

## Short Term Sickness Absence Policy

22 Wilkinson Street, Sheffield, S10 2GB

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### 1 Introduction

- 1.1 We aim to encourage all employees to maximise their attendance at work while recognising that employees will, from time to time, be unable to come to work because of ill health.
- 1.2 While we understand that there will inevitably be some sickness absence among employees, we must pay due regard to our operational needs. If an employee is persistently absent from work, this can damage efficiency and productivity and place an additional burden on the employee's colleagues.
- 1.3 By implementing this policy, we aim to strike a reasonable balance between the pursuit of our operational needs and the genuine need of employees to take time off work because of ill health.
- 1.4 This policy does not form part of an employee's contract of employment, and we reserve the right to amend or withdraw it at any time.

### 2 Scope

- 2.1 This policy covers short-term sickness absence. We operate a separate policy on long-term sickness absence. Once an employee's sickness has lasted twenty-eight (28) calendar days our long-term sickness absence policy will apply.
- 2.2 Where an employee's absences are being managed under this policy and they then go on long-term sickness absence, management of the absence will switch to our long-term sickness absence policy
- 2.3 This policy is formulated on the assumption that if we suspect there to be misconduct our separate disciplinary procedure will apply.
- 2.4 For example, we may take disciplinary action if there is evidence that:
  - 2.4.1 the absence is not genuine or not for the reason provided;
  - 2.4.2 the correct sickness absence notification and evidence procedure has not been followed; or,
  - 2.4.3 the employee is undertaking inappropriate activities while off sick, such as working for others.
- 2.5 This policy applies to employees only and does not apply to contractors, consultants, agency workers or any self-employed individuals working for us.

### 3 Responsibilities

#### 3.1 Line Managers should:

- 3.1.1 take responsibility for managing and controlling their staff's attendance and absence;
- 3.1.2 maintain a proper record of each employee's sickness absences, completing absence records;
- 3.1.3 require the employee to complete a self-certification form for sickness of seven calendar days or less and provide medical evidence for sickness of more than seven calendar days;
- 3.1.4 conduct a return-to-work meeting each time the employee returns from a period of sickness;
- 3.1.5 speak to the employee about the absence in a fair and factual way;
- 3.1.6 be supportive towards the employee and, where appropriate, seek to identify ways in which to assist the employee to improve their attendance in the future;

- 3.1.7 be alert to patterns of absence, for example frequent absences on Fridays or Mondays, or immediately before or after bank or public holidays;
- 3.1.8 try to establish any underlying reasons for frequent absences and, where the underlying cause is identified, take steps to help manage the cause;
- 3.1.9 seek medical advice, if appropriate, to determine whether or not there is any underlying medical cause for the employee's frequent absences;
- 3.1.10 be particularly sensitive when absences are caused by personal or family problems;
- 3.1.11 show a reasonable degree of tolerance and sympathy towards the employee's sickness absence, while at the same time making clear frequent absences from work are unacceptable;
- 3.1.12 check whether or not the employee's absences are in any way work related, for example as a result of workplace stress;
- 3.1.13 bear in mind that we may seek a medical report on an employee, for example from the employee's doctor or via an occupational health referral;
- 3.1.14 keep confidential records of all absences, including discussions and medical certificates, and make sure that the records clearly identify the reasons for the employee's various absences;
- 3.1.15 be aware of the potential for discrimination when managing absence, particularly where the employee's ill health is related to pregnancy or disability;
- 3.1.16 keep in mind our duty to make reasonable adjustments for disabled people;
- 3.1.16 consult with our external human resources partner if unsure about anything or special circumstances arise, for example if it appears that the employee may have a disability.

### 3.2 Employees should:

- 3.2.1 notify their Line Manager by telephone as soon as reasonably practicable if they are unable to work because of ill health, preferably before they are due to start work and, in any event, no later than one hour after they are due to begin work;
- 3.2.2 continue to notify and keep in touch with their Line Manager while being unable to attend work;
- 3.2.3 be prepared to give their Line Manager a clear reason, including the nature of the illness or injury, why they cannot attend work, and estimate how long they think the absence will last;
- 3.2.4 complete a self-certification form for sickness of seven calendar days or less and provide medical evidence for sickness of more than seven calendar days;
- 3.2.5 attend a return-to-work meeting with their Line Manager each time the employee returns from a period of sickness absence;
- 3.2.6 be open with their Line Manager about the reasons for their absence, to give the Line Manager the opportunity to provide support where possible;
- 3.2.7 tell their Line Manager of any extenuating circumstances, for example personal or family problems or an unmanageable workload;
- 3.2.8 bear in mind that we may seek a medical report, for example from the employee's doctor or via an occupational health referral; and
- 3.2.9 cooperate with us with regard to the possible implementation of any adjustments to job duties, hours or working conditions, particularly those suggested by a healthcare professional.

## **4 Reporting absence**

- 4.1 On the first day of sickness absence, the employee must inform their Line Manager as soon as reasonably practicable that they will not be working because of illness or injury. Preferably, the employee should notify their Line Manager of non-attendance by telephone before they are due to start work but, in any event, this is necessary to be done no later than one hour after they are due to begin work.
- 4.2 If the employee's Line Manager is unavailable, the employee should contact the next most appropriate person within the business.
- 4.3 The employee should provide a clear reason including the nature of the illness or injury, why they cannot attend work, and estimate how long they think the absence will last. The employee should also be

prepared to briefly discuss any consequences of their absence, for example if customer appointments need to be cancelled or any essential work needs to be covered.

- 4.4 Notification of sickness absence must be via telephone, rather than text message, email, or communicated on social media. In exceptional circumstances where the employee is unable to telephone, for example, because of hospitalisation, another person such as a friend or relative can contact us on their behalf.
- 4.5 If an employee comes to work but needs to leave during the day because of ill health, they should inform their Line Manager before leaving work. If their Line Manager is unavailable, the employee should inform the next most appropriate person within the business.
- 4.6 Sickness absence that begins part way through the day will count as one full day's sickness absence if the employee leaves before completing 50% of their working day. Where sickness absence begins after the employee has completed 50% of their working day, this will be recorded as half a day's absence.
- 4.7 For each subsequent sick day after the first day of absence, the employee should generally telephone their Line Manager as soon as reasonably practicable in the morning. However, Line Managers should use their discretion and can agree different arrangements with the employee, for example if the employee is hospitalised.

## **5 Self-certification of sickness absence**

- 5.1 If sickness is for seven calendar days or less, on the first day of the employee's return to work and at a return-to-work meeting, they must obtain, complete, and sign a self-certification form, setting out the dates of absence and the nature of the illness or injury.

## **6 Statement of fitness for work (fit note)**

- 6.1 While the first seven calendar days of sickness can be self-certificated, all sickness that last longer than seven calendar days require medical evidence. This medical evidence will normally be in the form of a fit note, also known as a "statement of fitness for work".
- 6.2 As well as being issued by doctors, fit notes can be issued by nurses, occupational therapists, pharmacists, and physiotherapists who have assessed their fitness for work. Fit notes cannot be issued on request or via over-the-counter services without an assessment.
- 6.3 If an employee's sickness lasts for eight calendar days or more, the employee's Line Manager must ensure that the employee provides a fit note as soon as possible. A fit note may state that the employee:
  - 6.3.1 is "not fit for work", in which case the employee should remain off work; or
  - 6.3.2 "may be fit for work" if the recommendations are followed. Example recommendations may include a phased return, amended job duties, altered hours of work, or workplace adaptations.
- 6.4 While there is no legal obligation to follow the recommendations, we will take the recommendations seriously and give fair consideration – in consultation with the employee as to whether any of the changes recommended can be accommodated.

## **7 Sick pay**

- 7.1 Eligible employees are entitled to statutory sick pay (SSP), provided that they follow our usual notification and evidence requirements.
- 7.2 The employee is entitled to SSP where they have a period of sickness absence from work of at least four calendar days in a row and three "waiting days" (days on which the employee would usually be required to work) have passed.

- 7.3 Statutory sick pay is payable for up to 28 weeks in any one period of sickness absence, at a weekly rate set by the Government for the relevant tax year.
- 7.4 Employees are required to provide a fit note for absences of eight calendar days or more. We will withhold SSP if the employee is absent without a fit note for more than seven days during a period when they are required to provide a fit note.

## **8 Medical appointments**

- 8.1 We recognise that employees will, from time to time, need to attend medical appointments. Employees should endeavour to arrange medical appointments in their own time or, if this is not possible, at times that will cause the minimum amount of absence from work or inconvenience to us.
- 8.2 However, because we accept that it is not always possible to arrange medical appointments outside working hours, it is our policy to permit reasonable time off work for such appointments on a case-by-case basis. Provided that the employee gives their Line Manager reasonable notice of the date and time of an appointment, time off without pay will normally be granted, although this is and remains subject to the discretion of the employee's Line Manager.
- 8.3 Where time off for medical appointments becomes frequent or regular, or starts to cause difficulties for the business, the Line Manager has the discretion to request these appointments stop.
- 8.4 Employees must obtain approval from their Line Manager in advance of any appointment. The Line Manager reserves the right to ask the employee to reschedule an appointment if its timing would cause disruption to our business.
- 8.5 The Line Manager may also, at their discretion, ask the employee to produce confirmation of the appointment.
- 8.6 Employees who are pregnant have the statutory right not to be unreasonably refused paid time off work for antenatal appointments where the employee's attendance has been recommended by a registered medical practitioner, midwife, or nurse.
- 8.7 Paid time off in such circumstances will automatically be granted, although employees should endeavour to arrange appointments outside working hours.
- 8.8 Nevertheless, the employee should give reasonable notice of the date and time of the appointment to their Line Manager where possible and the Line Manager will still have the right to request to see the confirmation of the employee's second appointment, and any subsequent appointments.
- 8.9 A prospective father, or partner of a pregnant woman, has the statutory right to take unpaid time off to attend up to two antenatal appointments.

## **9 Return to work**

- 9.1 On an employee's first day back after any period of sickness absence, the employee should either fill in a self-certification form, where the sickness is seven calendar days or less, or provide medical evidence where the sickness is longer than seven calendar days.
- 9.2 On an employee's return to work following a period of sickness absence, their Line Manager should check the employee's absence record. This is to check whether or not the need for formal action under our absence management procedure has been triggered.
- 9.3 The Line Manager should check absences twelve months prior to the date of the employee's return to work. *For example, if the employee returns to work on the 1st April, the employer should examine the*

*period from 1st April the previous year to the 31st March.* Consideration should be given to any special considerations that may apply to absences related to pregnancy, disability, and part time working.

- 9.4 When checking the employee's absence record, the Line Manager should also review whether or not the employee's absences have been frequent, regular, or repeated.
- 9.5 The Line Manager should be alert to the possibility of any pattern, for example frequent absences on Fridays or Mondays, or immediately before or after bank or public holidays.
- 9.6 Line Managers should, however, remain open minded and not jump to any hasty conclusions about an employee's absences.
- 9.7 The Line Manager should invite the employee to an informal return-to-work meeting each time the employee returns from a period of sickness absence.

## **10 Return-to-work meetings**

- 10.1 On the first day back at work after any period of sickness absence of an employee, the employee's Line Manager will arrange to meet informally with them.
- 10.2 If this is not possible on the employee's first day back for operational reasons, or because the manager is not available, the informal meeting should take place as soon as reasonably practicable.
- 10.3 The return-to-work meeting should take place in a private place, and all discussions between the employee and the Line Manager should be private and confidential. At the meeting the manager should:
  - 10.3.1 welcome the employee back to work;
  - 10.3.2 explain that the purpose of return-to-work meetings is to manage and monitor employees' absence and attendance to identify any problem areas and offer support where appropriate;
  - 10.3.3 inform the employee that their absence will be recorded;
  - 10.3.4 ask the employee about the reasons for their absence;
  - 10.3.5 ask the employee whether or not they consulted a healthcare professional or attended hospital;
  - 10.3.6 if the employee's sickness has been for seven calendar days or less, ask the employee to complete a self-certification form for the period of sickness absence and sign it in front of the manager, who should then countersign;
  - 10.3.7 if the employee's sickness lasts for eight calendar days or more, ensure that the employee has provided a fit note; and
  - 10.3.8 inform the employee if they have hit a trigger point, and the consequences of having done so.

## **11 Updating the employee's absence record**

- 11.1 The Line Manager should update the employee's absence record form.
- 11.2 This should record the dates of the employee's absence, and the reasons for the absence.
- 11.3 It is very important that the Line Manager completes this form each time the employee returns to work, so that we can keep track of the employee's pattern of absence.
- 11.4 There may be occasions on which the underlying reasons for the employee's absence are not easily classifiable. For example, the employee may have more than one health condition, or the employee may have been feeling unwell because of a bereavement.
- 11.5 If there is any doubt as to the reasons for the employee's absence, the manager should speak to their external human resource partner to determine the most appropriate label to place on the absence.

## **Special cases**

### **12 Pregnancy-related absences**

- 12.1 Pregnant employees who are off work because of pregnancy-related ill health must abide by our absence reporting procedure. 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.
- 12.2 However, any sickness absence by a pregnant employee for a pregnancy-related reason should not be included when checking to see if the need for formal action under our absence management procedure has been triggered.
- 12.3 If the Line Manager is in any doubt as to whether or not a pregnant employee's absence is related to their pregnancy, the Line Manager should contact their external human resource partner.

### **13 Disability-related absences**

- 13.1 Where an employee gives as the reason for absence an underlying health issue that could amount to a disability under the Equality Act 2010, the Line Manager must refer the employee to the external human resource partner. This includes where the employee states that they are suffering from stress.
- 13.2 The legal definition of a 'disability' is wide, and managers should consult with the external human resources partner for further information.
- 13.3 Line Managers should remember that we are under a duty to make reasonable adjustments for disabled employees. 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.
- 13.4 If in doubt, the Line Manager should contact the external human resources partner.

### **14 Part-time workers**

- 14.1 For part-time workers, the trigger points set out below will be pro-rated, rounded up to the nearest day.
- 14.2 The trigger of eight days' absence or three instances of absence in a rolling twelve-month period that applies for full-time employees under this procedure will be adjusted for part-time workers to:
  - 14.2.1 two days for employees who work one day per week or three instances of absence;
  - 14.2.2 four days for employees who work two days per week or three instances of absence;
  - 14.2.3 five days for employees who work three days per week or three instances of absence; and
  - 14.2.4 seven days for employees who work four days per week or three instances of absence.

## **Sickness absence and annual leave**

### **15 Sickness during holiday**

- 15.1 Where an employee falls sick or is injured while on holiday, we will allow the employee to transfer to sick leave and take replacement holiday at a later time. This is subject to the following strict conditions:
  - 15.1.1 The total period of ill health must be fully certificated by a qualified medical practitioner where it exceeds seven calendar days.
  - 15.1.2 The employee must contact us by telephone as soon as they know that there will be a period of sickness during a holiday.
  - 15.1.3 The employee must submit a written request no later than ten days after returning to work setting out how much of the holiday period was affected by sickness and the amount of leave that the employee wishes to take at another time.

- 15.1.4 Where the employee is overseas when they fall ill or are injured, evidence must still be produced that the employee was ill by way of a medical certificate.
- 15.2 Where the employee fulfils all of the above conditions, we will grant the employee the same number of days' replacement holiday leave as the number of holiday days lost due to sickness or injury.
- 15.3 If an employee is ill or is injured before the start of a period of planned holiday, and is consequently unable to take the holiday, we may agree to the employee postponing the holiday dates to another mutually agreed time.
- 15.4 In such agreed cases any period of sickness absence will then be treated in accordance with our normal policy on sickness absence.
- 15.5 The employee must submit a written request to postpone the planned holiday, and this must be accompanied by medical evidence confirming that they are unfit, or are likely to be unfit, to take the holiday.
- 16 Holiday during sick leave**
- 16.1 An employee who is absent on sick leave will continue to accrue their statutory annual leave entitlement and will be given the opportunity to take this at a later date, including in the subsequent leave year, if they do not or if they are unable to take it due to being on sick leave.
- 16.2 An employee on sick leave may apply to take their holiday entitlement while on sick leave. The holiday dates must be approved by their Line Manager and the external human resources partner.

## **Medical advice**

### **17 Occupational health referrals**

- 17.1 At various stages of managing the employee's sickness absence, we may want to obtain advice on the employee's fitness for work from occupational health advisers.
- 17.2 Examples of when we might refer to occupational health include to:
- 17.2.1 seek a medical report on the employee;
  - 17.2.2 establish when the employee might be able to return to work;
  - 17.2.3 ask for guidance on the employee's condition, for example if there is a possibility that the employee is disabled or ambiguity as to the exact nature of the condition; and
  - 17.2.4 discuss any adjustments that could be made to accommodate the employee's disability, if the employee is disabled.
- 17.3 We will treat personal data collected during the absence management process in accordance with our data protection policy and policy on processing special categories of data.
- 17.4 Information about how an employee's data is used and the basis for processing is provided in our employee privacy notice.
- 18 Report from a medical practitioner who has been responsible for the employee's clinical care**
- 18.1 Where we feel a report from the employee's medical practitioner is necessary, the employee will be informed of their rights under the Access to Medical Reports Act 1988 and their permission will be sought for the report to be obtained.
- 18.2 Permission from the employee will be sought using the relevant consent form.

- 18.3 The employee has the right to access the report before we see it.
- 18.4 If the employee wishes to see the report, they should inform us of this, so that we can inform the medical practitioner. The employee will then have twenty-one days from the date of making the application for the report to contact the medical practitioner to see the report. If the employee does not contact the medical practitioner within this period, the medical practitioner can pass the report on to us.
- 18.5 When requesting a report, we will provide the medical practitioner with as much information as possible on the role of the employee and explain why the report is being sought. We will provide the medical practitioner with:
- 18.5.1 a copy of the employee's signed form consenting to the request to seek a medical report;
  - 18.5.2 confirmation the employee is aware of their rights under the Access to Medical Reports Act 1988;
  - 18.5.3 details of the major features of the employee's job.
- 18.6 We will ask the medical practitioner to identify:
- 18.6.1 the nature of the employee's illness or injury;
  - 18.6.2 whether or not there are any underlying medical conditions that explain the absences; and
  - 18.6.3 what reasonable adjustments could be made to working conditions or work premises to facilitate a return to work.
- 18.7 Where the employee refuses permission for us to contact their medical practitioner, we will explain to the employee the reasons behind the request and inform the employee that a decision relating to their employment may be made without the benefit of access to medical reports.
- 18.8 The same procedure will be followed where the employee delays in giving their consent.
- 18.9 Where the employee feels that the report is misleading or incorrect, they may ask the medical practitioner to amend it. If the medical practitioner does not agree with the employee and does not alter the report, the employee may attach a statement to the report to reflect their views.
- 18.10 Alternatively, having seen the report, the employee may request that access to the report be withheld from us. The employee will be informed that a decision relating to employment may be made without the benefit of access to medical reports.
- 19 Report from a medical practitioner who has not been responsible for the employee's clinical care**
- 19.1 The Access to Medical Reports Act 1988 does not apply where we are seeking a medical report from a medical practitioner who has not been responsible for the employee's clinical care, typically our own chosen specialist or occupational health adviser.
- 19.2 In these circumstances, we will explain to the employee in writing what information it is seeking on the employee's health and how the information will be used. The letter should explain to the employee:
- 19.2.1 that we intend to obtain a medical report and why it wishes to do so;
  - 19.2.2 from whom the report will be obtained;
  - 19.2.3 what we will do with the report;
  - 19.2.4 how we will treat personal data collected when obtaining the medical report; and
  - 19.2.5 their right to object to the processing of their personal data.
- 19.3 We will write to the medical practitioner to request the report. The letter should explain to the medical practitioner why we are requesting the report and ask any specific questions that we wish the practitioner to answer.



- 19.4 Where the employee objects to the processing of their personal data when we are seeking to obtain a medical report to which the Access to Medical Reports Act 1988 does not apply, we will explain to the employee the reasons behind the request and inform the employee that a decision relating to their employment may be made without the benefit of access to medical reports.

## **Sickness absence management**

The trigger points that are used to decide when action needs to be taken to tackle an employee's sickness absence record are set out below. When applying these trigger points, the special rules that apply to pregnancy and disability and part-time working must always be borne in mind. *The stages set out next are guidelines only.*

### **20 Stage 1**

#### **20.1 Stage 1 trigger point**

The trigger point for a "stage 1" short-term sickness absence formal review is:

- 20.1.1 eight days' sickness absence in the previous twelve months; or
- 20.1.2 three instances of sickness absence in the previous twelve months.

#### **20.2 Stage 1 invitation**

On the employee reaching a stage 1 trigger point, the employee's Line Manager will invite them in writing to a stage 1 short-term sickness absence formal review meeting. In advance of the meeting, the Line Manager should consider the documents relevant to the employee's case, including:

- 20.2.1 the employee's absence record form;
- 20.2.2 any letters previously sent to the employee about their absence levels; and any other medical evidence.

The written invitation to the stage 1 short-term sickness absence formal review meeting should:

- 20.2.3 give the employee at least five days' notice of the meeting;
- 20.2.4 advise the employee who will be present, and that the employee can be accompanied by a fellow worker or trade union official;
- 20.2.5 explain to the employee that the purpose of the meeting is to review the employee's unsatisfactory attendance level;
- 20.2.6 warn the employee that a possible outcome of the meeting is that they may be given a warning and moved to a formal review period.

#### **20.3 Stage 1 meeting**

The 'stage 1' short-term sickness absence formal review meeting will be chaired by the employee's Line Manager, together with an appropriate person to take notes. At the meeting, the Line Manager will:

- 20.3.1 explain to the employee that the purpose of the meeting is to discuss the employee's unsatisfactory attendance in the previous twelve months;
- 20.3.2 make clear that the aim of the meeting is to find ways to improve their attendance; allow the employee to share their views;
- 20.3.3 try to establish any underlying reasons for the employee's poor attendance level, for example a health issue or personal problems;
- 20.3.4 gather as much information as possible on any underlying reasons identified, without putting undue pressure on the employee to reveal more information than they want;
- 20.3.5 discuss and agree any steps that can be implemented to help improve attendance;
- 20.3.6 remind the employee of the support that is available to the employee; and

- 20.3.7 after a short adjournment, inform the employee of the outcome of the meeting and also confirm this decision to them in writing to them within five days.

#### 20.4 Stage 1 outcome

- 20.4.1 After the meeting, the Line Manager will set out in writing what has been decided as a result of the stage 1 meeting.
- 20.4.2 The letter, which should be provided to the employee within five days of the meeting, should include details of any steps or targets that have been agreed to help the employee to improve their attendance, and any support that we are providing for the employee.

#### 20.5 No further action

- 20.5.1 In limited circumstances, for example if there are extenuating reasons for the absences, the outcome of the stage 1 short-term sickness absence formal review meeting could be that the Line Manager decides that it is not appropriate to move the employee to a formal review period.
- 20.5.2 If the decision is that no further action will be taken, the letter should inform the employee of this and provide an explanation for the decision.

#### 20.6 Formal review period

- 20.6.1 An alternative outcome of a stage 1 short-term sickness absence formal review meeting could be that the manager decides the employee should be given a warning and moved to a formal review period.
- 20.6.2 If the Line Manager decides to move to a formal review period they should write to the employee. Such a communication should:
- 20.6.2.1 explain that the employee has twelve months to show an improvement in their attendance levels. (The 12-month period begins on the day after the warning is issued.)
  - 20.6.2.2 warn the employee that, while on the formal review period, the consequences of reaching sickness absence levels of eight days, or three instances, in a rolling twelve-month period will be that the employee moves to stage 2 of our absence management procedure.
  - 20.6.2.3 give the employee the right to appeal against the warning.

#### 20.7 Stage 1 improvement

- 20.7.1 If the employee's sickness absence levels improve, no further action will be taken. The Line Manager should write to the employee explaining to them that they have completed the formal review period.
- 20.7.2 If during the formal review period, the employee's sickness absence reaches eight days, or three instances in a rolling twelve-month period, the employee will be moved to stage 2.

### **21 Stage 2**

#### 21.1 Stage 2 trigger point

The trigger point for a stage 2 formal review for an employee on a stage 1 formal review period is:

- 21.1.1 eight days' sickness absence in a rolling period of twelve-months; or
- 21.1.2 three instances of sickness absence in a rolling period of twelve-months.

#### 21.2 Stage 2 invitation

On the employee reaching a stage 2 trigger point, the employee's Line Manager will invite them in writing to a stage 2 short-term sickness absence formal review meeting. In advance of the meeting, the Line Manager should consider the documents relevant to the employee's case, including:

- 21.2.1 the employee's absence record form;
- 21.2.2 any letters previously sent to the employee about their absence levels, particularly the letter setting out the outcome of the stage 1 short-term sickness absence formal review meeting;
- 21.2.3 any other medical evidence, such as occupational health reports.

The written invitation to the stage 2 short-term sickness absence formal review meeting should

- 21.2.4 give the employee at least five days' notice of the meeting
- 21.2.5 advise the employee who will be present, and that the employee can be accompanied by a fellow worker or trade union official.
- 21.2.6 explain to the employee that the purpose of the meeting is to review the employee's continued unsatisfactory attendance level while on a stage 1 formal review period.
- 21.2.7 warn the employee that a possible outcome of the meeting is that they may be given a second, and final, warning and moved to a second formal review period.

### 21.3 Stage 2 meeting

The 'stage 2' short-term sickness absence formal review meeting will be chaired by the employee's Line Manager with an appropriate person to take notes. At the meeting, the Line Manager will:

- 21.3.1 explain to the employee that the purpose of the meeting is to discuss the employee's continued unsatisfactory attendance;
- 21.3.2 make clear to the employee that the aim of the meeting remains to find ways to improve their attendance;
- 21.3.3 allow the employee to share their views;
- 21.3.4 try to establish any underlying reasons for the employee's poor attendance level, for example a health issue or personal problems;
- 21.3.5 gather as much further information as possible on any underlying reasons identified, without putting undue pressure on the employee to reveal more information than they want;
- 21.3.6 discuss and agree any further steps or targets that can be put in place to help the employee to improve their attendance;
- 21.3.7 remind the employee of the support that is available to the employee; and
- 21.3.8 inform the employee of the possible outcomes of the meeting and that the outcome will be confirmed in writing to them within five days.

### 21.4 Stage 2 outcome

- 21.4.1 After the meeting, the Line Manager will set out in writing what has been decided as a result of the stage 2 meeting, for example if a warning is being issued and the employee has been placed on a formal review period, or if the decision is that no further action will be taken.
- 21.4.2 The letter, which should be provided to the employee within five days of the meeting, should include details of any further steps or targets that have been agreed to help the employee to improve their attendance, and any support that we are providing for the employee.

### 21.5 No further action

- 21.5.1 In limited circumstances, for example if there are extenuating reasons for the absences, the outcome of a stage 2 short-term sickness absence formal review meeting could be that the Line Manager decides that it is not appropriate to move the employee to a second formal review period.
- 21.5.2 If the decision is that no further action will be taken, the letter should inform the employee of this and provide an explanation for the decision.

## 21.6 Formal review period

21.6.1 An alternative outcome of a stage 2 short-term sickness absence formal review meeting could be that the Line Manager decides that the employee should be given a final written warning and moved to a second formal review period.

21.6.2 If the Line Manager decides to move to a second formal review period they should write to the employee. Such a communication should:

21.6.2.1 explain that the employee has twelve-months to show an improvement in their attendance levels. The twelve-month period begins on the day after the warning is issued;

21.6.2.2 warn the employee that, during the formal review period, the consequences of reaching sickness absence levels of eight days, or three instances, in a rolling period of twelve-months will be that the employee moves to stage 3 of our absence management procedure;

21.6.2.3 give the employee the right to appeal against the warning.

## 21.7 Stage 2 improvement

21.7.1 If the employee's sickness absence levels improve no further action will be taken. The Line Manager should write to the employee explaining to them that they have completed the formal review period.

21.7.2 If during the formal review period, the employee's sickness absence reaches eight days, or three instances, in a rolling twelve-month period, the employee will move to stage 3.

## **22 Stage 3**

### 22.1 Stage 3 trigger point

The trigger point for a stage 3 final formal review for an employee on a stage 2 formal review period is:

22.1.1 eight days' sickness absence in a rolling period of twelve-months; or

22.1.2 three instances of sickness absence in a rolling period of twelve-months.

### 22.2 Stage 3 invitation

On reaching a stage 3 trigger point, a manager senior to the Line Manager will invite the employee in writing to a stage 3 short-term sickness absence final meeting. The meeting will be chaired by the senior manager together with an appropriate person to take notes. In advance and at the meeting, the senior manager will consider the documents relevant to the employee's case, including:

22.2.1 the employee's absence record form;

22.2.2 any letters previously sent to the employee about their absence levels, particularly the letter setting out the outcome of the stage 2 short-term sickness absence formal review meeting;

22.2.3 any other medical evidence, such as occupational health reports.

The written invitation to the stage 3 short-term sickness absence formal review meeting should:

22.2.4 give the employee at least five days' notice of the meeting

22.2.5 advise the employee who will be present, and that the employee can be accompanied by a fellow worker or trade union official.

22.2.6 explain to the employee that the purpose of the meeting is to review the employee's continued unsatisfactory attendance level while on a stage 2 formal review period.

22.2.7 warn the employee that a possible outcome of the meeting is that they may be dismissed by reason of capability.

### 22.3 Stage 3 meeting

The 'stage 3' short-term sickness absence final formal review meeting will be chaired by a manager senior to the employee's Line Manager. The senior manager will be accompanied by an appropriate person to take notes. At the meeting, the senior manager will:

- 22.3.1 explain to the employee that the purpose of the meeting is to discuss the employee's continued unsatisfactory attendance;
- 22.3.2 allow the employee to share their views;
- 22.3.3 try to establish any underlying reasons for the employee's poor attendance level, for example a health issue or personal problems;
- 22.3.4 gather as much further information as possible on any underlying reasons identified, without putting undue pressure on the employee to reveal more information than they want;
- 22.3.5 discuss and agree any further steps or targets that can be put in place to help the employee to improve their attendance;
- 22.3.6 remind the employee of the support that is available to them; and
- 22.3.7 inform the employee of the possible outcomes of the meeting, and that these will be confirmed in writing to them within five days.

### 22.4 Stage 3 outcome

22.4.1 Within five days of the meeting, the senior manager will set out in writing the outcome of the stage 3 final meeting. The outcome of the meeting could be:

- 22.4.1.1 a decision to take no further action;
- 22.4.1.2 an offer to make adjustments to the employee's work;
- 22.4.1.3 redeployment with the employee's agreement; or
- 22.4.1.4 a decision to dismiss the employee.

22.4.2 The employee will have a right of appeal details of which will be in the outcome letter.

## **23 Appeal**

- 23.1 An employee who is given a warning or is dismissed under this procedure has the right of appeal.
- 23.2 The appeal should be sent in writing to the person named in the outcome letter by the senior manager and it should set out the grounds on which the employee believes that the decision was flawed or unfair.
- 23.3 The employee should lodge their appeal within five days of receiving written confirmation of the sanction imposed on them by us.
- 23.4 An appeal hearing will be convened at least ten days, and within a reasonable period, after the appeal is lodged.
- 23.5 The appeal hearing will be chaired by the person named in the stage 3 outcome letter by the senior manager, together with another senior manager who, if possible, has not been involved with this matter up to this point, or an appropriate person to take notes.
- 23.6 The employee will be entitled to be accompanied by a fellow employee or a trade union official.

## **24 Review**

- 24.1 This policy may be reviewed at any time at the request of any member of staff, but it will be automatically reviewed two years after initial approval and thereafter on a biennial basis unless organisational changes, legislations, guidance, or non-compliance prompt an earlier review.

## **25 Definitions**

25.1 Ben's Centre ("we", "us", "our")

25.2 The Employee ("you")

**Document control box**

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