

This company is committed to promoting the health and well-being of all employees and providing appropriate support for their attendance at work. While the company recognizes that individuals have their own set of circumstances that may result in a sickness absence and absence due to other personal situations and commitments, it aims to promote fairness and consistency in absence management throughout the company.

This procedure is designed to provide a clear framework for effective absence management and clarify the responsibilities of all Employees, Managers, and Human Resources concerning absence.

Responsibilities

All Employees are responsible for making sure that:

- They familiarise themselves and comply with the company's absence policy and procedure.
- They report their absence as soon as reasonably possible and comply with the absence reporting requirements outlined in this procedure.
- They engage fully in all attempts to secure their return to work including attending any meetings and providing any supporting documentation.
- They cooperate with any specialist teams, if agreed, to ensure accurate and timely information is secure.
- They adhere to any medical or professional advice that may facilitate their return to work or minimize future absence.

Managers and Human Resources are responsible for making sure that:

- They are familiar with this procedure and comply with its requirements;
- All Employees are informed on the requirements of this procedure;
- A fair review of the attendance records is carried out monthly
- They keep in touch during periods of sickness absence and arrange any meetings that are required;
- They maintain confidentiality on all aspects of Employees' health conditions and ensure that the documentation is safely stored;
- Absence is managed, monitored and recorded as outlined in this procedure

Key Points

Notification of Absence

Employees that are unable to attend work for any reason must verbally notify their department manager as soon as practical after they know their department is open that day, and in a timely manner after an absence is first expected. It is expected that in all but exceptional cases, this would be before the employee's normal start time, and actioned by ringing the Main Office/ Orderboard office or the Farm's Office (depending on the area of work), stating the reason for the absence, the likely duration, reason for absence (or reason for not giving a reason if sensitive) and any outstanding work commitments which may have to be dealt with by others in their absence. If the department manager, or deputy/assistant, is not available when calling, then the employee should note the name of the person spoken to in order to validate later that they have called if asked. If no answer at all then an email to the employee's manager is acceptable, with a reference to the number called and time no answer, with a return telephone number if any queries.

If an employee falls ill whilst on annual leave, they should also report this to their manager as soon as possible, even if abroad. The usual requirements for self-certification and medical certificates in this policy will apply.

Text notifications or passing on messages via other Employees is not acceptable. If for any reason, the employee feels unable to personally notify or discuss their absence with their manager, they should contact HR (telephone main number of +44 1622 844286 to be transferred or email HR@winterwood.co.uk with a request for a call back. Please do not include any sensitive information in such emails).

Failure to Notify Absence – AWOL

Failure to comply with the absence notification procedure may lead to the absence being deemed unauthorized. If an employee fails to notify the company of their absence before the expected start time, and there are no exceptional reasons why, then this will be deemed as unauthorized and the company will commence the Absence Without Leave (AWOL) process which may lead to disciplinary action and, in some cases, could lead to dismissal.

If an employee does not arrive to work and does not notify their manager of their absence, the manager or HR will attempt to contact the employee either by telephone, email or letter to ensure their wellbeing.

Types of Absence

Absence at work can vary from sporadic and short, intermitted periods of ill-health to long, continuous periods of absence.

Short Time Absence – This can be defined as several short periods of absence of 1 – 5 days and up to 4 weeks.

Long-Term Absence – This can be defined as an absence that lasts for 4 consecutive weeks or more.

There is also authorized and unauthorized absence. An authorized absence refers to absences which have been informed to the company and authorized by the employee's manager. An unauthorized absence refers to an absence that failed to notify the company or is not agreed upon by the employee's manager. Although both types of absence are counted towards the company's set 'trigger point', unauthorized absence in most cases will be classed as a breach of contract i.e. a breach of the employees' general terms of employment that have been agreed with the company. This could lead to disciplinary actions and even termination of employment.

Sickness Absence

Absence due to ill health for up to 7 days requires employees to complete and provide the company with the Self-certification form.

Sickness absence over 7 calendar days requires a doctor's medical certificate – A 'Fit Note'. Employees are required to submit a medical certificate upon their return to work or throughout their absence, should this be for a prolonged period.

Medical certificates should run consecutively with no gaps in cover days unless an adequate reason can be given. Any uncovered days will be regarded as unauthorized absences. If a doctor provides an employee with a fit note, it will state one of the following:

1. 'Not fit for work' – Employee's doctor will choose this option when they believe that the employee's health condition will prevent the employee from working for a stated period.
2. 'May be fit for work' – Employee's doctor will choose this option when they believe that the employee may be able to return to work while they recover with either adjustment to their job role or a phased return.

The doctor may include some comments which will advise the company of the employee's current health status and any likely impact on the employee's ability to perform their role. The doctor may also suggest specific temporary adjustments which may support a return to work, these may include:

- Phased return to work – Employees may benefit from a gradual increase in work duties or working hours, for example, after an operation or after injury;
- Altered hours – taking into account job requirements;
- Amended duties – taking into account job requirements;
- Changes to the employee's workplace – take into account the condition, for example, allowing staff to work on the ground floor if there are problems using stairs.

If the doctor had indicated that the employee 'may be fit for work' the fit note will give the company the information needed to begin a discussion on returning to work. If it is possible to return to work the following will be discussed and agreed upon between the responsible manager and the employee:

- How this will happen;
- What support will be given;
- Periods;
- If there will be an impact on pay (temporary or permanent) if the employee returns to work on different hours or duties;

If an employee and their department manager do not agree on when and how to return to work can be achieved this should be discussed with HR and staff should receive a written response.

Sometimes there may be not possible to make the changes required to support a return to work. If this is the case, employees will not be able to return to work until the doctor signs them fully fit for work.

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

Time off Work for Appointments

The company will allow employees to take some unpaid time off for hospital, doctor, dentist or any other health-related appointments wherever it is possible. However, this should be discussed and agreed upon with the department manager in advance. The company may require an employee to provide proof of the appointment.

The company aims to support the employees to maintain a good level of attendance at work and therefore, if possible, will consider making reasonable temporary adjustments, such as moving or swapping the employee's days off in a way that suits the employee's commitments and the business needs. All requests for temporary adjustments of the working days and times must be discussed and agreed upon with the department manager.

Parental Leave

As per statutory rights, the company recognizes parental leave entitlement for working parents that have been in the company for more than a year and are named on the child's birth or adoption certificate or who have or expect to have parental responsibility. The company may ask for proof (like a birth certificate) of parental responsibility when considering the employee's requests for parental leave.

Parental leave entitlement may change due to legislation or guidance to the current legislation. For avoidance of doubt, Parental leave will be as per statutory rights at the time of such leave request, and the entitlements within this paragraph are the employers understanding of the employee rights as at the time of writing (Feb 2023) which is an entitlement to 18 weeks leave for each child and adopted child up to their 18th birthday. The limit on how much parental leave each parent can take in a year is 4 weeks for each child. The company allows parents to book parental leave as a block of 1 or 2 weeks and will require some reasonable notice before the intended start date. Employees must confirm the start and end days on their notice.

The company has a right to postpone or delay the requested leave, If there is a significant reason why the requested parental leave cannot be approved. Having regard to Manager's discretion the employer will decide on the individual parental leave notice and will notify the employee in writing within 7 days of the original request if the leave is postponed. The company will then propose different dates when parental leave could be taken instead.

Time off for Family and Dependants

The employees are allowed time off to deal with an emergency involving a dependant. A dependant could be a spouse, partner, child, parent, grandparent or someone who depends on the employee for care. The company will allow the employees to take a reasonable amount of time as it depends on the individual situation. The employees cannot take the time off if they knew about a situation beforehand. For example, the employee would not be covered if they wanted to take their child to the hospital for an appointment.

Disability-related absence

By law (Equality Act 2010), an employer must adjust to someone who is disabled if the adjustments are reasonable. Reasonable adjustments are specific to a person. The company understands that some adjustments might be around 'trigger points' for absence. The company will consider the following reasonable adjustments when reviewing the absence of employees that have sickness absence related to a disability:

- Not counting some or all sickness absences related to a disability towards the company's attendance trigger points
- Increasing the number of absences will trigger a review.

The company will consider each situation and decide if absence adjustments are reasonable or if additional factors should be considered. The company may consider getting medical advice, for example, an occupational health report, to help them to decide what adjustments to make.

Carers Leave

If an employee has a 'dependant', which can be anyone who relies on them for care (not necessarily a family member) then they are entitled to a week of unpaid leave per year to give or arrange care. The 'dependant' will have: a physical or mental illness or injury that means they're expected to need care for more than 3 months, a disability (as defined in the Equality Act 2010), or care needs due to their old age. A week is the length of time they usually work over 7 days.

This is a day one right, and though a request cannot be refused the employee can be asked to take it at a different time if the company cannot accommodate it. Another date must be agreed within one month from the original request, and the reason for delay and suggested date provided to the employee in writing within 7 days of the original request and before the start date of the leave. The employee should give 3 days' notice when requesting half a day or a day. If more than a day, then the notice period must be at least twice as long as the requested leave. It does not need to be requested in writing and employees do not need to give evidence of their dependant's care needs.

The total carers leave is limited to a week per 12 months, regardless of how many dependants with care needs an employee has.

Annual Leave / Paid Holiday

All employees are entitled to paid annual leave. The paid holiday entitlement will be clarified in each employee's work contract.

The company's holiday "year" is from 1st May to 30th April. The management will follow the current guidance in the Company WFA when managing holiday requests and considering employees' holiday approvals.

For information and convenience here, the entitlement at the time of writing (Feb 2023) is as below, but the WFA shall be the definitive entitlement if changed in the future;

- No more than 2 holiday days may be taken up to the end of May.
- No more than 5 holiday days may be taken between May 1st and the end of June.
- No more than 8 holiday days may be taken between May 1st and the end of July.
- No more than 11 holiday days may be taken between May 1st and the end of August.
- No more than 14 holiday days may be taken between May 1st and the end of September.
- No more than 17 holiday days may be taken between May 1st and the end of October.

Unpaid holidays

The company may allow the employees to take up to 2 weeks of unpaid holidays. However, any unpaid holiday requests will only be approved if:

- The employee has been in the company for more than a year.
- At least 50 per cent of holiday request will be covered by employee's paid annual leave (if they still have any).
- The employee has a good level of attendance and not in 'Amber' or 'Red' absence list (any exceptions will be at the sole discretion of the Company).
- The unpaid holiday is requested for the period that the business can accommodate and it will not affect the business' productivity.

Communication during absence

All employees should make regular contact with their department manager and remain contactable during all periods of absence. Staff should be available to attend absence review meetings during their period of absence. Virtual meetings or meetings off-site will be considered when employees are not able to attend the meeting at their place of work. Such meetings will be by prior agreement with the employee.

Where an employee is unable to attend a meeting, they should supply their department manager with a written reason for this. If the reason is satisfactory, the meeting will be rescheduled.

Where a rescheduled meeting has been convened and an employee fails to attend without a good reason or notice, the meeting may be held in their absence and decisions will be made based upon the facts and evidence available or be formally investigated via the company's disciplinary or 'fact-find' procedures.

Only in exceptional circumstances and where agreed, ongoing contact can include a communication from a partner, written correspondence or mail contact. However, this should always be followed up by the employee as soon as they are able.

Return To Work (RTW)

All employees have a RTW interview completed upon their return to work after the sickness or unauthorised absence. Staff should notify their manager of the day they can return to work to enable the manager to make appropriate arrangements to end temporary cover if it has been provided and plan an RTW interview. The objective of the RTW meeting is to:

- Ensure that the employee is fit and well enough to be back to working in their current role.
- Discuss any required amendments.
- Inform the employee of any changes that may have occurred since the employee's sickness absence commenced.
- Discuss the re-training needs if necessary.

- Find out the reasons for the absence.
- Communicate to the employee their level of absence score using the 'Bradford' method, which takes into account the days of absence as well as how many separate periods of absence in the past 12 months.

Managing TOIL ('Time off in Lieu') and extra time worked

There might be occasions that due to the needs of the business employees will be asked to work an extra day on their usual day off e.g., an employee usually works 5 days a week but is asked to attend work 6 days one week that cover is required. The company will follow a consistent approach to managing time off in lieu when employees working extra days. The additional working time is voluntary and the Company will abide by Working Time Regulations 1998 (WTR) in setting the employees' additional hours of work.

The employee will be paid a standard contracted hourly rate for the hours worked on an extra day. The Company will also allow the employees to have TOIL to 'replace' any additional time worked. The day off in lieu can be only taken as a single day and not in blocks. It can also be taken as a single day before or after the days off. The TOIL will have to be used up by 1st May when the holiday year restarts and all unused TOIL will be lost with no options to carry over or claim it in the future. Following its accrual, employees should expect to apply to their managers to take TOIL in the same way they would do to take any other leave that requires a manager's approval.

To avoid confusion no TOIL can be accrued by the people that usually work 6 days a week if it has been agreed to be their normal working pattern.

On the contrary, the company will allow the employees to take an additional day off if the employees request it and get approval from their manager and agrees that the additional day off will be made up. The employees are allowed a maximum of 3 days "to be made up" owed to the company which will have to be returned before any more additional days off can be requested.

Absence Review Process

The employees' attendance will be continuously monitored and all absence issues immediately actioned to reduce the disturbance to the business and a negative impact on the rest of the workforce.

The management will review employees' attendance monthly by sending out an attendance report for the rolling 12-month period that is generated based on data collected on the *Company's attendance* software. The Bradford Factor* score will be used to trigger any absence issues or concerns.

*The Bradford Factor is a simple formula that allows companies to apply relative weighting to employee absences (sickness, Doctors appointments, emergency childcare, etc). The Bradford Factor supports the principle that repeat absences have a greater operational impact than long-term sick. (A weighting is the impact that an event will have on the overall running of the normal business. If you give something a larger weighting score, it has a bigger impact). The Bradford factor is calculated using the Bradford Formula $S^2 \times D = B$ where S is the total number of separate absences by an individual; D is the total number of days of absence of that individual; B is the Bradford Factor score.

The company will apply the following Bradford Factor score threshold:

- 0-44 'Green' no attendance concern.
- 45-99 'Yellow' some attendance concerns that the employee will be informed about by their manager.
- 100-899 'Amber' attendance concern will require further investigation by the manager

- >900 'Red' serious attendance issue that will need to be investigated by HR and could lead to disciplinary if there are no reasonable explanations for the pattern of absences, and it does not improve by the next review date.

Attendance Review Meeting (ARM)

Once the monthly attendance report review has been completed the manager should establish if a trigger point has been met and an attendance review meeting needs to be arranged. The 'trigger point' is:

- a) The employee has a Bradford Factor score that places the employee's attendance in 'Amber' OR
- b) The employee has a Bradford Factor score that places the employee's attendance in 'Red' AND
- c) The employee has a previous record of poor attendance which has not improved since the previous attendance review.

The purpose of the ARM is to understand in greater detail the reasons relating to the employee's absence as detailed below:

- a) What were the reasons for the absence
- b) What support can be offered to help improve the employee's attendance
- c) What can the employee do to improve their attendance?

In all cases, the ARM intends to establish what support, if any can be offered by the company to support the employee to improve their absence. Where reasonable and measurable actions can be put in place to support the employee and where the employee understands that they must improve their absence, 'next steps' should be set. [5.5.63 Absence Review Form](#) will be used to document the meeting.

However, it may be appropriate following the ARM to refer the matter to a disciplinary meeting if the manager or HR feels that inadequate reasoning has been provided following the employee's absence or if previously set next steps have not enabled the employee to improve their absence.

If the manager or HR decides that inadequate justification has been provided following the employee's absence, during the ARM, then they will invite the employee to a Disciplinary meeting. This meeting could, in the absence of sufficient justification, result in disciplinary action against the employee, up to and including dismissal. Please also see the [Attendance and Absence Management Flowchart](#).

Following a Disciplinary meeting, an employee could be issued with a disciplinary sanction, to demonstrate to the employee that the company finds their current level of absence to be unacceptable. Throughout the process, the management aims to treat all employees fairly, consistently, and with dignity.

Stage one: 1st Written warning

Following the disciplinary meeting related to poor attendance, it might be decided to issue the employee with a 1st Written warning with action designed to support employees attendance improvements. The warning will normally remain active for 12 months.

If, however, the employee's attendance becomes unacceptable in the future, this warning may be used to form a fuller picture of the employee's absence trends and patterns. At this stage, the warning may contribute to an escalation in sanctions.

It is important to note that the next employee's attendance review will be done after a month unless it has been agreed upon differently.

Stage two: 2nd Written warning

If the following attendance review highlights that the employee's attendance has not improved, the management will organize a follow-up ARM or Disciplinary meeting.

Following the disciplinary meeting, it might be decided to issue the employee with a 2nd Written warning with activities designed to support the employee's attendance improvements.

Stage three: Final written warning

If the following attendance review after a month, unless agreed differently, shows no improvement in the employee's attendance, a Disciplinary meeting will be held. The manager may decide to issue the employee with a final written warning and set the action plan to support the employee's improvement which shall, include notice of the possibility of termination should the attendance not improve to within the agreed level within the stipulated time scale, as well as the date of the next review.

Stage four: Termination of employment on grounds of incapacity

If the above options have been exhausted and the medical report (where appropriate) indicates that the employee is permanently unfit or will remain unfit for the foreseeable future and is therefore unable to return to their current position, it may be necessary to consider termination of employment on the grounds of medical incapacity.

Termination on incapacity grounds, while being a dismissal, is not a dismissal made based on disciplinary misconduct. The manager should stress in most cases to the employee that, unfortunately, termination is inevitable due to the employee's medical incapacity or inability to attend work regularly. The notice of termination if applicable will be per the employee's right under the Employment Rights Act 1996 or their contractual rights whichever is greater.

Please refer to [4.1.2 Disciplinary and Dismissal](#) to find further details on how the company processes disciplinaries and the appeals procedure.

The company will periodically review this procedure to ensure that it reflects the legal obligations and business needs.

If at any point employees are unsure regarding their rights, they should speak to their manager or look for further guidance on the Government's website or ACAS.

Attendance and Absence Management Flowchart

