

Attendance and Absence



OVER DAY CENTRE

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7. Attendance and Absence

7.1 Timekeeping & Time Off

Working hours

Your normal hours of work are detailed in your Contract of Employment. You must ensure that you attend punctually for work and follow all timekeeping and absence procedures. To help us to maintain optimum service levels, you may be required to work additional hours from time to time. Further details are contained in your Contract of Employment.

If you are unable to attend work for any reason or are going to be late you are required to telephone your manager by 8:30am on each day of absence, stating why you are absent or late and when you expect to arrive at work.

If you have a need to leave work prior to your normal finishing time or to have time away during the normal working period, you must not leave without first obtaining permission. In such circumstances, you must report to your manager upon returning to work.

Persistent lateness, unacceptable levels of absence and/or unauthorised absence may result in disciplinary action, depending on the circumstances.

Appointments

You are normally expected to ensure that appointments to visit the doctor, dentist, hospital, etc. are made in your own time and outside normal working hours. If appointments cannot be booked outside normal working hours, employees should book appointments at the start or the end of the working day to minimise disruption.

You must obtain permission from your manager in advance of any appointment. We may ask you to reschedule the appointment if its timing would cause disruption to the organisation and/or you may be required to make up working time lost through attendance at any such appointment.

Time off to attend an optician appointment and other similar appointments should be arranged outside of working hours.

Time off for dependants

All employees are entitled to reasonable time off, without pay, for urgent or unexpected incidents of real need involving a dependant, who is a member of your immediate family, or someone who reasonably relies on you for help when they are ill or injured, or for making arrangements for them to be cared for in the event of illness or injury.

A dependent is defined as a spouse, civil partner, parent or child; person who lives in the same household as you but is not your tenant, lodger, boarder or employee or anyone else who reasonably primarily relies on you to make arrangements for the provision of care. The entitlement to time off in such circumstances is limited to what is reasonable for you to deal with the immediate problem and to organise any longer-term arrangements.

Employees seeking to take unpaid time off under these provisions must inform their manager as soon as practicable of their absence, the reason for it and the likely length of their absence. If the reason for the absence or the length of the absence does not fall

within the statutory provisions, you may be required to take the appropriate time off as holiday.

Failure to notify the Day Centre of the need to take time off as set out above, failure to return from a period of time off for a dependent or any abuse of this statutory right may be treated as a disciplinary matter.

Carer's leave

Employees can take up to one week of unpaid carer's leave every 12 months to give or arrange care for a dependant who needs long-term care.

A dependent can include a spouse, civil partner, partner, parent or child; person who lives in the same household as you but is not your tenant, lodger, boarder or employee or anyone else who reasonably primarily relies on you for care.

A 'long-term care need' is defined as:

- a disability under the Equality Act 2010;
- an illness or injury that is likely to need care for at least 3 months; or
- a care need related to old age.

Employees taking carer's leave can take half days, full days or a whole week at a time, half a day is the minimum they can take. For these purposes, a week is based on the number of days you normally work in a week, for example, if someone works three days a week, they can take three days carer's leave.

Employees must give the Day Centre notice before taking carer's leave, which is twice the length of time being requested. For example, if you want to take 3 days' carer's leave, you are required to give 6 days' notice.

The Day Centre cannot refuse an employee's request for carer's leave but can postpone it to a convenient time if we reasonably consider that the work of the business would be unduly disrupted if the leave were agreed. Employees must be permitted to take the requested leave within a month of their original request.

Employees are only able to take one week of carer's leave in every 12 months, regardless of the number of dependants they have. Unless you are a parent, in which case, parental leave may be applicable.

Compassionate leave

Compassionate leave is intended to assist employees when they are faced with difficult personal circumstances involving the serious illness or injury, the death or funeral of an immediate family member.

Immediate family is defined as the employee's spouse, civil partner, partner, parent, child, stepchild, sibling, stepsibling, parent, stepparent, grandparent, grandchild, or parent-in-law, brother or sister-in-law.

In the event of the serious illness, injury or death of an immediate family member, you should inform the Centre Manager of the need to take compassionate leave as soon as reasonably practicable. Each case will be viewed sympathetically, and the amount of leave granted will depend on the relevant circumstances. In the case of bereavement, we will consider matters such as your relationship with the deceased, domestic

responsibilities, and any travel requirements. The Day Centre's provision is for a period of up to two days paid leave.

In the case of death of someone outside the immediate family, you may request unpaid leave. Up to two days unpaid leave may be granted depending on the individual circumstances.

If you wish to take further leave, you should request holiday in the usual way.

There are separate provisions for parental bereavement leave, which is available to employees on the death of a child under the age of 18 or parents who suffer a stillbirth after 24 weeks of pregnancy. If you have suffered a bereavement but are unsure if you are entitled to parental bereavement leave, please speak to the Centre Manager.

Where an employee is entitled to take time off under the statutory right to time off for dependants, any time off granted as compassionate leave is in addition to the time off available under this statutory right. Please see above for information about time off for dependents.

[Adverse weather and travel to work](#)

We recognise that there may be occasions when you experience difficulty in travelling to work due to severe weather conditions or disruptions to public transport. While we expect employees to make every effort to come to work, you should under no circumstances travel if it is dangerous to do so.

If it is unavoidable, however, for employees to be absent from the workplace, due to adverse weather conditions or disruptions to public transport, you must notify the Centre Manager by telephone no later than 8:30am on the relevant day. You will generally be required to take this time as holiday.

[Jury service](#)

Employees are entitled to time off work to fulfil obligations with regard to jury service. In the event of you being summoned to attend for jury service, you must notify your manager immediately on receipt of the jury summons, giving details of the dates you are required to attend court. You may be requested to apply to the court for your jury service to be either postponed or delayed if it is considered that your absence will cause substantial disruption to the Day Centre's business.

You must keep the Centre Manager advised on the length of time that you expect to be absent from work for jury service throughout the jury service period. If your services are not required for any part or whole court day, you will be expected to return to work for the remainder of that working day.

If you are retained on jury service for a prolonged period, you must promptly notify the Centre Manager and maintain regular contact throughout this time. You must return to normal working immediately following your release from jury duties.

Absence due to Jury Service is unpaid, therefore you should complete and return the 'claim for loss of earnings during jury service' form provided to you by the court with a copy to your manager. The Day Centre will provide any necessary information required for the full completion of this form.

Any abuse of the right to time off for jury service will be regarded as serious misconduct potentially leading to disciplinary action.

All other terms and conditions of your Contract of Employment will continue as normal during periods of absence for jury service.

7.2 Sickness Absence Policy

Sickness absence can vary from short intermittent periods of ill-health to a continuous period of long-term absence and have a number of different causes (for example, injuries, recurring conditions, or a serious illness requiring lengthy treatment).

The Day Centre needs to ensure that the reasons for sickness absence are understood in each case and investigated where necessary with a view to offering support and assistance where appropriate, and where reasonably practicable, measures will be taken to assist those who have been absent by reason of sickness to return to work.

Notification procedure

If you are absent from work due to incapacity, you must contact the Centre Manager or Lead Carer by telephone, mobile or text by no later than 8:30 am on each day of absence. You should provide the following details:

- a) the reason for the absence, including a description of your symptoms and likely diagnosis;
- b) what action you are taking to mitigate the effects of the illness e.g. visiting the doctor;
- c) the expected duration of your absence;
- d) any outstanding or urgent work that require attention during the period of absence; and
- e) provide your contact details.

Managers should ensure that:

- a) any sickness absence that is notified to them is reported for HR purposes; and
- b) arrangements are made, where necessary, to cover work and to inform colleagues and clients (while maintaining confidentiality).

It is not acceptable to leave messages with colleagues regarding your absence. If you have no option but to leave a message, you should ensure you leave a contact number in case your manager needs to contact you to discuss any work that needs to be covered in your absence.

During periods of sickness absence, you must update your manager regularly on your health and the expected date of your return to work at intervals agreed with your manager. During the absence, you may also be contacted by your manager for service continuity reasons. Failure to maintain communication during sickness absence may constitute misconduct save in exceptional circumstances.

Evidence of incapacity

In all cases of absence of seven days or less, you will be required to complete a self-certification form on your return to work and provide this to your manager as soon as possible.

If the incapacity continues for a period of eight consecutive calendar days or more, you must obtain a 'fit note' signed by a medical practitioner stating that you are not fit to work and the reason for your absence and provide this to your manager as soon as possible. Further 'fit notes' must be obtained to cover the total duration of your absence if the absence continues for longer than the period of the original certificate.

Where your GP or medical advisor has issued a 'fit note' indicating that you may be fit for some work, you must notify your manager at the earliest opportunity to discuss how a return to work can be achieved. We will discuss with you any additional measures that may be needed to facilitate your return to work, taking account of your doctor's advice. This may take place at a return-to-work interview.

Examples of the type of temporary support which may be appropriate are:

- a phased return to work;
- time off for medical treatment;
- amended duties; and/or
- workplace adaptations.

If appropriate measures cannot be taken, you will remain on sick leave, and we will set a date to review the situation.

Unauthorised absence

Absence that has not been notified according to the sickness absence notification procedure will normally be treated as unauthorised absence. Cases of unauthorised absence will be dealt with under the Disciplinary Procedure.

If you do not report for work and have not telephoned your manager to explain the reason for your absence, your manager will try to contact you, by telephone and in writing if necessary. This should not be treated as a substitute for reporting sickness absence. If we are unable to contact you, we will contact your next of kin.

Statutory sick pay

You may be entitled to Statutory Sick Pay (SSP) if you satisfy the relevant statutory requirements. No SSP is payable for the first three consecutive days of absence, payment starts on the fourth day of absence and may be payable for up to 28 weeks in any one period of sickness. SSP will be paid from the first day of absence where the periods are linked. SSP is paid at the rate currently applicable. The qualifying days for SSP purposes will be your normal working days.

Payment of SSP is subject to your compliance with the sickness absence notification procedure, failure to comply with this procedure may result in no payment of SSP.

During any phased return to work you will be paid normal pay for actual hours worked per day.

Sick absence and holiday

If you become sick or injured prior to or while on holiday such that you would be unfit for work, you must notify your manager of your incapacity immediately following the normal procedure for reporting sickness absence.

In addition, the total period of incapacity must be fully certified (or equivalent if you fall ill overseas) by a qualified medical practitioner regardless of whether the period exceeds seven calendar days.

If the notification and certification requirements have been followed, then the appropriate number of days' holiday will be reinstated. Any reinstated holiday must be taken by the end of the leave year in the normal way.

Keeping in contact

During any period of sickness absence, you are expected to stay in touch with your manager at regular intervals so that we can continue to support you. Contact will generally be by telephone or email at intervals agreed with your manager.

It is also important to stay in contact with your manager with regard to 'fit notes'. You should call at the latest, the day before your 'fit note' expires to let your manager know if you will be returning to work. You should also keep your manager updated on any new information about your sickness and how you are progressing.

If you have any concerns during your period of sickness absence, whether about the reason for your absence or your ability to return to work, or if you wish to provide any updates on the expected length of your continued absence from work, you can contact your manager at any time.

Disabilities

We are aware that sickness absence may result from a disability. At each stage of the absence management procedure (both long-term and short-term) consideration will be given to whether there are reasonable adjustments that could be made to the requirements of your job or other aspects of working arrangements that will provide you with support at work and/or assist a return to work.

If you consider that you are affected by a disability or any medical condition which impacts your ability to undertake your work, you should inform us as soon as possible. Any information you provide will be handled in a confidential manner and in accordance with our Data Protection Policy. You are under no obligation to inform us of a disability unless it prohibits/severely limits your ability to do the job. For example, there may be health and safety issues that must be addressed because of your disability.

Occupational health/medical advice and reports

Where absences are likely to be prolonged and where medical causes for absence have been identified, we may require you to consent to a medical examination by a registered medical practitioner nominated by us (at our expense) and/or to seek a report from your GP to help us understand how we can best manage the absence and help you to reach the desired attendance level.

The purpose of a medical examination/report will be to understand your medical condition and its causes, to obtain an accurate prognosis and to obtain advice on what, if any, reasonable adjustments could be made to facilitate your return to work.

You will be asked to agree that any medical report produced in connection with any such examination may be disclosed to us and that we may discuss the contents of the report with the relevant practitioner and seek subsequent verbal or written updates from them. This will enable the Day Centre to plan workloads and support you as appropriate.

Where we wish to seek a report from your GP, we will do so in accordance with the Access to Medical Reports Act 1988.

Returning to work

When you return to work your manager will meet with you on your first day back or as soon as reasonably practicable, to confirm the details of your absence to find out how you are, ensure that you are fit to return and identify if any support and adjustments are required. Your manager will also update you on any important information you may have

missed, and you will have the opportunity to raise any concerns or questions you may have, and to bring any relevant matters to our attention. As part of this meeting, you will be required to provide a completed self-certification form or 'fit note' as appropriate.

Sickness absence review procedure

The purpose of this procedure is to manage periods of long-term absence lasting for two or more consecutive weeks and persistent short-term absences, while ensuring that you are receiving appropriate support, that your manager has an up-to-date understanding of the medical situation and prognosis and to enable planning within the Organisation.

Your manager will invite you to an informal or formal sickness absence review meeting, as appropriate.

Sickness absence review meeting - informal

Informal discussions will include:

- reviewing your sickness absence record;
- highlighting any patterns or concerns (for example, if an employee has repeated sickness absences on a Monday, Friday or following a period of authorised annual leave);
- giving you the opportunity to inform your manager of any health issues or any other factors which have contributed to your absence;
- offering support and advice as required;
- referring you to an independent occupational health adviser; and
- considering any mitigating factors (for example, pregnancy or disability-related absences).

If appropriate, a target for improvement over a specific period of time will be set. If your absence levels reduce, the target is met and the desired improvement is made, no further action will be taken. Your manager will confirm any next steps and set a review period.

Sickness absence review meeting - formal

If informal action is not considered appropriate in the circumstances or if you have failed to meet the agreed improvement target during the informal stage, you will be required to attend a formal sickness absence review meeting. Additional formal meetings may be required depending on the circumstances and/or the level of improvement.

Your manager will provide written notice of the sickness absence meeting, including details of any concerns about your sickness absence and the basis for those concerns or otherwise advise why the meeting is being called. You will be given a reasonable amount of time, usually five days, to consider this information before the meeting.

At all formal meetings (including any appeal meeting) you will have the right to be accompanied by a work colleague or trade union representative.

Meeting discussions will normally include:

- a) the nature of the absence(s), including frequency and duration;
- b) where you are on long-term sickness absence, determining how long the absence is likely to last;
- c) where you have been absent on a number of occasions, determining the likelihood of further absences;
- d) the impact that your absence is having on the organisation;

- e) considering whether medical advice or, if already obtained, whether further advice, is required;
- f) considering if there are any reasonable adjustments which could be made to enable you to return to work, or assist you after your return to work;
- g) identifying/setting a target for improvement and a timescale for review that is acceptable to the Day Centre and achievable in the circumstances;
- h) considering what, if any, measures can be taken to bring about sustained improvement to your health and/or attendance;
- i) informing you that if the improvement target is not met within the review period, a further sickness absence review meeting will be held; and
- j) arranging further meetings under this procedure, if required.

In addition, further formal meetings will normally include:

- k) discussing the reasons for and impact of your ongoing absence(s);
- l) reviewing the meetings that have taken place and matters previously discussed with you;
- m) considering whether there have been any changes since the last meeting;
- n) considering whether there is a reasonable likelihood of you returning to work in a reasonable time;
- o) considering any further matters that you wish to raise;
- p) setting a further target for improvement and a timescale for review; or
- q) if all efforts have failed, considering the possible termination of your employment.

After the meeting(s), you will be informed in writing of the decision and the reasons for it as soon as reasonably practicable. Depending on meeting discussions, possible meeting outcomes may include:

- no action being taken (although the situation may be monitored and reviewed);
- you are set a further improvement target over a specific period of time;
- you are referred to an independent occupational health adviser;
- you may be issued with a formal written warning (first or final written warning subject to the duration and circumstances of your absence); or
- the possible termination of your employment which will normally be with full notice or payment in lieu of notice.

You may appeal against the outcome of any stage of this procedure. Any appeal should be made in writing, stating the full grounds of appeal, to the Chair of Trustees within five working days of the date on which the decision was sent to you.

Where additional meetings are required, the same meeting process, warning, and right of appeal will be followed at each stage of the sickness absence review procedure.

If at any time your manager considers that you have taken or are taking sickness absence when you are not unwell, they may refer matters to be dealt with under our Disciplinary Procedure.

Termination of employment for ill-health

Where you are not capable of returning to your job due to ill health, notice of termination may be issued. For example, where you have not been able to return to work and/or there is no reliable predicted date for a return to work and the most recent medical evidence indicates a return to work is unlikely within a reasonable timescale or if you have not

actively participated or cooperated in an action plan. In all circumstances, medical advice will be sought (with your consent), and consideration will be given to any reasonable adjustments and/or suitable alternative employment options before reaching a final decision.