

# Staff Absence Policy



## Context

Grass Roots Nursery Group is committed to promoting the health and wellbeing of all employees. This policy aims to promote supportive and effective management of absence and that any support is considered as early as possible.

The Absence Policy aims to maximise employee attendance while recognising that there are occasions when employees may be unable to attend work due to their own ill-health and reasons. The purpose of this policy is to provide a clear framework for reporting and recording absence and outlines the fair and consistent management of short and long-term absence across the nursery. It also ensures that employees have the support they need from their managers.

## Statement of Policy

Grass Roots Nursery Group is committed to supporting the wellbeing of its employees and providing appropriate support in relation to their health and attendance at work.

The aims of this policy are to:

Provide employees and managers with a standard process and consistent approach for managing, recording and reporting absence;

Promote a positive culture of attendance;

Minimise absence levels and help facilitate employees' return to work;

Offer support and assistance to staff experiencing ill-health or other issues;

Ensure the Nursery acts in a fair, reasonable and consistent manner when dealing with sickness absence issues; and

Establish the roles and responsibilities of all employees and managers in relation to sickness absence.

Employees who are unable to attend work due to ill-health are required to notify their manager of their absence by following the sickness absence reporting procedure, as set out in this policy.

The Nursery will adopt a case-by-case approach when working with employees who are absent from work and, where advised, modify the approach to the specific health circumstances of each individual.

This policy is not contractual and may be amended through the normal Nursery procedures. The policy is not intended to remove any existing protections or entitlements afforded to employees under their contracts of employment.

## Notification Procedure

You are required to telephone nursery or message the office through Family app on the first day of sickness absence, at least 1 hour before your start time stating why you are absent and when you expect to return. If your absence continues, you must contact them regularly to update on your continuing absence.

You must provide the appropriate documents as referred to below at the relevant times, and complete any absence recording documentation as required on your return to work.

**Failure to notify the Company as set out may result in disciplinary action being taken.**

If an employee does not arrive at work and does not notify their manager of their absence, the manager will attempt to contact the employee, either by telephone or email, to ensure their wellbeing. If an employee is unable to contact their manager personally, in accordance with the

required sickness absence reporting procedure, they should make alternative arrangements e.g. ask a family member to call on their behalf.

If an employee fails to notify the management team and does not have a valid reason for not doing so, it may be treated as unauthorised absence and may be dealt with under the relevant disciplinary procedure.

The manager and the employee should maintain reasonable contact whilst the employee is absent from work due to ill-health, taking into account the nature of the absence. Contact between the manager and the employee will usually be by telephone, in the first instance, with the ongoing method of communication then mutually agreed.

Communication should focus on the employee's health and wellbeing, and their return to work including any measures to facilitate a return. Consideration may also be given to any work that requires attention in their absence.

If an employee is taken ill or injured whilst at work they should report this to the manager as soon as possible. Where necessary, a first aider should be called. If medical treatment is deemed necessary, arrangements should be made to ensure the employee reaches the hospital or their doctor safely. The employee's emergency contact should be informed as necessary.

If an employee falls ill whilst on annual leave they should report this to the manager as soon as possible, even if abroad. The usual requirements for self-certification and medical certificates in this policy will apply. For a medically certified absence, which prevents an employee from carrying out their holiday plans, it would be possible for the employee to arrange to take the annual leave at another time.

### **Notification of Infectious Diseases**

You must notify the Company if you are suffering from or have symptoms of a notifiable infectious disease, e.g. mumps, measles, or food poisoning, or where you have been in close contact with someone with such an illness. Where you have been off work with this type of illness, you must contact the Company and your G.P. prior to returning to work to ensure that it is safe to do so.

### **Documenting Periods of Absence**

You should produce the following written evidence of absence and ensure that appropriate documents are provided for the whole of your absence:

**Self-Certificate** - for absence of up to and including 7 calendar days.

**Statement of Fitness for Work** - for absence of more than 7 calendar days; or, when requested, where more than 3 periods of self-certificated absence occur in any 12 month period (this may have to be obtained at your own expense); or, for absence before or following an annual or bank or public holiday.

You should forward the relevant documents and any correspondence to the Nursery Manager as soon as possible. Failure to do so may result in sick pay being delayed or withheld, and action under the Disciplinary Procedure being taken.

Where your G.P. or medical advisor has issued a Statement of Fitness for Work indicating you may be fit for some work, you must notify the Nursery Manager at the earliest opportunity so that a return to work may be considered.

When presented with a fit note that contains specific medical advice or recommendations, the manager should discuss this with the employee. This may take place at a return to work discussion,

Absence Review Meeting, or other meeting as appropriate. If the suggested adjustments cannot be implemented, the employee will remain on sick leave and a date will be set to review the situation. The Company reserves the right to require you to undertake a medical examination by a medical practitioner and/or specialist of the Company's choice, and/or to seek a report from your G.P. Where the Company wishes to seek a report from your G.P., you have rights under legislation. A summary of these rights is included in the Employee Handbook, under 'Access to Medical Reports'.

### **Recording Sickness Absence**

All occurrences of sickness absence, including half days, should be recorded on the employee's personal file by the manager in a timely manner.

The record should include:

The reason for the absence (as stated on the self-certification form or fit note); and

The length of the absence, including any half-days.

Weekends, Public Holidays and rest days are included in a continuous period of sickness absence.

### **Time Off for Medical Appointments**

Reasonable requests to attend medical appointments (including dental appointments and any on-going medical rehabilitative treatment) will be granted wherever possible. While the manager will try to accommodate such requests, employees should make every effort to organise their attendance at such appointments outside of their working hours where possible. Where this is not possible, every effort should be made to schedule appointments for the beginning or end of the working day. The Nursery acknowledges that employees with on-going health conditions may require on-going treatment and time off from their work to attend medical appointments, which will be accommodated wherever possible. Employees should discuss their need to attend medical appointments with their manager as early as possible.

Where the manager has a concern about the frequency of time off requested by an employee to attend medical appointments, the presentation of appointment cards, or equivalent, may be required.

Time off for elective surgery will be taken as leave by the employee. Elective surgery is surgery that is not considered to be medically necessary, including cosmetic procedures through surgical and medical techniques.

### **Absence Management**

The Company operates an absence trigger system in line with our disciplinary procedure. The following triggers apply to any sickness absence in a rolling 12 months:

3 separate occurrences of absence- informal warning

4 separate occurrences of absence- verbal warning

5 separate occurrences of absence- written warning

6 separate occurrences of absence- final written warning

7 separate occurrences of absence- potential dismissal

Each individual circumstance will be dealt with on its own merits and the Company may vary the sanction given as it sees fit. More harsh sanctions may be imposed if it is found that the absence is not genuine.

### **Activity During Sickness Absence**

If you have been absent due to sickness and are found not to have been genuinely ill, you may be subject to action under the disciplinary procedure, which could include dismissal. In addition, we will take a serious view if you are found to be undertaking any activity during sickness absence which we reasonably believe is inconsistent with being incapable of work at that time despite the presence of an illness, injury or medical condition.

### **Statutory Sick Pay**

Statutory Sick Pay (SSP) will be paid when you are absent from work due to sickness, provided that you have complied with the requirements and conditions attached to its payment.

### **When SSP is Payable**

SSP cannot be paid for the first 3 days of sickness. Therefore, payment usually starts on the 4th day of absence and continues for as long as you are absent, up to a maximum of 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, via the same method as normal earnings.

The qualifying days for Statutory Sick Pay purposes are your normal working days.

### **When SSP is not Payable**

SSP is not payable in certain circumstances, the principal ones being:

if your average weekly earnings are less than the figure set by the Government for the payment of National Insurance Contributions;

for absence of less than 4 days (unless a linked period);

if you have failed to follow the sickness notification procedure;

if your employment has terminated;

where Statutory Maternity, Adoption, Paternity or Shared Parental Pay is being paid to you;

for days on which you do not normally work, for example if you work Monday to Friday and not at weekends, SSP will normally apply to those 5 days only.

### **Return to Work Interviews**

Having regard to its duty of care to its employees, the Company will complete a return to work interview after any sickness absence. This will ensure that you are fit for work and will explore whether you anticipate any further absence relating to your illness. This will also give you an opportunity to discuss any concerns you may have regarding your illness with your Manager.

A return to work discussion gives the opportunity to:

Welcome the employee back from sickness absence;

Confirm the details of the absence and arranging for the Sickness Self Certificate to be completed;

Identify any support that is required to ensure the employee's successful return to work, including discussing any measures that may have been recommended in a fit note;

Update the employee on work progress and events that took place during the period of their absence;

Allow the employee to raise any concerns or questions and bring any relevant matters to the nursery's attention; and

Identify any underlying causes of the sickness absence.

During the return to work discussion, issues may be identified (such as those of a newly acquired disability, health condition or changed personal circumstances) that require action on the part of the Nursery and/or the employee.

If the frequency, pattern or level of sickness absence is of concern, a separate Absence Review Meeting should be scheduled.

### **Disabilities**

The Nursery acknowledges that sickness absence may result from a disability. Disability is defined under the Equality Act (2010) as a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on an individual's ability to do normal daily activities.

There is no automatic obligation for employees to disclose a disability or health condition to the Nursery, although employees should inform the manager if they consider their disability and/or health condition affects their ability to undertake their work and/or poses a health and safety risk. Where an employee chooses to disclose a disability, as defined under the Act, the manager should consider and discuss the necessary support, adaptations and reasonable adjustments to the workplace or role or other aspects of working arrangements that will provide support at work and/or assist a return to work.

### **Access to Medical Reports**

In certain circumstances it may be necessary for the Company to obtain a medical report from your Doctor, Specialist or Occupational Health Provider in order to establish:

the reason for and likely duration of absence;

when you will be able to return to work, and whether the problem will recur;

what, if any, treatment is being prescribed;

whether you can carry out all the duties of the job, and;

what, if any, reasonable adjustments are recommended.

This will enable the Company to plan workloads. It is in the interests of both yourself and the Company to establish, with the benefit of expert medical opinion, your ability to work. You have certain rights under the Access to Medical Reports Act 1988.

Your Doctor, Specialist or Occupational Health Provider cannot submit the report to the Company without your consent. You may withhold consent to the report being sought or can request to see the report prior to it being forwarded to the Company.

If you indicate that you wish to see the report in advance, the Company will inform you when the Doctor, Specialist or Occupational Health Provider has been written to, and the Doctor, Specialist or Occupational Health Provider will also be notified that you wish to see the report. You then have 21 days to contact the Doctor, Specialist or Occupational Health Provider regarding arrangements to see the report.

Should you indicate that you do not wish to see the report before the Company, you still have the right to write to the Doctor, Specialist or Occupational Health Provider if the report has not been provided to the Company, and you have 21 days to contact the Doctor, Specialist or Occupational Health Provider regarding arrangements to see the report. You have the right to ask the Doctor, Specialist or Occupational Health Provider for a copy of the report for up to 6 months after it has been supplied. There may be a charge for this.

You may ask the Doctor, Specialist or Occupational Health Provider to amend any part of the report which you consider to be incorrect or misleading. If the Doctor, Specialist or Occupational Health

Provider is not in agreement, you may attach a statement of your views with the report. If the Doctor, Specialist or Occupational Health Provider thinks that you or others would be harmed by the report, or any part of the report, it can be withheld from you.

No decision will be made that could affect your employment without careful consideration of all the circumstances.

Where the Company wishes to obtain a medical report, you will be asked for your written consent. Should you withhold such consent the Company will take a decision regarding your continuing employment without the benefit of medical opinion.

### **Employee Assistance Programme (EAP)**

The Company recognises that employees may face and need help with a variety of issues throughout their lives, and as part of the commitment to employee wellbeing the Company provides an Employee Assistance Programme (EAP).

Support is available on a range of issues including legal, financial, emotional, health issues and work related concerns.

Specific details of how to access the service will be provided separately.

**This policy will be reviewed by management annually, who are responsible for ensuring the dissemination of this policy to all staff, volunteers and parents.**