

# Attendance Policy

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Hydrotech Water Services

Owner: HR



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# Attendance Policy

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## **Summary**

Attendance and performance are key areas to ensure the businesses success. The Company's aim is to maintain and enhance the efficiency and financial sustainability of the organisation which will, as far as possible, safeguard the current and future employment of employees.

Taking time off affects your team, the business and you. Absenteeism can impact on productivity; customer service; and costs. We can all contribute by not taking unjustified and unauthorised time off. However, it is also of no benefit to anyone to have genuinely sick employees struggling into work, as this could adversely affect the health and safety of others and yourself.

If you do have a problem, whether at work or at home, staying away from work may not be the answer. A discussion with your manager may help you, or if you do not feel able to do so, Human Resources may be able to help.

## **Scope, Review and Responsibility**

This policy applies to all employees of Hydrotech Water Services. Should there be any doubts in respect of this policy or its application, please refer to HR.

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## Objectives

There are five central features to this policy:

1. Absence reporting procedure
2. Return to work interview
3. Company support and actions to help improve levels and patterns of absence (short term and long term absences)
4. Company support and actions to help facilitate a return to work (when on long term sickness) or a return to your contracted role (when in work but unable to perform your contracted role due to a health condition(s))
5. Absence pay (both statutory payments and discretionary payments)

This policy covers all unplanned absences, including self and medically certified absences. This policy is also to be used if you are in work but have a medical condition that is preventing you from performing your contractual duties.

## Absence Reporting Procedure

The Company requires you to notify us of any absence so that we can make any necessary arrangements for cover and to ensure payment of statutory sickness pay. If you have any unplanned absence from work, including sickness absence, it is your responsibility to ensure the following:

- You must make contact as soon as you are aware that you're not going to be at work at your normal start time. Contact must be made by phone call. If you are unable to call for any reason, you must send a text to your manager detailing your absence and reason for not making a phone call, alternatively please get in touch with HR via email
- You must contact your line manager:
  - On the first day of your absence and every day of your absence where you can self-certify (see below), up to seven calendar days.
  - If you have been signed off by a medical professional. You must make contact to confirm how long you have been signed off for. You do not then need to make

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contact until such a time as you receive an extended sick note or when you return to work

- If details of your sickness change
- In cases of lateness, you should also phone your manager, or HR. This should be as soon as you become aware that you will be late. If driving, you should ensure you find a safe and legal place to stop, with the engine turned off, prior to making the call. Your line manager will inform HR as appropriate.

Unless it is not practical to do so, you must personally notify your absence as described above. You *may* be required to provide supporting evidence of why it was not possible for you to make personal contact (e.g. doctor's supporting statement). Otherwise, it *may* be assumed that you were in fact able to do so. Failure to make contact when it was practical for you to do so may lead to disciplinary action and/or non-payment of benefits.

You may still be contacted by your line manager during your absence, who will enquire about your health and progress along with looking to see what support the business may be able to offer to facilitate a return.

If these absence reporting requirements change in the future, HR will notify you.

## **Certification of Illness – Self Certification**

The first seven days of any sickness absence are self-certified. On your first day back to work, you must complete a statement of fitness form in respect of the first seven days (including weekends) of illness. Generally, at your return-to-work interview, your manager will give you a statement of fitness form. You should complete it at the interview. Your manager will sign the self-certification form after having discussed the absence with you. HR may also attend your return to work interview.

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## **Medical Certificate**

For period of illness longer than seven calendar days, you must also provide a fit note; to cover the absence until you return to work. This certificate supports SSP payment and any employer benefit that may be paid. This certificate should be sent in or delivered to HR immediately. You may be required, whether on or before your return to work to attend a medical examination by a doctor or occupational health nurse, nominated by the Company. The Company reserves the right to reply upon its medical evidence in order to determine whether the absence form or return to work is justified.

## **Conduct during Sickness Absence**

Should you be absent from work, it is expected that you will do your utmost to facilitate a speedy return to fitness, and to work.

The Company would not expect any colleague who is absent from work because of sickness or injury to:

- Participate in any sport, hobbies, social activities or meetings, which are in any way inconsistent with their illness or injuries, or which could aggravate the illness/injury or delay recovery
- Undertake any other employment (paid or unpaid) which is in any way inconsistent with their illness or injuries, or which could aggravate the illness/injury or delay recovery

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- Engage in any physical work around the home, e.g., home improvements which could aggravate the illness/injury or delay recovery.
  - Engage in any activity which is inconsistent with the nature of the alleged illness/injury e.g. carry bags of shopping, with an alleged back injury

Should it come to the Company's attention that colleagues' activities during a period of absence are not consistent with the stated reason for absence, an investigation and disciplinary action may follow.

Social media activity may be received as part of any investigation.

## **Required Standards of Attendance**

HR will regularly review your attendance record and you may be questioned to account for any level or pattern of absence that causes concern.

### **Trigger Levels**

"Trigger Levels" will identify those employees with attendance records which give cause for concern. The trigger levels that apply are as follows:

- Two (or more) occasions of absence in a rolling three-month period
- Three occasions in a rolling 12-month period
- A personal sickness absence rate of more than 4% of total available days or 9 days in any rolling 12-month period

## **Absence Patterns**

The following list provides examples of absence that you may be asked to explain. This list is not exhaustive:

- Before or after holidays (including bank holidays)
- A certain day off sick each week/month

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- Sickness at a particular time of year
  - Sickness related to a sporting event
  - Repeated sickness following recovery of a clean record
  - Before or after the weekend
  - One/two long duration of sickness each year
  - Sickness related to transport issues (e.g. lift share employee on holiday, so employee takes time off sick)

These trigger levels outlined above apply to all cases of unplanned absence. All absence will still be reviewed in an absence review meeting; however, absence related to pregnancy or dependency leave, as defined under the appropriate regulations will not be considered at any subsequent caution meeting.

## **Return to Work**

The first stage of the return-to-work process is for your line manager to complete a return-to-work interview with you, which HR may also attend. A return-to-work meeting must take place after every absence regardless of the length of the unplanned absence.

## **Absence Review Meetings**

Each time your pattern of absence causes concerns, or a trigger as identified above, an absence review meeting will be generated under this policy. The aim being to consider your absence record and the following factors may be taken into consideration:

- Past sickness record
- Nature and reason for the absence
- Impact on the department operation including customer service, internal and external



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The meeting may be included in the appropriate return to work interview otherwise it will normally be held within five working days of your return.

If your absence is longer-term, then the review meeting may happen while you are absent from your work duties.

Trigger levels are not to be regarded as an entitlement.

If necessary, there are 4 steps and 4 formal stages of caution under this policy if absence levels continue to cause concern. Cautions will also be considered for employees returning from longer spells of absence. These are detailed below. As with disciplinary warnings, these will remain 'live' on your file and may be considered for 12 months following the date of warning.

## **Stage 1 – Absence Action Plan**

Where no previous discussion has taken place in respect of unacceptable attendance consideration should be given to the following procedure being followed once the first trigger has been tripped:

- You may be asked to discuss your level and pattern of attendance in an absence review meeting. This is not a formal meeting
- At the meeting HR will review your level and pattern of attendance and invite you to explain the reasons for it
- A discussion will then take place to establish what steps may reasonably be taken to help you improve your level and pattern of attendance

The potential outcome of this meeting may be that you are set an action plan to improve your patterns of absence. Typically, as an example, this may be that you should have no further periods of unplanned absence over the following 3 months. This will be dependent

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on the specific details of the case and can be extended by managers' discretion. Whilst consideration should be given to setting an action plan, there will not be a need to continue to set action plans for future triggers if one has already been set, regardless of whether that action plan was met or not.

## **Stage 2 – First Caution**

Following the setting of an action plan, should you a) not achieve the required level and pattern of attendance specified within the review period, or b) if following a further absence review (normally because a further trigger has been tripped and without the need for a further action plan) your manager deems it appropriate to discuss your record in a formal meeting, then the following procedure may be followed:

- You may be invited in writing to a meeting to discuss your level and pattern of attendance during the recent period. A minimum of 48 hours' notice will be given from receipt of the letter. The letter inviting you to the meeting shall set out the absences that give cause for concern.
- As this is a formal meeting you may be accompanied by an employee. HR may also be in attendance.

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- You may be cautioned as to what improvement is required of you and over what period. You may be warned that failure to improve may lead to the next stage of the procedure being commenced if there is no improvement to the required standard within the review period.
  - This decision will be confirmed in writing within 5 days or as soon as reasonably practical.

### **Stage 3 – Recorded Second Caution**

Following a first caution, should you a) not achieve the required level and pattern of attendance specified within the review period, or b) if following a further absence review (normally because a further trigger has been tripped) your manager deems it appropriate to discuss your record in a formal meeting, then the following procedure may be followed:

- You may be invited in writing to a meeting to discuss your level and pattern of attendance during the recent period. A minimum of 48 hours' notice will be given from receipt of the letter. The letter inviting you to the meeting shall set out the absences during this period (and overall) that give cause for concern.
- As this is a formal meeting you may be accompanied by an employee. HR may also be in attendance.

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- You may be cautioned as to what improvement is required of you and over what period. You may be warned that failure to improve may lead to the next stage of the procedure being commenced if there is no improvement to the required standard within the review period.
  - This decision will be confirmed in writing within 5 days or as soon as reasonably practical.

## **Stage 4 – Potential Dismissal**

Following a recorded second caution, if the required improvement does not materialise or is not achieved as required, or following a further absence review, (normally where a further trigger has been tripped); you may be invited to a further meeting. The procedure will be as follows:

- You will be invited in writing to discuss your level and pattern of attendance during the recent period. A minimum of 48 hours' notice will be given from receipt of the letter. The letter inviting you to the meeting shall set out the absences during this period (and overall) that give cause for concern. One of the potential outcomes of this meeting may be dismissal from employment.

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- As this is a formal meeting you may be accompanied by an employee. HR may also be in attendance.
  - If it is decided that your level and pattern of absence is not sufficiently satisfactory for your employment to continue, then you may be dismissed with notice. The decision will then be confirmed in writing.

Throughout any stage of this process if it appears that there is an underlying medical cause of your absences, we may seek a medical report from a doctor of the Company's choosing, so that an opinion may be obtained as to the likelihood of an improvement in your level and pattern of absence and whether any reasonable steps can be taken to help such improvement. If a report is sought, any interview or formal meeting will be postponed until receipt of the report when HR will discuss its contents and its implications with you. When the report is available the meeting will be reconvened. If applicable, you will be consulted as to whether any reasonable adjustments can be made to company premises or your working arrangements to help reduce your level and pattern of absence.

## **Appeal**

For any level of caution, upon receiving written notification of any decision under this procedure, you may appeal by writing to the manager who made the decision, stating your reasons. The procedure will be as follows:

- You must request an appeal in writing within 5 days of receipt of the letter stating the reasons for appeal
- You will then be invited to a hearing before a different manager than the one making the decision appealed against.



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The Appeal Officers' role is to determine

- Whether or not the managers' decision, given the evidence available when that decision was made
- Is there any new evidence available that may materially alter the decision? If such evidence appears to be available, then the matter may be referred to the manager who originally heard the case for them to decide whether the new evidence does alter the decision; or the appeal office may decide based upon the new evidence.
- Whether or not this procedure has been fairly followed and if not, whether any such failure materially affects the decision
- The Appeal Officers' decision on the appeal will be communicated to the employee in writing
- The Appeal Officers' decision is final

## **Long Term Sickness & Medical Capability Procedure**

Please read the absence reporting procedure earlier in the document. It also applies to longer-term absence.

The Company is concerned for the health and wellbeing of all employees. The purpose of the procedure is to support you and to help rehabilitation back to work in your contracted role as soon as possible. In addition, the Company also must consider the

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impact on the business of your continued absence or your inability to perform your contracted role.

This long-term procedure applies where you are absent due to sickness for a period of 2 weeks or more; or where the nature of the absence makes it appropriate to follow this procedure (e.g. work-related stress). This procedure may be commenced on day one of an absence if the absence is likely to last more than 2 weeks.

In certain circumstances it may be appropriate to exercise certain precautions when an employee returns to work.

Before allowing a return, you may be asked to obtain a Fit Note from your doctor confirming your ability to return, or you may be invited to attend a medical examination to ensure fitness. The decision of the business, in consultation with the Company's medical advisors, Health & Safety, and Human Resources, will be final.

Throughout this process we reserve the right to require you to undertake any reasonable duties having due regard to the nature of the illness or injury and any reasonable adjustments. This decision will only be taken having considered all available information.

Ultimately, if it is deemed that there is no reasonable prospect of a return to your contracted duties within a reasonable time scale then termination of employment may need to be an option.

## **Procedure**

In a case involving long term absence the following procedure will be followed:

### **First Meeting**

- A review meeting may take place with you to ascertain your view of your prospects for returning to work and when you believe such a return may be possible.

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- This discussion will usually be with your immediate manager, and you may be accompanied by a colleague, or a trade union representative. This meeting may take place at work, at your home (but only with your agreement and prior notice) or at a mutually convenient location. Therefore, absence review meetings can – and should – happen with colleagues that are absent for more than a few days (this meeting will typically happen after 10 consecutive days of absence; however, this will depend on the individual circumstances of each case).
  - You will be informed of the impact that your absence is having on the business. This is because your attendance and the work that you provide are important and the Company must keep you informed of all relevant circumstances that may affect your employment.
  - You may be asked for written consent for the Company to seek information from your GP and/or you may be asked to attend an appointment with an appointed medical specialist (typically this would happen after 20 consecutive days of absence, however, this will depend on the individual circumstances of each case). If you refuse to attend and co-operate with this request, then decisions will have to be taken based on the available knowledge.
  - Once the medical evidence has been received a copy will be sent to you
  - Your manager's decision is final

## **Second Meeting**

You will then be invited to a further meeting to discuss the options available given your condition at that time, the medical evidence available and the impact of your absence on the business (typically this meeting will take place after 40 consecutive days of absence, however this will depend on the individual circumstances of each case). The letter should set out the options available. The options that will usually be available are:

- A return to your contracted work within an acceptable time scale

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- A return to your contracted work with reasonable adjustments within an acceptable timescale. This will normally be followed by periodic review to assess whether the adjustments remain reasonable given how you are coping, and in the light of the impact of such adjustments on the business.
  - If a return to your contracted work is not possible within an acceptable time scale or with reasonable adjustments, then consideration will be given as to whether you can return to suitable alternative work, if there is any such work available, with or without adjustments or whether any other alternative to dismissal is available (e.g. ill health early retirement or permanent health insurance.) Any alternative work will be considered on the appropriate terms and conditions of the role.
  - If you cannot return to your contracted work within a reasonable time scale; or to suitable available work; or if the adjustments have been made are having such an impact on the business that they cannot be continued, and no further adjustment can reasonably be made, then you may be dismissed with notice.
  - After the meeting you will be notified of the decision in writing.
  - You have the right to appeal against the decision

## Appeal

For any level of caution, upon receiving written notification of any decision under this procedure, you may appeal by writing to the manager who made the decision, stating your reasons. The procedure will be as follows:

- You must request an appeal in writing within 5 days of receipt of the letter stating the reasons for appeal
- You will then be invited to a hearing before a different manager than the one making the decision appealed against.

The Appeal Officers' role is to determine

- 
- Whether or not the managers' decision, given the evidence available when that decision was made
  - Is there any new evidence available that may materially alter the decision? If such evidence appears to be available, then the matter may be referred to the manager who originally heard the case for them to decide whether the new evidence does alter the decision; or the appeal office may decide based upon the new evidence.
  - Whether or not this procedure has been fairly followed and if not, whether any such failure materially affects the decision
  - The Appeal Officers' decision on the appeal will be communicated to the employee in writing
  - The Appeal Officers' decision is final

## **Pay during Sickness Absence**

### **Statutory Sick Pay (SSP)**

The Company is responsible for paying SSP for sickness absence up to 28 weeks in any period of incapacity commencing with the fourth day of absence, subject to qualifying criteria. Where employees are in receipt of company absence pay, this is deemed to include SSP at the appropriate rate.

### **Company Absence Pay**

As a discretionary benefit to assist employees who are absent, Hydrotech may consider the payment of 'absence' pay if you are absent due to ill-health or for certain



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unexpected reasons. Directors have the absolute discretion to as to what factors to consider in respect of the payment of discretionary absence pay. Any decision to withhold absence pay will not be made without reference and agreement by Human Resources and Finance and could be taken as a result of (and not limited to) the system being abused or reporting procedures not being followed.

## Confidentiality

Managers and designated people will not disclose information to anyone other than to people who need to know as part of operating this procedure, unless specifically agreed.

Personal details about an employee's health are confidential and any breach of confidentiality may lead to disciplinary action, up to and including dismissal.

Personal records about an employee's health will be held in accordance with the requirements of data protection legislation.

## Version History

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Attendance Policy

Reviewed & approved by:	Position	Date	Sign
Vince Keenor	Director	15/05/2023	

Version History					
Revision	Amendment Details	Revision Date	Prepared by		Reviewed by
Rev v1	New Policy	Nov 2015	Vince Keenor		Dan Nicholls
Rev v2	Updated Policy	Nov 2017	Vince Keenor		Dan Nicholls
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