

# Bambino Ltd

## Absence Management Procedure

Version	Date	Author	Comments
1.0	05/2011	Bambino Ltd	Initial release and adoption of policy
1.1	28/09/2011	Scott Roberts	Introduction of version control

## **Absence Management Procedure**

Bambino Ltd encourages all its employees to maximise their attendance at work while recognising that employees will, from time to time, be unable to come to work due to sickness. By implementing this policy, we aim to strike a reasonable balance between the pursuit of its business needs and the genuine needs of employees to take occasional periods of time off work because of sickness. This procedure establishes a framework to support individuals and the organisation in times for sickness absence, and ensures appropriate and consistent advice, assistance and support is offered to employees and, where necessary, action is taken.

### **General Principles**

We aim to provide a healthy working environment and demonstrate commitment to health, safety and the welfare of staff in order to maximise attendance.

Management is responsible for regularly monitoring and taking appropriate action in connection with sickness and other unplanned absence.

### **Sickness absence reporting procedure**

Reporting of sickness absence should be done using the following guidelines. Failure to follow these guidelines could delay any sick pay due to you and could possibly result in disciplinary action.

1. Ensure that a member of the management team has been informed by 7.30am on the day of your shift. The more notice you can give, the better.
2. You should telephone and speak to someone yourself unless you are hospitalised or incapacitated.
3. If you are aware that the illness is likely to last for more than one day you should indicate the length of absence expected. If you have been unable to determine how long the absence will last, and exceeds the first day, you must contact the nursery manager daily.
4. If your illness exceeds a period of 7 calendar days, you must provide a 'Fit Note' completed by a qualified medical practitioner for the period of absence.
5. On returning to work you must complete a copy of the 'Absence and Return to Work Form.'

6. After returning to work from any sickness leave, a Return to Work interview may be undertaken by the manager. This will not happen in all circumstances, but it would be expected in the following:
- Where the absence has exceeded 14 days
  - Where the nature of the illness means that duties on return to work may need to be altered and consultation is required.
  - Where a member of staff has had two or more absences in 12 weeks.

During the Return to Work interview, the following will be discussed:

- Reason for absence
- Whether adjustments to the role (on a temporary or more permanent basis) are required and what they are.
- Future requirements and expectations eg improved attendance
- Any causes for concern regarding the duration or frequency of absence in the employee's attendance record.

Throughout any stage of discussions on sickness absence, employees may be accompanied by a work colleague.

The abuse of sick leave and pay regulations may be classified as misconduct and will be dealt with through the disciplinary procedure.

### **Frequent and/or persistent short-term sickness absence**

Short-term absences are short periods occurring frequently.

Absences of this nature can be identified by at least one of the following indicators and should be classed as a trigger:

- Four self-certified spells of absence in one calendar year.
- A total of 10 working days or more of self-certified absence in one calendar year.
- Patterns of absence over a period eg an individual regularly taking Mondays or Fridays off.
- Where an employee's attendance record is significantly worse than those of comparable employees or absence problems have gone on for a considerable length of time.

### **Long-term sickness**

For the Long-term absences are absences lasting over one month.

Where absences have lasted over 14 calendar days or more, the manager should contact the member of staff concerned to obtain an initial assessment and to offer any help or assistance. This informal contact may be maintained with the employee's agreement until the trigger point of one month's continuous absence.

### **Further assessment**

At this point and where felt appropriate after further assessment of the problem, the manager will arrange a meeting with the staff member. The meeting should:

- Seek to confirm the reasons and nature of the absence(s).
- Ensure that the member of staff is aware of the nursery's concern regarding their health and absence from work.
- Consider offering alternative duties or a shorter working week.
- Give consideration to any personal problems being encountered and discuss possible ways of helping.
- Advise the member of staff they may be asked to see a registered medical practitioner or occupational health provider appointed by the nursery to enable a medical report to be prepared.
- Alternatively and if appropriate, gain agreement from the member of staff to contact their doctor or specialist in order to establish the long-term effect on capability and attendance at work.

### **Second meeting**

If all other avenues have been investigated, the absence continues or following return to work, the attendance record does not improve, a subsequent meeting should be arranged. At this point, unless there are reasonable grounds to believe there will be an improvement in the foreseeable future, the manager should inform the member of staff that long-term sick absence due to ill health may put their employment at risk and the possibility of termination by reason of capability might have to be considered, taking into account any medical information available.

The position will be reviewed periodically and ultimately it may become necessary from a business perspective to consider termination of employment. In these circumstances, the nursery will:

- Review the employee's absence record to assess whether or not it is sufficient to justify dismissal.
- Consult the employee.
- Obtain up to date medical advice.
- Advise the employee in writing as soon as it is established that termination of employment has become a possibility.
- Meet with the employee to discuss the options and consider the employee's views on continuing employment.
- Review if there are any other jobs that the employee could do prior to taking any decision on whether or not to dismiss.
- Allow a right of appeal against any decision to dismiss the employee on grounds of ill-health.
- Arrange a further meeting with the employee to determine any appeal.
- Following this meeting, inform the employee of the final decision.
- Act reasonably towards the employee at all times.

### **Occupational health**

The nursery will engage the services of an independent Occupational Health Advisor in situations where expert medical opinion is required and work with them to identify the best course of action.

### **Access to medical records**

The Access to Medical Records Act 1988 gives individuals the right of access to medical records relating to themselves which have been prepared by a medical practitioner for employment purposes. The Act provides that:

- Employers must gain the consent of the employee before requesting reports from medical practitioners. The employee has the right to refuse an employer's access without recrimination.
- Employers must inform employees of their rights in respect of medical reports.
- The employee has the right of access to the report before the employer sees it, provided appropriate notification is given.

- The employer is responsible for notifying the medical practitioner that the employee wishes to have access.
- The employee may ask for a report to be amended or may attach a statement to the report.
- Having seen the report, the employee may wish to withhold consent to it being supplied.

Where the nursery requests further; medical information about the health of staff from an individual's GP or specialist, or its own occupational health provider, the provisions of the Act will be followed.

The nursery reserves the right to request employees to attend a medical advisor (eg consultant, GP or occupational health advisor) during their employment if it is reasonably deemed necessary due to sickness absence, changes in health or the role, where it is necessary to seek expert medical opinion as to whether or not the employee can fulfil their job role.

### **Sick pay**

Statutory Sick Pay (SSP) is payable during the Probationary period and first 6 months of employment in accordance with the Department for Work and Pensions requirements.

Nursery sick pay is payable as follows:

Probationary period – SSP only

0 – 6 months of continuous service – SSP

6 months to 2 years continuous service - 5 days full pay per annum

More than 2 years continuous service – 20 days full pay per annum

Additional sick leave will be unpaid or subject to SSP in accordance with regulation and rates applicable at the time.

