

SICKNESS ABSENCE POLICY

Policy Summary

Monitor Group is committed to promoting the health, safety and welfare of all its employees. Monitor Group recognises that most staff will have some sickness absence at one time or another and aims to support, encourage and enable regular and reliable attendance at work. However, given the effect that absences have on the ability to conduct the business of Monitor Group and on the workloads of other staff, managers have a duty to ensure that sickness absence is kept to a minimum.

Any sickness absence will be managed sympathetically and sensitively. Although every case will need to be handled according to the individual circumstances, this policy and procedure has been developed to provide a consistent, fair and clear approach.

Introduction

The wellbeing of Monitor Group is directly related to the wellbeing of its staff. Monitor Group wishes to develop and maintain policies that provide all members of staff with appropriate support in relation to their health.

Regular and reliable attendance at work is a principle of an employment contract and is essential for the delivery of a quality service. Monitor Group accepts however that most employees will unfortunately have sickness absence at some time during their employment. Attendance and sickness absence must therefore be managed effectively, sympathetically and sensitively, while bearing in mind the impact on business delivery and on the workloads of other employees.

Scope

This policy applies to all staff employed by The Monitor Group; Monitor Services Ltd, Monitor Cleaning Services Ltd, Monitor Hygiene Services Ltd and Euroclean Contractors Ltd.

All absence from work due to illness, whether certified or not certified will initially be considered within the scope of this policy and procedure, which outlines the steps that will be taken to manage sickness absence. If managers have grounds for suspecting that this is not the case then they will refer the case to Head Office in the first instance who may then refer the case further. In cases where a referral has been made, the person or body that it is referred to may be given access to an individual's sickness absence records.

Members of staff should not claim sickness absence and at the same time work for another employer. If a member of staff is found to be working whilst claiming sickness absence from Monitor Group they may face disciplinary action being taken against them.

The main areas covered under the policy are:

Reporting Procedures for Sickness Absence

Sick Pay Arrangements

Management of Short-Term Sickness

Management of Long-Term Sickness

Appeals

This policy should be read in conjunction with the relevant terms and conditions of employment and Health and Safety procedures. Advice should be sought from Head Office where appropriate.

Special care needs to be taken in cases where stress or drugs and/or alcohol problems are or may be a primary or contributory factor to the sickness absence. In such cases the provisions and recommendations of Monitor Group Alcohol and Drugs Policy will apply and should be followed prior to instigating any formal action in relation to sickness absence management.

Equality Impact Assessment

Stereotypes about the level of attendance of employees with disabilities or older workers are not objective and it is not appropriate to make assumptions about sickness absence based on these factors. The importance of making reasonable adjustments for employees with disabilities has been reflected in the policy, but such adjustments will to bear in mind that the nature of our service is to work on client sites. We have limited influence to alter a workplace environment without the full co-operation of the client.

Special consideration will be given to managing the health and attendance of pregnant women. Days of sickness absence, where the reason for the absence is related to the pregnancy will not be counted for the purposes of the “absence triggers” (see 3.2) and will not be counted for the purposes of meeting any targets set in individual cases under the procedure for managing and reducing short-term/intermittent sickness absence.

As part of its development, this policy has been reviewed in conjunction with Monitor Group Equal Opportunities Policy. The purpose of this is to minimise and if possible remove any disproportionate impact on employees in accordance with the Equality Act (2010).

A copy of the Equal Opportunities Policy is available earlier in this handbook and/or from Head Office.

Roles & Responsibilities

Managers

It is the responsibility of line managers to monitor the attendance of their staff and to effectively deal with any absence issues in accordance with these guidelines.

Specific Responsibilities:

Ensure all staff are aware of the procedure for reporting sickness absence

Ensure that employees are aware of their responsibilities for communicating with Monitor Group about their sickness absence

Arrange the receipt and retention of all self-certification forms and medical certificates provided by an employee

Ensure that all sickness absence is properly and promptly recorded in the agreed format and sent through to Head Office

Ensure that all sickness absence records of all members of staff are regularly reviewed and appropriate action is taken as necessary

Maintain contact with absent employees in a sensitive manner and to an extent which is reasonable in the circumstances

Ensure that the employee attends a Return to Work Interview and a suitable record is taken at the meeting. This must be returned to Head Office.

Ensure employees are made fully aware of any reasons for referral to an Occupational Health specialist, where it is determined that this would be useful.

Distinguish between reported sickness and unauthorised absence where no acceptable explanation is given. Unauthorised absence will be managed through the Monitor Group Disciplinary Policy & Procedure.

Consult employees affected by a disability about “reasonable adjustments” to improve their attendance at work. Reasonable adjustments should be made in line with their disability and guidance from Head Office following guidance from their doctor and/or Occupational Health.

Ensure employees are aware of the Monitor Group policies, eg Flexible Working.

Keep records of telephone conversations and return to work interviews.

Refer cases to Head Office if there is a suspicion of an employee working elsewhere whilst on sick leave from Monitor Group.

If necessary, explain to staff that they must not carry out any work (including self-employment or voluntary work) while on sick leave.

Employees

To attend for work and perform the duties of their post unless they have an authorised absence, for example, sickness absence, parental leave or annual leave. Employees should not attend work if they are unwell or unfit, if in doing so they would affect their health and the health of others.

Specific Responsibilities:

Be aware of and follow this sickness absence process

Be aware of who to contact if you are absent from work

Inform your manager or nominated person of your sickness absence, provide a reason for the absence and if, possible the anticipated length of absence as well as details of any work which needs to be covered urgently (see 2.1).

You should keep in touch with your manager if the period of absence continues, keep them informed of progress, agree times and frequency of communications and attend meetings as appropriate and as agreed throughout your sickness absence (see 2.2).

Inform your manager or nominated person immediately if you think your sickness absence is work related, for example as a result of an incident or accident at work

Send in timely sickness certificates to your manager or supervisor

Co-operate with return to work interviews

Comply with a manager’s request to attend an Occupational Health assessment or consult your own doctor, and take care of your health generally

Head Office

Head Office will give advice and guidance to Managers on ways of dealing with health-related problems with regard to their staff.

Specific Responsibilities:

Advise on and encourage consistent and fair management of sickness absence

Advise on the handling of individual cases as appropriate

Support managers in adopting a range of options to facilitate a healthy workplace and return to work programmes

Provide records relating to sickness absence, as necessary

Reporting Procedures for Sickness Absence

All staff are encouraged to talk to their managers about any health concerns they may have, particularly where they feel the working environment may be contributing to their illness. The manager may seek advice from Head Office who may arrange contact with the employee's Doctor or an occupational health specialist.

Sickness Notification

Employees are required to notify their manager or other designated person as early as possible by telephone if they are sick. They should telephone personally, (no messages via text or social media) unless too ill to do so, in which case a responsible person should call on their behalf. This should normally be one hour before their start time.

Staff are responsible for keeping their managers informed of the likely duration of their illness and intended date of return. Through extended periods of absence, the manager and employee will agree the frequency with which the employee will make contact, although the manager may also contact the member of staff to check progress where necessary.

In the event of an employee being absent for 3 consecutive days without having notified the Company, this may be considered gross misconduct and constitute grounds for dismissal.

In the event of a major incident, such as a flu pandemic, sickness reporting arrangements will remain unchanged but will be kept under constant review by Monitor Group. Special arrangements regarding absence and absence notification may however need to be applied by Monitor Group should the need arise in an emergency situation in the context of its Emergency Response Plan. Staff will be kept informed either by email or memo when the policy and special reporting arrangements are in operation.

Certification

Employees must supply sickness absence documentation/certificates in accordance with the following:

For periods of sickness of up to 7 calendar days - Employees must complete a self-certificate form, which they can obtain from their manager or the Payroll Officer. Where the employee returns to work within or immediately after the first week, this can be completed on return to work. Otherwise, the form should be sent to the manager by post.

For periods of sickness lasting 8 or more calendar days - a Statement of Fitness for Work from either in digital or paper format by a medical professional such as your doctor, nurse, occupational therapist, physiotherapist or pharmacist, will be required to cover the absence. This should be sent to the manager immediately and, in cases of

prolonged absence, a new certificate should be received before the current one expires. The final certificate must indicate the date on which an employee will be fit to return to duty. The GP/Medical Practitioner may certify that the employee is:

fit for work;

not fit for work; or

may be fit for some work now.

Where managers have concerns regarding attendance and have commenced the formal stages of the Sickness Procedure, they may require the employee to obtain a Statement of Fitness for Work (signed by a medical practitioner) for all periods of absence.

Sickness during Annual Leave

If an employee falls sick during their annual leave, the period of sickness can be converted into sick leave, with the annual leave being credited back, providing the employee contacts their manager to report the sickness as soon as they become sick (not waiting until they return to work) and the sickness is covered by a medical or self-certificate as appropriate.

Holidays during Sick Leave

In circumstances where a medical adviser has recommended that an individual goes away on holiday as part of their recuperation, this time will be recorded as sick leave provided the employee notifies their manager in advance, is covered by a medical certificate and obtains a letter of confirmation from their medical adviser.

Failure to Follow Notification Requirement

It is the employee's responsibility to comply with the sickness notification rules. Failure to comply may lead to the absence being deemed unauthorised, resulting in the withholding of pay and/or disciplinary action. If an employee fails to submit a certificate to the required timescales, Head Office will write to inform the employee that sick pay will be withheld if none is received within three working days. If sickness certificates are submitted late, without good reason, pay may be stopped and will be reinstated only from the date the certificate is received.

Statutory Sick Pay

You will be entitled to receive Statutory Sick Pay (SSP), subject to regulations, for a maximum of 28 weeks in any period of entitlement. Payment of Company Sick Pay, if any, includes any SSP. SSP is paid at the lower of 80% of your normal weekly earnings or the statutory rate.

Payroll department will notify the manager where a member of their staff is due to go into a period of no pay and will write and notify the member of staff and provide any forms that may be required.

If a manager has evidence that an employee is claiming sick pay when they are not genuinely sick, this is liable to be regarded as gross misconduct and will be dealt with under the Company Disciplinary Procedure.

Management of Short Term / Intermittent Sickness

This type of absence often starts with the odd day off sick. It may lead to a pattern whereby individuals regularly take days off sick.

Sickness Absence Triggers

The following should act as “triggers” for the manager to act:

Where a combination of odd days or patterns of absence exist, which cause concern e.g. Mondays and Fridays or just before or just after holidays.

Absence of 7 days or less not covered by a self-certificate. Absence of more than 7 days not covered by a paper or digital fit note certified by a health professional including a nurse, doctor, occupational therapist, pharmacist or physiotherapist.

3 occasions of absence within a 6-month period.

Review of Sickness Records

Managers should be monitoring staff attendance on a day to day basis and act when the absence triggers are hit or as required by the individual circumstances of an employee in their team.

All individual staff attendance records should be reviewed by the manager on a minimum three-monthly basis.

Return to Work Interviews

As part of the routine management of sickness absence, the manager should see employees on their return to work after each episode of sickness to discuss the reasons for their absence and ensure that they are fully fit for work, including reviewing any support or adjustments that may be needed to facilitate their return.

There may be circumstances where the employee does not feel able to discuss the nature of their absence with their immediate line manager and in these circumstances, they should make a request to Head Office that the Return to Work Meeting is undertaken by another manager.

Each interview should be conducted sensitively. Where the level of sickness starts to become a concern, the manager will discuss with the member of staff how this will be monitored and managed in future.

Informal Action - Counselling Meeting

If sickness levels remain a concern, the manager will hold a counselling meeting with the employee to discuss the level of absence and its impact. The manager will outline full details of the employee’s sickness absence record, give the employee an opportunity to provide an explanation, agree any action that may help alleviate the problem and specify the timescale for improvement and review. The employee should be made aware that failure to maintain the required improvement would be liable to lead to formal action being taken under the procedure in the future. A note of the discussion at the meeting will be confirmed to the employee in writing normally within 5 working days.

Occupational Health Referral

Where a GP/Medical Practitioner indicates that an employee “may be fit for work”, the manager may seek advice from an Occupational Health provider about this and must consult with Head Office to determine if it is appropriate to refer the employee to Occupational Health for advice.

The purpose of this is to establish whether or not the employee has an underlying medical cause for their absence and/or whether they are basically fit for their duties. The Occupational Health provider will maintain full confidentiality and advise

managers only of any factors with a bearing on the employee's fitness for work.

Underlying Medical Condition

Where an employee's sickness is caused by an underlying medical condition, their case will be treated particularly sensitively and the following will be considered before deciding on any course of action:

the likely period before an improvement can be expected and whether or not the employee will return to full fitness

the impact of the absence on the work of the team;

whether the medical condition is such that redeployment to another area of work or adjustments to the job or working hours would eliminate the need for the employee to take time off

whether the medical problem is sufficiently severe and long term to consider terminating employment through capability.

However, if (iii) and (iv) above are not appropriate, and there is no clear evidence that the sickness level is likely to improve in the near future, the formal steps below will be followed.

Formal Procedure

At all formal stages of the procedure, a formal sickness meeting will be called. Meetings should be arranged as soon as possible in consultation with the employee, wherever possible and taking account of any adjustments that may be required to accommodate any disability. The employee's manager will chair the meeting. The employee will have the right to be accompanied by a trade union representative or workplace colleague. There may be circumstances where the employee does not feel able to discuss the nature of their absence with their immediate line manager and in these circumstances, they should make a request to Head Office that any formal meetings are undertaken by another manager.

The employee will be given reasonable notice of the meeting and will be provided in advance with a copy of their sickness absence record, plus any other relevant documentation.

At the meeting, the manager will confirm the sickness record with the employee and outline why this is unacceptable, including the impact it has on the work of the team. The employee will have an opportunity to put forward any explanations or medical evidence in mitigation. Where appropriate, the manager will discuss with the employee any action that could help alleviate the problem.

There are three stages under the formal procedure, which will be applied consecutively with an adequate review period between each stage for the sickness record to improve:

First Formal Warning - which will lapse after a period of 12 months, provided there is the necessary improvement.

Final Written Warning - which will lapse after a period of 12 months, provided there is the necessary improvement.

Dismissal on the grounds of unsatisfactory attendance

A letter confirming the outcome will be sent to the employee, normally within 10 working days of the meeting. The outcome letter will include details of any action that

has been agreed to help alleviate the reasons for the continued sickness, the timescales for review and the consequences if the necessary improvement is not achieved.

Where, after the review period, the employee's absence levels have sufficiently improved, the employee will be met with informally to confirm the improvement and to remind them that the warning will remain on their file for the specified period and their absence will continue to be reviewed at regular intervals.

If the employee's sickness record fails to improve, the manager will move to the next level of warning, culminating in dismissal on the grounds of unsatisfactory attendance. Once the dismissal stage is reached, the meeting must be chaired by a Manager with the authority to dismiss. In all cases, dismissal will be with notice or payment in lieu of notice.

Management of Long-Term Sickness

Definition

Long-term sickness can be defined as extended absence due to serious or significant illness or injury.

Although the procedure divides sickness absence into two categories, it should be noted not all cases are straightforward. Occasionally short-term absences will become long term. Decisions on management of the individual's absence will be based objectively on their attendance levels and advice from the employee's Doctor or an Occupational Health Advisor.

Informal Action

It is important when dealing with long-term sickness that there is ongoing, regular communication and consultation between the manager and employee throughout the individual's absence and at every stage of the procedure. The manager and employee will agree the frequency with which they will make contact. Details of the contact, whether by personal visit, telephone or letter, should be documented.

In some cases, the nature of the illness means that the absence is for a specific period, with a clear return date, and no longer-term effect on the employee's continued employment, e.g. a planned operation. Under these circumstances, employees will need to keep their managers informed of their progress to the agreed timescales and ensure that certificates are forwarded on time. Before the employee's return to work, the manager may refer the individual to an

Occupational Health provider to ensure that they are fully fit. This is for the individual's benefit and to ensure health and safety obligations are met.

If there is no clear date for return, however, the sickness absence trigger will be 21 calendar days of absence (or earlier if it becomes clear that the employee may not return to work). The manager will set up an informal meeting to discuss the sickness with the employee. If the employee is too sick to attend a meeting at work, their agreement to a home visit will be sought.

Where, under exceptional circumstances, the employee is too sick to meet at all, the manager can telephone or write to obtain the information or defer the meeting to a later date.

The aim of the meeting is to discuss the nature of the illness and the likely duration of the absence, and for the manager to form a view about whether an immediate

referral to

Occupational Health would be helpful. If a referral is considered appropriate, the manager will discuss with the employee the range of outcomes that may result from the referral, including the process to be followed if the employee is considered unfit to return to their job. If, taking all circumstances into account, the manager takes a view that it is too early to refer to their doctor or an Occupational Health Advisor, they will arrange to meet with the employee at a later date to review the position again.

Occupational Health Referral

There are five possible outcomes from a referral to an Occupational Health advisor:

Return to work - the employee is fit to return to their present job, either immediately or in the very near future.

Adjustment to duties or hours of work - the employee would be fit to return to their current job with temporary or permanent adjustments to their duties or working hours.

Redeployment - the employee is not fit to return to their current job, but could work in a job that accommodated their health problem.

Termination of contract - the employee is unfit to return to work, permanently or for the foreseeable future, necessitating the termination of their contract on medical incapacity grounds.

Re-referral to an Occupational Health Advisor - the employee is not currently fit to return to their job, but it is too early to make a recommendation about when they will be and a re-referral is needed after a specified period of time.

The manager will take account of any Doctor or Occupational Health recommendation in determining which of the following courses of action to take. They will also need to take account of any alternative medical evidence that the employee may wish to present.

Return to Work

If the employee is or will shortly be fit to return to work, the manager will meet informally with them to discuss the recommendation and arrange their return. Employees returning to work after a lengthy absence are likely to require a period of readjustment to working life, during which time the manager may need to monitor their performance and provide appropriate support.

Adjustments to Duties or Hours of Work

Temporary Adjustments

Following a period of long-term sickness, the Doctor or Occupational Health Advisor may recommend that the member of staff returns to a reduced workload or part time work temporarily in order to limit the chances of a relapse. This should be accommodated wherever possible. All such arrangements should be for a limited period of time only, usually for a maximum of one month, with the employee returning to their normal contractual arrangements at the end of this period.

The manager will meet with the member of staff to discuss the details of the changes to the hours or duties and will then confirm the arrangements in writing. The nature of the adjustments should be agreed on the basis of what meets the employee's needs

and can be reasonably accommodated by the department.

During this time a planned phased increase in hours of work should take place unless there are particular reasons why this is not advisable.

The employee will only be paid for the hours worked during a phased return.

Office-based staff

There may be occasions when an employee is unable to attend work, but is able to undertake work at home (for example, where a foot injury prevents driving, but otherwise does not incapacitate the member of staff). The manager may agree to a temporary period of working from home where the person's duties are such that they can be undertaken away from the workplace.

Permanent Adjustments

In some cases, it may be appropriate to consider making reasonable permanent adjustments to the employee's duties or working arrangements. Such adjustments may include reduced hours, lighter duties or alterations to equipment etc.

It is particularly important to explore this option thoroughly when an employee's sickness is due to a disability, as defined under the Equality Act. To conform to the requirements of the Act, very careful consideration needs to be given to making whatever reasonable adjustments are necessary to accommodate a disabled employee if it is possible to do so. Again it must be taken into consideration that we are working on a client site and may not be able, without the client's consent, to make reasonable adjustments to the site.

Managers will need to assess the feasibility of making the required adjustments, taking advice from the employee's doctor or Occupational Health Advisor, Head Office and other specialist advisers as necessary. The manager will meet with the employee to discuss with them the results of this assessment and will record the outcome of the meeting to them in writing.

Redeployment

The employee may not be fit to return to their present post, but would be able to work in a post that accommodated their health problem. Every reasonable effort should be made to identify suitable alternative employment for any employees this applies to, but it is particularly important to do so for staff whose sickness is due to a disability under the Equality Act.

The manager will meet formally with the employee to discuss the Doctor or Occupational Health recommendation and explore the possibility of alternative employment. A member of Head Office will also be present to discuss the employee's skills and experience with them.

A suitable vacant post will be sought for a specified period (normally for up to three months), during which time the employee will be entitled to a priority interview for any suitable posts that arise. Reasonable on-the-job retraining will be considered where appropriate. All discussions and opportunities for redeployment should be recorded in writing to the employee.

In the event that no suitable alternative employment can be found, it may be necessary to terminate the individual's contract of employment (see below). In some circumstances, it may be appropriate to refer the employee back to their Doctor or Occupational Health for further advice.

Termination of Contract

If the employee is considered permanently unfit or will remain sick for the foreseeable future, it may be necessary to terminate their contract on the grounds of medical incapacity.

Before such a step is taken the following must be considered:

the length of time the employee may be absent and the likelihood of a complete recovery at the end of that time.

the remaining paid sick leave entitlement of the employee, if applicable.

the feasibility and cost of cover arrangements during this period.

the effect of the absence on the work of the team.

The appropriate Senior Manager with authority to dismiss must meet formally with the employee, if possible with a representative from Head Office present. The employee will be given reasonable notice of the meeting and will be informed of their right to bring a representative or colleague.

Any relevant documentation will be provided to the employee in advance of the meeting. The employee must be given every opportunity to put their case and provide any additional medical evidence that they wish to be considered.

Dismissal will be with notice or pay in lieu of notice on full pay and the employee will be encouraged to reapply for posts should they become fit in the future.

Appeals

Appeals against warnings under the formal stages of this procedure or against termination on the grounds either of long or short-term sickness absence will be heard in accordance with the Monitor Group Appeals Procedure.

Right to be Accompanied

At the formal stages of the procedure, including an appeal, the employee has the right to be accompanied by a trade union representative or a workplace colleague. Consideration will be given to the attendance of a non-workplace friend or adviser where the employee has a disability falling under the Equality Act.

It is the responsibility of each employee to arrange such a companion. If an employee wishes to be accompanied by a trade union official, either lay or full-time, that official must be reasonably certified in writing by their union as having experience of, or as having received training in, acting as an employee's companion at disciplinary or grievance hearings. Monitor Group may require confirmation of such certification. There is no duty on a fellow worker to accept a request to accompany an employee and no pressure should be brought to bear on an employee if they do not wish to act as companion or representative.

An employee employed by Monitor Group who has agreed to accompany a colleague also employed by Monitor Group is entitled to take a reasonable amount of time off to fulfil this responsibility. The time off may cover not only the hearing but should also allow a reasonable amount of time off for the companion to familiarise him or herself with the case and confer with the employee before and after the hearing.

Where the chosen companion cannot attend on the date proposed, the employee can offer an alternative time and date so long as it is reasonable and convenient for the manager and falls before the end of the period of five working days beginning with

the first working day after the day proposed by the manager.

A companion may, with the employee's permission, address the hearing to put the employee's case, to ask questions on behalf of the employee and to sum up. They may also respond on the employee's behalf to views expressed at the meeting and confer with the employee during the meeting. The companion does not however have the right to answer questions on the employee's behalf or prevent the employer from explaining their case.

Complaints/Grievances during the Sickness Absence Management Process

If the employee raises a grievance or makes a complaint under the Grievance Policy about the application of the procedure or another related matter, the manager and Head Office should consider whether the sickness absence management procedure should be suspended whilst the complaint is investigated. Human Resources should carry out a brief review of the complaint to ascertain if the complaint has face validity.

Complaints must be genuine and other procedures should not be used to try to circumvent the reasonable actions of managers to bring about improvements in an employee's attendance. If an investigation concludes the grievance or complaint was groundless and raised with the intention of avoiding or ending action being taken by the manager to bring about the necessary improvement in attendance consideration will be given to whether disciplinary action should be taken against the employee on grounds of misconduct.

Monitoring and Assurance

This policy & procedure is intended to promote fairness and consistency in the treatment of individuals and foster good employee relations. Use and compliance of this policy will therefore be monitored by Head Office. Records of use of the formal procedure will be maintained by Head Office and will be reviewed at appropriate and regular intervals.