

Landward Research

SICKNESS ABSENCE MANAGMENT PROCEDURE

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LANDWARD
RESEARCH

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1 Introduction

Landward Research is committed to supporting staff in achieving good attendance levels at work. We recognise that a staff member experiencing ill-health may require periods of sickness absence from time to time

We are committed to maintaining and promoting the health and wellbeing of all our staff. Staff members should never feel pressured to return to work before they feel fit enough or before their GP considers them fit for work.

Our approach to managing absence is supportive, within this, we recognise that we have to achieve a balance between the needs of the individual and the needs of Landward Research.

This procedure provides a fair and consistent framework in which managers can appropriately address attendance concerns and support employees through periods of ill health.

Sickness in employment is defined as personal illness or injury which prevents a staff member from pursuing normal working activities or attendance. Absences can be long term due to ill health or intermittent short term potentially as a result of an underlying condition or other factors e.g. infection etc.

Sickness absence or ill health related to work, for example as a result of an injury/accident, should be managed in line with this procedure. Where appropriate a risk assessment may be undertaken as part of the activity to prevent any continuing risk to Landward Research's staff, partners and customers.

Disability related sickness is a form of sickness absence which is directly or indirectly attributed to a person's disability. When notifying their line manager of the period of sickness absence such absences should be flagged by the staff member as being related to their disability. Where their absence level then triggers an absence management alert, the line manager should review the sickness records and, in liaison with Human Resources, determine next steps to best support the individual, taking account of the need to balance each individual's circumstances with the needs of Landward Research.

Disability Leave is a form of reasonable adjustment to enable staff with a disability to be absent from work without detriment in certain circumstances, for example to undergo treatment, assessment or rehabilitation related to the disability. Further information is available in the [Disability Leave section](#).

If personal or domestic problems are revealed or thought to be a contributory factor in attendance issues, then consideration may be given to changing working arrangements on a temporary or permanent basis to support the individual in raising attendance to an acceptable level.

The procedure also deals with other potential causes of absences, such as major adverse events, the need to care for a dependant, or bereavement.

During the process, it may become apparent that it would be more appropriate to deal with the issue under a more relevant procedure. Matters relating to: unauthorised absences, where there is no identified medical underlying cause or there is reasonable belief that the absence is not genuinely due to ill health, shall be investigated, including a referral to Occupational Health where appropriate, and dealt with under the relevant Disciplinary Procedure. Matters relating to work performance shall be dealt with via the Capability Procedure, and in the case of interpersonal relationship issues at work, mediation may be appropriate. Human Resources may need to determine the most appropriate procedure.

All staff have a duty to report periods of sickness absence and all managers have a duty to record periods of sickness absence. Failure to do so may result in action being taken under a relevant alternative procedure.

This policy applies equally and fully to all employees of the Landward Research; to Landward Research Ltd and to employees of all subsidiary companies of Landward Research Ltd (on 6th January 2022: Landward Research Teoranta, Landward Limited Liability Company and Landward Limited).

2 Purpose Of The Procedure

The Attendance Management Procedure provides a framework for managers to proactively manage staff absence – both short and long term – and to support staff members at times of ill-health. The procedure ensures that individuals are aware of what is expected of them if they are unable to attend work.

The aim of the procedure is to encourage improvement, support staff members to improve their health and wellbeing and facilitate the employee's return to work, and to provide a fair and consistent approach to managing absence.

There is an informal stage to the procedure which allows concerns about attendance to be raised and provides staff members with the opportunity to improve.

It also sets out the formal steps that should be taken if a staff member's level of attendance continues to fall below the standard expected of Landward Research.

The procedure provides a framework that enables managers to ensure adequate support is provided on return to work

3 Key Principles In Managing Sickness Absence

The key principles associated with this procedure are that:

- Accurate records of all absences and actions taken must be kept, and monitored on a regular basis.
- Line Managers must carry out a return to work interview following each episode of absence so that support and advice can be given at an early stage.
- Line Managers should explore the reason(s) for an individual's sickness absence at the earliest opportunity and follow the appropriate procedure(s) as set out in this document.
- Where work may be impacting on an individual's health, or where health problems may be affecting an individual's attendance, managers should obtain medical advice, in consultation with HR.

4 Entitlement To Company Sick Pay

If a staff member is absent through sickness or incapacity, and they have complied with the requirements of this procedure, then they will be paid company sick pay for up to a maximum of 20 days in any financial year. Company sick pay is equal to normal basic salary. Thereafter they will receive half of their normal basic salary for up to 10 days in any financial year. Thereafter they will receive Statutory Sick Pay (SSP) in accordance with the law.

If the sickness absence is the fault of a third party and the staff member can recover damages from that party they should notify their line manager and HR. If there are any claims or settlements the staff member should keep Landward Research informed and pay back any sum recovered from the third party to compensate them for lost earnings, which you have been paid for by Landward Research.

5 Reporting Absences

If a member of staff is unable to attend work due to sickness, they must inform their line manager (or other nominated person) no later than 30 minutes before their usual start time or as soon as reasonably practicable, unless an extreme emergency does not allow for this. The staff member should report their absence personally, unless they are unable to do so, and should state the reason and the estimated period of absence.

The line manager should record the time and date of call and reason for absence. The line manager should also check on any work which may need to be covered.

If the notification is by text or email, then the line manager should reply to confirm they have received the message and clarify any of the above information as necessary. If this confirmation is not received within one hour, then the staff member should contact their line manager by telephone call.

If the line manager is not available, a message must be left, with a contact number so that the line manager can make contact if this is required.

Where absence continues beyond the period initially estimated, the staff member should report their continuing absence as above until such time that they must provide a Statement of Fitness for Work certificate (fit note).

5.1 Failure to Notify an Absence

Should a staff member fail to notify their line manager of their absence or if a staff member does not arrive in the workplace within a reasonable time, the line manager will make contact with them to establish if they are safe and well and to determine the background of the failure to report their non-attendance at work.

Failure to report an absence may impact on the individual's entitlement to sick pay and could lead to disciplinary action.

6 Absence Certification

For absences of seven calendar days or less in a row, staff members must complete a Self-Certificate on their return to work.

For absences lasting more than seven calendar days, staff members must provide a 'Statement of Fitness for Work' from their GP to their line manager as soon as possible. This will allow Landward Research to take full consideration of advice provided by the GP. The line manager will forward the Statement of Fitness for Work to the HR who will use it to certify statutory and occupational sick pay arrangements.

Landward Research reserves the right to require staff members to attend a medical examination with our nominated doctor or occupational health professional. We can see any report they write and discuss the contents with them. We can postpone your return to work following sickness absence until a doctor confirms that you are fit to work.

7 Keeping In Touch During Absence

It's important that the line manager and staff member stay in regular contact during absence, especially if it's long term.

They should agree:

- How often the contact should be
- If the contact is to be by email, phone or face-to-face meetings (in-person or online)
- Who the employee is to be in contact with – this might be their line manager, another manager or HR.

Keeping in contact is a good chance to check on the wellbeing of the staff member, to see if they need any support, and to talk about any relevant updates or changes happening at work.

Line managers should ensure that any in-house news information, employee newsletters etc are sent to the staff member as part of this contact. However, it is acknowledged that this may not be appropriate in some circumstances.

During the first seven days of the sickness absence the staff member should contact their line manager regularly (ideally, once a day).

In cases of long term absence it is particularly important that regular contact is maintained between the line manager and staff member through welfare visits/video calls (if possible) and telephone contact. Employees may become isolated from the workplace unless there is regular contact and support. The level of contact should be appropriate to the circumstances and not intrusive but it is expected that, as a minimum, contact should be fortnightly, unless alternative arrangements are agreed between the line manager and the staff member.

Where an employee's absence is due to a mental health condition, it's particularly important to consider whether less or more frequent contact is most appropriate.

A record should be kept of all contact with the staff member.

8 Return to Work Meeting

Staff members should make contact with their line manager immediately (or as soon as reasonably possible) on returning to work. Line managers should hold a return to work discussion with the staff member after any period of absence. The line manager will welcome back the staff member and enquire about their health, offer help and support, and update them on any developments at work during their absence. Any recommendations for returning to work made in the employee's fit note or occupational health report should be discussed.

Where an employee feels uncomfortable discussing the nature of their absence with their line manager, they may ask to discuss the matter with HR or another manager instead. Any such request will not be unreasonably refused.

After the Return to Work meeting, the line manager and employee should ensure that all support and/or agreed actions are implemented. They can seek advice and support from HR if appropriate.

9 Reasonable Adjustments, Phased Return To Work, And Disability Leave

9.1 Reasonable Adjustments

When Landward Research becomes aware that the employee has a disability, we will exercise our duty of care under the Equality Act 2010 and investigate what 'reasonable adjustments' can be made. Please refer to the Landward Research Reasonable Adjustment Policy for more details.

Reasonable adjustments could include making changes to the staff member's workstation or working equipment, working hours, and/or duties or tasks. This can help get people back to work quicker and prevent any further problems.

For the best course of action, the line manager and HR should take advice from, the staff member themselves, the staff member's doctor, and/or their occupational health adviser.

9.2 Phased Return To Work

Where appropriate, a phased return may be agreed to provide a supported transition and re-integration back into the work place after an extended period of sickness absence. A 'phased return to work' is when someone who's been absent might need to come back to work on reduced hours, lighter duties, or different duties. For example after a long-term illness, serious injury, or bereavement.

Working with HR, the line manager and the staff member should agree on a plan for how long this will be for.

For example, they could agree to review how things are going after a month and then decide to increase the working hours or duties, or they might decide they need to stay reduced for longer.

The line manager should continue to regularly review the employee's health and wellbeing in the workplace and make new adjustments if necessary.

9.2.1 Pay During A Phased Return To Work

If the staff member returns to their normal duties but on reduced hours for a specified period, they be paid their normal rate of pay for the hours that they work and receive the equivalent of the SSP rate for the balance of their contracted hours.

9.3 Disability Leave

Disability Leave is a form of reasonable adjustment to enable disabled staff, who are present within the workplace, to be absent from work in certain circumstances: for example to undergo treatment, assessment or rehabilitation as part of managing their disability and maintaining their fitness/health and wellbeing for work.

Disability Leave is reasonable time off, for a fixed period, agreed between the staff member and their line manager to be utilised when the member of staff is taking professionally advised, generally pre-planned leave (flexibility will be applied to cover sudden, unforeseen or clearly appropriate circumstances), related to their disability. This leave will be recorded separately to disability related sickness.

To receive disability leave, staff must disclose their disability. Individuals should approach their line manager to discuss the nature of their disability and what support is needed. If appropriate, a referral to our nominated doctor or occupational health professional may be made by the line manager to seek medical advice.

Staff members should, where reasonably practicable, seek to arrange appointments outside of work time, using flexible working arrangements where appropriate. Where this is not possible the individual should seek to arrange such appointments at times which are least disruptive to their work obligations.

Line managers should make and retain notes of any discussions in relation to Disability Leave securely and confidentially in accordance with Data protection principles, including any agreed outcomes and support. The staff member and their line manager should make suitable arrangements in relation to the individual's work commitments and how contact is maintained during the period of Disability Leave, where appropriate.

10 Absence During Major Adverse Events or To Help A Dependant

10.1 Absence Due To Major Adverse Events

If a staff member is unable to work due to a major adverse event, such as a power cut or flood, they should inform their line manager as soon as is reasonably possible, letting them know how long they expect to be unable to work for. The staff member will have the option of taking unpaid leave, using annual leave, or making up the time at a later date. The staff member and line manager should agree a course of action, and this should be recorded.

10.2 Time Off To Help Someone Else

If a staff member needs to take time off to help someone who depends on them (a 'dependant') in an unexpected event, Landward Research will allow for a 'reasonable' amount of authorised paid leave to be taken. What amounts to 'reasonable time off' will depend on each individual staff member's particular circumstances and will be agreed on a case by case basis.

Staff member's dependents can include:

- Their spouse, partner or civil partner
- Their child
- Their parent
- A person who lives in their household (not tenants, lodgers or employees)
- A person who would rely on them for help in the event of an accident, illness or injury, such as an elderly neighbour
- A person who relies on them to make care arrangements

The staff member can take time off if they need to:

- Help a dependant who is ill, injured or assaulted, or gives birth
- Arrange care for a dependant who is ill or injured
- Deal with the death of a dependant
- Deal with an incident involving their child during school hours

11 Procedure For Informal and Formal Absence Reviews

The procedure for absence monitoring for short-term or persistent absence will be initiated when:

- A staff member has had four occurrences of absence within a rolling 30 day period;

Or

- A staff member has had eight occurrences of absence within a rolling 52 week period;

Or

- When an absence is or is likely to last over 4 weeks.

The procedure is not intended as a punitive measure, but rather an opportunity to discuss the level of attendance and for the line manager to outline their concerns, with a view to finding a solution.

Trigger points may be adapted if agreed by the staff member, the line manager, and HR, for example as a reasonable adjustment.

11.1 Notification Of Absence Review Meetings

Ahead of any absence review meeting, (informal, formal, or final) the staff member will be provided with at least five working days' notice of the meeting and will be notified in writing of:

- the date, time and location of the meeting along with the cause for concern
- Landward Research's Absence Management Procedure
- Who will be attending the meeting
- Their right to be accompanied by a trade union representative or work colleague
- When appropriate, the possible outcome

11.2 Stage 1 – Informal Absence Review Meeting

Where the staff member has had at least four occurrences of absence within a rolling one month period, at least eight occurrences of absence within a rolling one 52 week period, or if the absence is likely to last more than four weeks, they will be invited to attend an Informal Absence Review Meeting with their line manager.

The review meeting represents the informal stage of the procedure. The primary purpose of the meeting is to support the staff member to remain at work and to identify if there are any underlying medical conditions, without the need for formal action. The line manager will be sympathetic and non-judgemental.

The line manager will discuss and explore the background surrounding the absences, highlight areas of concern, offer tailored support and put in place any agreed actions or reasonable adjustments, if appropriate.

At the conclusion of the meeting, the line manager will summarise what has been discussed and agreed, and send a summary to the staff member following the meeting. Where appropriate, the line manager will advise the staff member that the formal stages of the procedure will commence, or may commence, if further short-term or intermittent absence occurs.

11.3 Stage 2 – Formal Absence Review Meeting

Where the staff member's attendance does not improve **and** the pattern of absence continues to cause concern, or after three months of long term absence, Stage 2 of the procedure will be initiated, they will be invited to attend a Formal Absence Review Meeting with their line manager and HR.

The line manager should discuss and explore the background surrounding the absences, highlight areas of concern, offer tailored support and put in place any agreed actions or reasonable adjustments, if appropriate.

The line manager will advise the individual that if satisfactory improvement does not occur, Stage 3 of the procedure will be initiated.

At the conclusion of the meeting, the line manager will summarise what has been discussed and agreed. Following the meeting, the line manager will confirm in writing a summary of the discussions and agreed actions to the staff member and a six month review period will be formally recorded on the employee's personal file.

11.4 Stage 3 – Final Absence Review Meeting

Where the staff member's attendance does not improve **and** the pattern of absence continues to cause concern within the six month review period, or after six

months of long term absence, Stage 3 of the procedure will be initiated, they will be invited to attend a Final Absence Review Meeting with their line manager and HR.

The line manager will highlight areas of concern, discuss and explore the reason behind any further absences, offer tailored support and put in place any agreed actions or reasonable adjustments, if appropriate.

The line manager will advise the staff member that if satisfactory improvement does not occur further action under the procedure may lead to dismissal.

At the conclusion of the meeting, the line manager will summarise what has been discussed and agreed. Following the meeting, the line manager will confirm in writing a summary of the discussions and agreed actions to the staff member and a 12 month review period will be formally recorded on the individual's personal file.

11.5 Stage 4 – Capability Hearing

Where the staff member's attendance does not improve **and** the pattern of absence continues to cause concern within the 12 month review period, or where it has been identified that the staff member is unlikely to be able to return to work within a reasonable timescale, Stage 4 of the procedure will be initiated, they will be invited to attend a Capability Hearing with a panel including their line manager, HR and another Landward Research staff member or member of the Landward Research Board of Directors.

Prior to the hearing being arranged, the line manager must ensure that:

- The staff member has been made aware of the need to improve absence levels in an agreed monitoring period.
- Full consideration has been given to up-to-date medical information.
- Landward Research has taken all appropriate action to support the staff member in improving attendance or to achieve a return to work.
- Full consideration has been given to the staff member's illness and that all agreed reasonable adjustments have been explored and, if appropriate, implemented in accordance with Equality Act.
- The individual has been made aware that failure to improve attendance may result in dismissal.
- Full consultation with HR has taken place.

11.5.1 Notification Of Capability Hearing

The staff member will be provided with at least five working days' notice of the Hearing and will be notified in writing of:

- Who the chair of Hearing will be and any other representative who will be in attendance
- The date, time and location of the meeting along with the cause for concern
- Landward Research's Absence Management Procedure
- Any applicable documents that will be referred to during the hearing (i.e. Occupational Health, GP reports etc.)
- Their right to be accompanied by a trade union representative or work colleague
- The possible outcomes

11.5.2 Capability Hearing

During the hearing the chair of the Hearing (usually the line manager) will discuss with the staff member the outcome and opinions of all the medical information and reports received. If the absences cannot continue to be accommodated, the line manager will outline this along with the reasons why.

The staff member and their representative will have the opportunity to raise any issues and/or concerns, which will be fully considered by the line manager. Normally, the line manager will adjourn the hearing to fully consider all relevant information prior to a decision being made.

Having taken all the information into account, the line manager will advise the staff member of the outcome of the hearing. Potential outcomes may be:

- No further action
- Extension to absence review period.
- Dismissal; or an alternative to dismissal (redeployment or change to working pattern)

The line manager will confirm in writing the outcome of the Hearing within seven days, which will include the staff member's right to appeal.

11.6 Appeals

Staff members may appeal against any decision taken within this procedure and against a dismissal decision taken as part of the absence management procedure. They should set out their appeal in writing, stating the full grounds of appeal. This should be sent to their line manager or HR within ten working days from receipt of the decision.

The appeal hearing will be conducted by a panel of Landward Research staff members and board members who were not previously involved in the case. The appeal will be dealt with impartially.

The appeal panel may uphold the original decision to dismiss, or they may revoke or replace it with a different decision. The decision of the appeal hearing will be communicated to the staff member in writing within seven working days of the hearing. The decision of the panel will be final and represents the end of the internal process.

12 Other Related Documentation

Where necessary, this policy should be read in conjunction with other Landward Research Policies, such as:

- Reasonable Adjustment Policy
- Equality, Diversity, and Inclusion Policy
- Employee Wellbeing Policy
- Grievance Policy
- Disciplinary Policy
- Conduct Code

13 Review

Landward Research will review this policy on an ongoing basis and carry out a formal review not less than every 3 years. Such review shall take into account the operation of the Policy since the last formal review, any legal or regulatory developments, an assessment of current best practice and any other relevant information.