whenever they are fit for work. However, we also recognise that people do become ill and, where this is the case, will, through consultation with you and medical advisers when appropriate, manage such absence with the ultimate aim of getting you back to work as soon as possible, with appropriate and reasonable assistance from us to achieve that aim.

This policy sets out the expected steps in managing sickness and attendance but we may use a different procedure or take additional steps as required in individual cases.

- 1.2 Certain parts of this policy are contractual requirements with which you must comply. This policy is not otherwise contractual, does not form part of any employee's contract of employment and we may amend it at any time.
- 1.3 This policy applies to all employees and workers except agency workers, consultants, self-employed contractors, volunteers, interns and casual workers.

## 2 Your Responsibilities:

- 2.1 You must take responsibility for your own attendance at work and, if you are ill, your recovery and timely return to work.

It is a contractual requirement that you must:

- 2.1.1 comply in a timely manner with our notification and certification procedures, whether set out in this policy or as notified from time to time, and maintain communication with us while you are absent from work;
- 2.1.2 **you must advise your Line Manager regarding what your actual illness is**, to say you're feeling ill or unwell does not explain the real reason of your absence;
- 2.1.3 comply with any request for a medical examination in accordance with clause 13.1;
- 2.1.4 provide sufficient information to us, as and when required, to keep us informed of your condition and prognosis; and
- 2.1.5 co-operate with us to implement any advice from medical and/or occupational health practitioners in order to facilitate a timely return to work.

## 3 Procedure for Absence Reporting and Certification:

- 3.1 **You, or someone on your behalf, must notify your line manager or nominated deputy of any absence at the earliest opportunity and no later than 1 hour before your normal start time on the first working day of absence** and on every subsequent day of absence for the first 7 days of absence.

Where you are absent for more than 7 days, the frequency and timing of contact will be agreed on a case by case basis, but as a minimum requirement you should keep your Line Manager informed throughout the period of absence on at least a weekly basis.

**Where days of absence span a weekend, the weekend days count towards the 7 day absence period.** If you are absent due to ill health, you will be required to give details of the nature of the illness and an indication of the anticipated length of absence.

**Leaving a message with a colleague to report an absence will not amount to proper notification. Reporting an absence by text message will also not amount to proper notification, unless agreed with your Line Manager.**

- 3.2 If you are **absent for 7 days or less, you must complete an absence form (self-certification form) immediately on your return to work**, and this must be countersigned by your line manager.

This form should be returned to **Gary Zetter - Operations Manager** as soon as possible, but in any event, **no later than 2 working days following the return date.**

For an absence of more than 7 days, in addition to completing the absence form you must **obtain a Statement of Fitness for Work (also known as a 'Fit Note')** from your GP or other healthcare professional and forward this to **Gary Zetter - Operations Manager** within 2 working days of issue.

If your absence continues after the expiry of the first Fit Note, further Fit Notes must be obtained as necessary to cover the whole period of absence and forwarded to Gary Zetter – Operations Manager within 2 working days of issue.

**Where days of absence span a weekend, the weekend days count towards the seven-day absence period.**

## **4 Company Sick Pay:**

- 4.1 **Please Note:** The company does not pay sick pay, which is outlined within your contract with us.

## **5 Statutory Sick Pay:**

- 5.1 Subject to certain exceptions, you will be entitled to receive statutory sick pay ('SSP') for a maximum of 28 weeks in any period of entitlement (the maximum such period being three years) in accordance with and subject to the prevailing regulations.
- 5.2 SSP is not payable for the first three days (called waiting days). The rate of SSP will vary depending on your normal weekly earnings and the rate prescribed by the prevailing regulations. Details of the current rate can be obtained from Gary Zetter - Operations Manager.

You will only receive SSP when there is a period of four or more days' sickness. SSP will only be paid on days on which you would normally be working.

5.3 The main requirements in order to qualify for SSP are that you must:

- 5.3.1 have four or more consecutive days of sickness (which may include Saturdays, Sundays and holidays) during which you are too ill to be capable of doing your work;
- 5.3.2 notify your absence to your line manager on the first day of absence and then weekly after that;
- 5.3.3 supply evidence of incapacity, namely a self-certificate for periods of less than seven calendar days and a Statement of Fitness for Work (also known as a Fit Note) for any period after the first seven calendar days.

## 6 Conduct During Sickness Absence:

6.1 We would not under normal circumstances expect any employee who is absent from work due to sickness or injury to:

- 6.1.1 participate in any sports, hobbies or social activities which are in any way inconsistent with their illness or injuries, or which aggravate the illness or injury, or which could delay recovery; or
- 6.1.2 undertake any other employment whether paid or unpaid; if you declare yourself incapacitated from work in relation to your employment with us, it will be deemed improper conduct to undertake any other duties whilst you are off sick.

## 7 Medical and Dental Appointments:

7.1 We understand that there will be times when employees need to attend dental and medical appointments during normal working hours and will, **at our discretion, allow employees paid OR unpaid time off** to attend a reasonable number of such appointments.

**Wherever possible, such absences must be agreed with your Line Manager at least 24 hours before the appointment.**

To minimise disruption, you should attempt to make an appointment at either the beginning or the end of your working day. The Company reserves the right to request to see appointment cards or other documentary evidence.

7.2 Where ongoing appointments are necessary you must advise your Line Manager to enable the situation to be reviewed and discussed on a regular, ongoing basis. In such circumstances, the Company may require you to take unpaid leave or annual leave to attend appointments, or to make up the missed working time at another time.

## 8 Holidays During Absence:

- 8.1 The minimum holiday entitlement required under the Working Time Regulations 1998 will continue to accrue if you are absent due to illness.
- 8.2 If you wish to take holiday during long-term sickness you should book and have it authorised in the normal way.
- 8.3 The normal restrictions on carrying over holiday entitlement will apply. As such, any holiday accrued but not taken by the end of the holiday year will be lost, unless you have not had the opportunity to take your minimum holiday under the Working Time Regulations 1998 due to being absent during the whole or part of a holiday year. If you are in this situation, please contact Gary Zetter for information on the rules regarding carrying forward untaken holiday.

## 9 Return to Work and Absence Meetings:

- 9.1 When you return to work following any period of absence, your Line Manager will usually conduct a **'Return to Work Interview'**, to establish the reason for, and cause of your absence, that you are in fact fit to return to work and whether we can do anything to assist you.

Our disciplinary procedures will be used if an explanation for absence is not forthcoming or is not thought to be satisfactory.

- 9.2 If you wish to return to work prior to the date noted on a Fit Note in cases of long-term absence or a serious health condition, you may be required to attend a medical examination and/or asked to agree to a medical report being prepared by our nominated medical practitioner to confirm you are fit to return to work before you may return in accordance with paragraph 12.

In addition, where your general practitioner or consultant specifically advises that you are not fit to return to work and must not return to work, you will not be permitted to return.

This does not mean that you must always remain absent to the date specified in your current Fit Note if you feel able to return before that date, and it does not mean that you must always seek your doctor's agreement to returning earlier than the date specified in the Fit Note.

Return to work is subject to any risk assessment or adjustment necessary for you having been made by us before the proposed earlier return date.

- 9.3 **Please be advised that where your line manager is concerned about the level or pattern of absence, they may conduct an informal guidance meeting with you and/or monitor your attendance and/or deal with the situation under our capability procedure OR disciplinary and dismissal procedure.**

## 10 Attendance Management:

- 10.1 Where more formal measures to manage your attendance are required, we will usually follow the procedure outlined below. However, we reserve the right to take different action which we consider appropriate according to the particular circumstances.
- 10.2 In addition to the return to work discussions described in paragraph 9 above, if you are persistently or intermittently absent for short periods, your Line Manager will begin regular attendance reviews with you.

**These attendance reviews will usually be triggered where you are absent more than 2 times within 1 month, or if your absences, when taken together, total 7 days in any 1 month period.**

The attendance reviews will usually involve meeting with you on a regular basis, either at your place of work or, (with your agreement) at your home or another location, or by telephone if a face to face meeting is not possible, to ensure that you are receiving appropriate support and that we have an up-to-date understanding of your state of health.

You will be informed that your attendance is being monitored, and you will be asked to give any explanations or provide any further information you may wish to provide. The reviews will also seek to identify a level of improvement in your attendance that is acceptable to us and achievable in the circumstances, and any steps the employer can take to assist you in reaching that level of improvement.

The reviews may also identify where further medical evidence may be required (see paragraph 12 below). If the medical evidence indicates that you have a disability, then the issue of reasonable adjustments will also be considered (see paragraph 13 below). The attendance reviews may also involve **(a representative from our HR Specialists Service Provider)**, where appropriate.

- 10.3 At various stages, your line manager may want to obtain advice on your fitness for work from your medical practitioner or a medical practitioner nominated by us and will seek such advice in accordance with paragraph 12 below.
- 10.4 We will seek to meet with you to discuss the terms of any medical report obtained and any recommendations made in it, including whether any measures can be taken by us to assist you in improving your attendance and your own view on the situation.
- 10.5 If your attendance does not improve to an acceptable level despite these attendance reviews, then we may invoke our capability OR disciplinary and dismissal procedure. This may lead to a written improvement notice and/or a final written warning being given and, ultimately, to dismissal.

## 11 Long-term Absence or Absences:

- 11.1 In cases of long-term absence, we will keep in regular contact with you in order to keep up to date with your state of health and when you might be expected to return.

The contact will usually be with your line manager or **Gary Zetter**. The frequency of such contact will vary according to the particular circumstances and may, for example, be weekly, fortnightly or monthly. We will keep you informed of any developments affecting your work for us.

- 11.2 At various stages, your line manager may want to obtain advice on your fitness for work from your medical practitioner or a medical practitioner nominated by us and will seek such advice in accordance with paragraph 12 below). We will then seek to meet with you to discuss the terms of any medical report obtained and any recommendations made in it, including whether any measures can be taken by us to assist you in returning to work and your own view on the situation.
- 11.3 If the advice in the medical report is, for example, that you are fit to return to work, or will be fit to return to work within a manageable period, or may be fit to return if we can take measures to assist you in returning to work, we may seek to put in place a Return to Work programme which will describe in detail any steps to be taken by us, any stages of a phased return to work (eg shorter working hours or different working arrangements), and the timescale for achieving this.
- 11.4 If it is not possible to put in place a Return to Work programme, for example because the advice in the medical report(s) is that you will not be fit to return to work, or that it will be some considerable time before you are able to return to work, or if the Return to Work programme is unsuccessful, we may need to move to the formal capability procedure.
- 11.5 If you are absent for one or more periods totaling 7 days or more in any 1 month period, then we may invoke our capability OR disciplinary and dismissal procedure. This may lead to a final written warning being given and, ultimately, to dismissal.
- 11.6 If you are unable to return to your own job even with adjustments, your line manager will, with the assistance of Gary Zetter and advice from a medical practitioner, consider suitable alternative employment, although we will not be obliged to create a new position for this purpose. If you are to return to work in an alternative role, revised terms and conditions will be discussed with you before your return and you will, as soon as is reasonably practicable, be provided with written confirmation of the revised terms and conditions, the date on which they will come into force (if appropriate) and information on your right to appeal against the decision.
- 11.7 We will also usually explore the possibility of ill-health retirement and/or the availability of benefits under our permanent health insurance scheme with you before implementing a dismissal on grounds of ill-health. Ill-health retirement and/or permanent health insurance is subject at all times to the rules of the relevant scheme.

- 11.8 We will seek to have a further meeting with you to discuss these matters and, if the decision as a result of that meeting is that you be dismissed, you will be provided with written confirmation of the dismissal as soon as reasonably practicable afterwards. This will set out details of the reason for dismissal, the date on which your employment terminated or will terminate, the appropriate period of notice or pay in lieu of notice (if any) and will advise you of your right to appeal against the decision to dismiss you.

## **12 Medical Examinations and Reports:**

- 12.1 We may, at any time(s) during your employment, require you to undergo a medical examination by your medical practitioner or a medical practitioner we nominate.
- 12.2 We may also wish to obtain a medical report on you:
- 12.2.1 in the case of persistent intermittent, short-term absences from work (see paragraph 10) or a long-term absence from work (see paragraph 11);
  - 12.2.2 to effectively manage capability issues, particularly where we are contemplating dismissal;
  - 12.2.3 to determine your eligibility under any permanent health insurance scheme or ill-health early retirement scheme; or
  - 12.2.4 to assess whether you are disabled for the purposes of the Equality Act 2010 and/or whether any reasonable adjustments may be required.
- 12.3 The Company will seek to understand your state of health and any medical condition, and this will usually be done by seeking to obtain a report from:
- 12.3.1 your medical practitioner; and/or
  - 12.3.2 a medical practitioner nominated by the Company.
- 12.4 In order for the medical practitioner to compile a report, it may be necessary for them to carry out a medical examination of you.
- 12.5 The Company will comply with relevant data protection laws in seeking to obtain any such medical report, and in processing the information contained in the report once it is available.
- 12.6 If the Company is seeking a report from your medical practitioner, you will be informed of your rights under the Access to Medical Reports Act 1988. You will have the opportunity to see the report before it is supplied to the Company, and to ask for corrections to be made to the report.
- 12.7 You do not, of course, have to agree to a medical report being provided to us. However, if you do not agree, it is likely that the Company will need to assess the position in light of the other evidence available to it (if any). This may have adverse consequences for your continuing employment.



- 12.8 Where possible, the opinion of your medical practitioner, or a medical practitioner nominated by the Company, will be obtained on relevant matters, which may include:
- 12.8.1 the nature of your illness;
  - 12.8.2 how long the illness is likely to last;
  - 12.8.3 in the case of persistent short-term absences, when your attendance record is likely to improve;
  - 12.8.4 in the case of long-term absence, if and when you will be able to return to your current role;
  - 12.8.5 whether you are disabled in terms of the Equality Act 2010; and
  - 12.8.6 if you are disabled, whether there are any reasonable adjustments we should make to assist you in a return to work.

This is a non-exhaustive list, and any request for a report will be tailored to the individual circumstances of each case.

- 12.9 We will seek to meet with you to discuss the terms of any medical report obtained and any recommendations made in it.

### **13 Reasonable Adjustments for Disabled Employees:**

- 13.1 We will comply with our obligations to make reasonable adjustments for disabled employees under the Equality Act 2010. An employee is disabled if they have a physical or mental condition which is long-term and which has a substantial effect on their ability to carry out normal day to day activities. An employee who is, or has been, absent due to illness may be disabled if they have a long-term condition that meets this definition, but this does not mean that all employees with health problems are disabled.

- 13.2 We will, wherever possible, consider all reasonable adjustments which could be made in respect of a disabled employee's work in order to facilitate their return to work or to assist them after a return to work.

Such adjustments may include a reduction in hours, the transfer of certain duties to other employees, physical adjustments and retraining. Such adjustments may be adopted on a temporary or permanent basis depending on the circumstances of each case.

- 13.3 We will usually seek the employee's views in considering adjustments and will also usually ask the employee's doctor for advice. It is however for us, not the employee's doctor, to decide whether an employee is disabled and what adjustments are reasonable, though the doctor's advice will be taken into account.

An employee's doctor may give information in a report and/or Fit Note as to what adjustments might assist the employee to return to work or to help them once they are back at work and, if the employee's doctor does so, we will consider them.

## **14 Specific Absences:**

- 14.1 Absences due to pregnancy-related illness, time off for antenatal and adoption appointments, maternity leave and other forms of statutory leave or time off will not be taken into account when reviewing an individual's sickness attendance record. Please see the relevant Company policies or contact **Gary Zetter - Operations Manager** for details of other rights to leave or time off work.
- 14.2 Lateness linked to ill health will be managed in accordance with this policy. Lateness and absence which is not linked to ill health may be dealt with in accordance with our disciplinary and dismissal procedure.

## **15 Capability Meetings:**

- 15.1 Any formal capability meeting under this procedure (return to work meetings and attendance review meetings are not formal capability meetings) will be convened by sending you a letter which will set out the date, time and place of the meeting, the nature of the issues to be discussed at the meeting in sufficient detail to enable you to prepare and respond appropriately and will advise you of the possible consequences and of your right to be accompanied at the meeting by a companion. Where appropriate, we will enclose copies of relevant documents, for example your absence record, any medical report and any relevant policies.
- 15.2 In other respects, the meetings will usually follow the procedure set out in our capability policy. However, we reserve the right to follow a different procedure if we consider it appropriate in the particular circumstances.


## Organisation & Responsibilities:

As stated, the operations of the company and this policy will be reviewed at regular intervals or in light of changing company circumstances, procedures and legislation.

These changes will be brought to the attention of employees and others who might be affected by such changes.

The Directors of **ASH Integrated Services Ltd**, will make available adequate resources for the implementation and monitoring of the '**Sickness & Absence Policy**' and holds overall and final responsibility for ensuring the organisation complies with legislation.

**Signed:**



**Antony Grace - Director**

**Date:** 1st June 2024

**Review Date:** 1st June 2025