

Absence Policy

Starfish 9 Ltd. Absence Policy - 2023 - Issue 4

(Last Review 7th Jan 2023 - Next Planned Review 26th Jan 2024)

Absence Policy

What this policy covers

This policy applies to employees and workers. The purpose of this policy is to ensure that where you are genuinely unwell you are treated fairly and consistently, while minimising the impact of sickness absence on the Company.

The policy sets out procedures for reporting sickness absence and for the Company's management of short-term and long-term absence. Any absences that are disability-related will be managed in accordance with relevant legislation and related Codes of Practice. This policy also contains information on your entitlements in relation to paid and unpaid time off work for reasons other than sickness.

Your responsibilities

Breach of absence procedures

Breach of any of the absence reporting procedures detailed below, including those relating to the notification of absence or provision of a medical certificate, may result in disciplinary action. Any periods of absence that are unauthorised may be treated as gross misconduct and could lead to your dismissal without notice from the Company. Unauthorised absence will not be subject to pay.

Frequent short-term absence

Persistent absenteeism has a detrimental impact on your colleagues and on the Company as a whole. If it is considered that your absence level is a cause for concern, the Company may meet with you to investigate the situation fully. The Company may require you to undergo an Occupational Health assessment.

The Company cannot sustain frequent short-term absences, even if the reasons for the absences are genuine. Therefore, unacceptable levels of absence will be subject to disciplinary proceedings. The Company will take into account the reasons, frequency and pattern of your non-attendance in determining an appropriate course of action.

If you are issued with a formal disciplinary warning, you will be advised as to the level of attendance which the Company expects of you. If you fail to achieve this level of attendance further disciplinary action may be taken.

Medical report

It may be necessary for the Company to obtain a medical report during the course of your employment in order to gather further information about your medical condition, its probable effect on your future attendance at work, your ability to do your job and whether there are any reasonable adjustments to be made, if appropriate.

Although you have the statutory right to withhold your consent to the Company to approach your GP or consultant for a medical report, if you do choose to withhold your consent to our application, the Company may need to assess your state of health and its impact on your continued employment without the benefit of professional medical advice. You may also be required to undergo a medical examination by a doctor nominated by the Company. The Company will be entitled to receive any report produced in connection with any such examination, and the Company may discuss the contents of the report with the doctor in question.

If you refuse to undergo a medical examination without good reason, this may be viewed as a failure to follow a reasonable management instruction and could result in disciplinary action, up to and including dismissal without notice.

Medical suspension

If the Company becomes concerned about your health and safety at work, or that the health and safety of others is being affected by your physical and/or mental health, you may be suspended on medical grounds pending further investigation to establish that you are fit to work. You will receive full pay during the period of your suspension.

Your entitlements

Medical and dental appointments

Where possible, you are requested to arrange any medical or dental appointments outside working hours.

If this is not possible, you must obtain permission from management before taking any time off and appointments should be arranged at the beginning or end of your working day to minimise any disruption to the Company. Unless otherwise agreed, you will not be paid for any time off as a result of medical or dental appointments, with the exception of antenatal appointments.

Jury service

You are entitled to time off work for jury service. You should notify management immediately on receipt of the jury summons, giving full details. You will not normally be paid for this time off, and you are advised to claim the expenses to which you are entitled from the Court. These will typically include compensation for loss of earnings.

Time off for religious observance

You should make any requests for time off for religious observance to your manager as early as possible. Although you have no legal or contractual right to religious leave or time off to pray, the Company will consider all such requests.

Time off for religious observance must be taken from your rest periods or annual holiday entitlement. Alternatively, at the Company's discretion, you may work additional hours in lieu of the time taken off.

If you wish to take the time off as annual holiday, you should make the request in accordance with the Company's annual holiday procedures. For the avoidance of doubt, the Company's rules relating to annual holiday will apply.

Bereavement leave

The Company recognises that the loss of a loved one is very distressing and that "time off" work will be required. However, payment for bereavement leave is at the sole discretion of the Managing Director in liaison with your Line Manager. As such, you must in the first instance notify your Line Manager.

Adverse weather and other exceptional circumstances

If you are unable to attend work due to adverse weather conditions or other exceptional circumstances, you will not be paid for any periods of non-attendance. You may request to take paid holidays or work additional hours at an alternative time to make up for the time you have been absent. The Company reserves the right to refuse such requests depending on the needs of the business.

If the Company cannot operate due to these exceptional circumstances, it reserves the right to require you to take holidays during this time or impose a period of lay-off, when appropriate. The Company also reserves the right not to provide you with advance notice of this requirement.

Other types of leave

The Company will adhere to statutory requirements in providing time off when you have commitments relating to public office or role, trade union duties and activities and the Armed Forces Reserves. You should discuss such requests for time off with your manager at the earliest opportunity in order to work out the necessary arrangements, allow planning time and work with your manager to minimise any potential disruption to the Company.

Disabilities

If you have a disability that impacts on your attendance at work, the Company will give consideration to whether there are any reasonable adjustments that could be made to your job or other aspects of your working arrangements to minimise absenteeism or assist your return to work.

Absence-reporting procedures

Sickness absence reporting

You should notify your Line Manager as soon as possible and telephone Head Office at the earliest possible convenience to enable the Office Manager or Office Administrator to complete absence form F12:14 and forward to accounts department.

It is not acceptable for you to text, email, contact a colleague, leave a message or have a friend or relative call on your behalf. If your manager is unavailable you should contact someone in a position of authority in the Company.

You should provide the reason for your absence, an estimate of how long you expect to be off work, a telephone number by which you can be contacted and details of any outstanding or urgent work that requires attention.

Medical certification

If your absence lasts for seven calendar days or fewer, you must complete an absence form immediately upon your return to work.

However, if you are entitled to contractual sick pay (please see your contract of employment for details) you may also be required to provide the appropriate medical certification for absences of fewer than seven days.

If your absence lasts more than seven calendar days, you must forward a medical certificate, completed by a medical practitioner, to management in order to cover the absence. The medical certificate must be submitted as soon as possible. If you unreasonably delay in providing a medical certificate, your absence will be classed as unauthorised. If, on a medical certificate, your doctor recommends any adjustments to your duties, hours or working conditions, the Company will discuss these with you and implement the recommendations, if these are reasonably practicable.

Failure to comply with the arrangements to assist your return to work without good reason may be treated as misconduct and may result in disciplinary action.

It is essential that you keep the Company updated on the reasons for your continued absence and its estimated duration. You should contact the Company daily during periods of absence unless you are instructed otherwise by your manager. You should also contact the Company before the expiry of your medical certificate if you continue to be unwell. In addition, a further medical certificate should be submitted immediately on expiry of the previous certificate. Failure to contact the Company or submit a medical certificate at this time may result in the interim absence being classed as unauthorised.

Procedure for return to work

You should contact your manager as soon as you become aware of your intended return date. If this date changes, you should update the Company immediately.

Return to work meeting

Your manager will interview you on your return to work following a period of absence. The reasons for your absence will be discussed and your manager will decide whether the absence should be authorised. The onus is on you to satisfy management that there was a genuine medical reason for the absence.

Long-term absence

Welfare meetings

During a period of long-term absence, you are required to attend any scheduled welfare meetings with the Company. The purpose of these meetings is to discuss your current state of health, how long you expect to be absent from work and what steps, if any, the Company can take to facilitate your return to work.

If you are medically incapable of attending your place of work, a representative of the Company will come out to visit you. If the time scheduled for the meeting is not suitable, you should contact the Company immediately so that an alternative time can be agreed. You are also required to respond to any correspondence from the Company and any requests for information about your health.

Medical certification

You should continue to provide medical certificates, completed by your medical practitioner, even if you have exhausted your entitlement to sick pay.

Failure to co-operate

The Company will always be sensitive to your physical and mental wellbeing during periods of long-term absence. However, where there is a failure, without good reason, to co-operate with the Company in relation to attending meetings, communicating effectively, attending occupational-health assessments and providing necessary information, this may be treated as misconduct and the Company may take disciplinary action.

Termination of employment

The Company is committed to supporting you during your absence and assisting your return to work. However, a prolonged period of absence cannot be sustained indefinitely, and the Company may need to review your continued employment periodically. Before any decision is made in relation to termination of your employment on the grounds of capability, the Company will consult fully with you and may obtain up-to-date medical advice.

Name: John Jessimer

Signed: 

Position: Managing Director

Date: 7 January 2023

