

## **Duncan Private Hire Sickness Absence Policy**

### Policy Statement

Duncan's is committed to maintaining the health, well-being and attendance of all our employees. We value the contribution our staff make to our success and we miss that contribution when any employee is unable to work. The overall aim of the policy is to strike an effective balance between the service needs of the organisation and the need for the employee to be given time to recover from illness

The policy sets out

- What employees can expect from Duncan's
- What responsibility employees have in relation to their attendance at work

### Purpose

The purpose of this policy is to provide a framework and formal guidelines within which Duncan's will address sickness absence, in order to ensure all employees are treated fairly, consistently and constructively. The policy applies to all employees and a copy will be given to all existing employees and to new employees as part of their induction pack. The policy does not apply to accidents at work

### Principles

The absence policy is based on the following principles:

- Regular, punctual attendance is an implied term of every employee's contract of employment and we ask each employee to take responsibility for maintaining good attendance and reporting absence according to the procedures set out below
- To ensure that short and long term illness is dealt with in accordance with relevant legislation and the Arbitration Conciliation Advisory Service Code (ACAS) of Practice
- To provide reasonable payments to employees who are unable to work due to sickness
- To monitor levels of sickness absence for all employees
- To identify any action which can be taken to improve working conditions and promote the health, safety and wellbeing of employees
- To work with employees to identify any practical solutions in order to reduce absence levels
- To support employees with genuine grounds for absence for whatever reason
- To seek consent to access medical reports and advice in order to decide the best way forward
- To respect the confidentiality of all information relating to an employee's sickness and store information in line with all data protection legislation

- To be sensitive to the fact that an employee may not feel able to discuss their medical problems with their line manager and make alternative arrangements where appropriate, e.g. arrange for the employee to discuss health problems with a member of the same sex
- To use the Disciplinary procedure if an explanation for absence is not forthcoming or is not thought to be satisfactory. No employee will be dismissed on the grounds of sickness absence without due warning and the appropriate procedure being followed
- To treat sickness absence as a result of a disability in line with the Disability Discrimination Act 1995 and the Equality Act 2010

#### Absence Notification Procedures

Notification of absence from work owing to illness must be given to the line manager by telephone as early as possible, and no later than the normal start of work, on the first day of sickness. When possible notification of absence should be given the previous evening to allow staff cover to be arranged. In the event that the line manager is unavailable, a message should be left with a suitable member of staff

When giving notification of absence, the employee should give a clear indication of the nature of the illness and the likely date of return to work

#### Certification

Sickness certificates are required for all absences and should cover all calendar days, including work days, weekends, public holidays and any days not normally worked by a member of staff

The following procedure must be followed:

#### Day 1 to 7

- Employees may self-certify for up to 7 days. These days include weekends and non-working days. Employees must complete a Self Certification Form as soon as possible or immediately on their return to work

#### Day 8 onwards

- Periods of sickness in excess of seven days must be covered by a Medical Certificate (Fit Note) signed by a doctor, commencing on the eighth day of the illness, irrespective of days which would normally have been worked. This must be received by the Line Manager within 3 working days. Consecutively dated medical certificates must be received for the full sickness period
- Absence which is not continuously covered by a Self Certification Form, Medical Certificate or Inpatient Certificate, may be treated as unauthorised absence

#### Sent Home

Employees who leave work early because they are unwell, must inform their line manager or a suitable member of staff. Where the employee has worked less than 50% of their working hours for that day before going home, the remaining hours will be classed as absence and form part of the absence record. A Self Certification Form must be completed for this absence. Where more than 50% of the working hours for that day have been worked, the remaining hours will not form part of the absence record and as such there is no need to complete a Self Certification Form

## Sickness Absence whilst on Annual Leave

In order to reclaim annual leave entitlement, the line manager or suitable member of staff must be notified by telephone on the first day of illness and then all the stages of the absence reporting procedure must be followed. A Medical Certificate will be required even if this is less than 7 days, in order to reclaim annual leave

## Medical, Dental or Optician Appointments

Where possible all medical appointments should be made outside of working hours. Where this cannot be arranged they should disrupt the working schedule as little as possible, e.g. made early or late in the day. Satisfactory evidence of appointments such as an appointment card or hospital letter will be requested

Where attendance for a medical or hospital appointment necessitates a complete day's absence from work, this will be treated as sick leave and the procedure for self-certification should be followed

## Statutory Sick Pay

All employees will be eligible for Statutory Sick Pay from the date of employment provided that the appropriate certification has been received. Information on Statutory Sick Pay can be obtained from the Inland Revenue website

## Return to Work

A 'fit for work' certificate is required should an employee wish to return to work before their Medical Certificate runs out. After absences of more than one week the line manager will have an informal discussion with the employee in order to establish:

- The reason for and cause of the absence
- The employee is fit to return to work
- Whether the employee needs any support to return to work
- The purpose of this discussion will be to consider any action required to improve the employee's attendance and well-being.

## Frequent or Short Term Absences

Frequent absence refers to cases where an employee is frequently absent from work for relatively short periods of time, due to sickness. Most employees have some short term sickness absence, however it is essential that frequent absence is dealt with promptly and consistently. Following 3 periods of absence within the preceding 12 months, an informal interview will take place at the earliest opportunity to discuss the reasons for the absences, ways in which the situation might be improved and ways in which Duncan's can support the employee.

A summary of the interview, including any actions required to address the situation, will be given to the employee and will be kept on file. If the employee's attendance does not improve satisfactorily within the specified timescale, the organisation will decide whether it is appropriate to seek a medical report from the employee's GP, Consultant or refer to an Occupational Health Practitioner. Written permission will always be sought from the employee. Employees have the right under the "Access to Medical Reports Act 1988 to see their own reports before it is given to the employer.

Following the receipt of this report, a further meeting will be arranged at which the employee may be accompanied by a work colleague. The employee will be given the opportunity to respond to the report and supply any other relevant information. At this point a decision will be made as to whether it is reasonable to require an improvement in attendance within a reasonable timeframe. The decision will be confirmed in writing, noting that a failure to improve could result in disciplinary action. If attendance does not improve within the time limit set, the matter will be dealt with under the formal Disciplinary Procedure

### Long Term Sickness Absence

Sickness absence of one month or more is generally considered to be long-term absence. Employees may be absent on long term sick leave for a variety of reasons (e.g. injury, operation, convalescence from illness, diagnosis of a long term disability, terminal illness etc.) and any action taken will vary according to the circumstances of the particular case.

Where an employee has been absent for more than two months and there is no identified return date in the near future, the line manager will contact the employee to arrange an informal welfare meeting to discuss their current situation and when a return to work can reasonably be expected. The employee will have the right to be accompanied by a work colleague or friend

The response will determine the next stage in the process, as the options will depend on the individual circumstances. In the event that the employee is too ill to attend the meeting, the manager will seek to obtain the necessary information from them in an appropriate manner, e.g. by home visit or via letter/e-mail

### Obtaining Medical Reports

A medical report will be obtained from the employee's GP and/or consultant to establish the nature of the illness (including the cause and prognosis), the expected period of absence, and any required adjustments to the employee's work. If a return to work cannot be established employees may be asked to attend a medical examination by an Occupational Health Practitioner to obtain an expert assessment of fitness for work

On receipt of the appropriate medical reports the employee will be invited to a formal meeting to discuss the findings. The employee will be offered the right to be accompanied by a work colleague or trade union representative

The outcome of this meeting may include:

- The employee returning to work in the present job, at an agreed date
- The employee unfit to return to present job and therefore alternative work or adjustments agreed along with a return date
- The employee unable to return to work in their present job, reasonable adjustments are not feasible, and where suitable alternative employment cannot be offered. In this case the employee will be invited to a further formal meeting to discuss the termination of their contract on the grounds of ill health

### Terminal Illness

Duncan's will approach cases of terminal illness with as much sensitivity and flexibility as possible. Where a line manager becomes aware that he is dealing with an employee whose absence is due to a terminal illness, they will seek confidential advice from the (Director) and, where appropriate, from the employee's GP, Consultant or an Occupational Health

Unit. Each case will be dealt with separately individually, in particular, on the medical prognosis and the possible effect on the employee of terminating her/his employment

If the affected employee wishes, Duncan's will make every effort to facilitate her/him in continuing to work for as long as possible, either on a full or part time basis or with periods of absence to take rests from work. In such cases, the Management may use its discretion to extend sick pay, as appropriate

#### Disability Related Absence

Where an employee experiences sickness absence as a result of a disability it will be recorded separately and treated in line with the Disability Discrimination Act 1995. A disabled employee's absence may be related to their disability rather than illness; e.g. they require a period of absence in order to manage their disability to be fitted for a new wheelchair or for treatment. In such cases where the absence is not related to ill health the employee will be given disability leave to manage their disability

If an employee becomes disabled or their disability worsens, Duncan's will consider making reasonable adjustments if they become unable to carry out their job. This will include considering whether or not it is reasonable to make adjustments to working conditions or the workplace. It will also include considering whether it is reasonable to transfer the disabled person to another vacant post

Duncan's will allow a person who has become disabled more time off during work than would be allowed to non-disabled employees to enable them to have rehabilitation training. A similar adjustment would be appropriate if a disability worsens or if a disabled person needs occasional treatment. Pregnancy Related Absence will be treated separately from sickness absence in accordance with the Statutory Maternity Pay regulations