

# ABSENCE MANAGEMENT POLICY

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## 1. Purpose and scope

This procedure applies to all employees whether casual or permanent although not all stages of this procedure will be applied to employees with less than 2 years' service. It does not apply to agency workers, consultants or self-employed contractors.

This policy does not form part of any employee's contract of employment with QRS and we may amend it at any time.

It sets out how QRS will manage long term absences and short term, persistent and frequent absences. These two types of absences are managed differently.

Absences managed under this procedure are considered to be genuine and certified under the sick leave procedure. If QRS reasonably believes that absence is not genuine, disciplinary action, up to and including dismissal, may be taken pursuant to the disciplinary procedure.

## 2. Procedure for persistent and frequent absences

### *Informal discussions*

Attendance levels are normally monitored and are reviewed on an informal basis by your line manager. You may be asked to attend a return to work interview with your line manager to discuss the reasons for your absence.

### *Medical reports*

If you have frequent absences, you may be asked for consent to obtain a report from your doctor or to see a doctor appointed by QRS to establish if there is an underlying reason for your frequent absences. If you do not agree to attend an appointment with a doctor or for a report to be provided to us, we will have to make decisions based on the information available to us without medical input.

If concerns regarding your absence arise, your line manager will usually discuss these with you. If, however, your absence levels continue to be unsatisfactory, it may be necessary to adopt a more formal approach. The procedure for this is set out below.

### 2.1 Principles and formal procedure

#### *Investigation*

No cautions will be issued under this procedure before you have been given the opportunity to discuss your absence levels.

#### *Absence review meetings*

At each formal stage you will be sent a letter setting out the unsatisfactory nature of absence levels. Where applicable you will be provided with copies of your absence record.

At each formal stage explained below, you will be requested to attend a formal absence review meeting with your line manager to discuss your absence record, the reason for it, the effect that your absence is having on QRS's business, the likelihood of further absences, whether medical advice should be sought, what measures could be put in place to reduce your absence levels and, if appropriate, the improvement that is required over a specific period.

You will have the opportunity to ask questions, present evidence and, where appropriate, call witnesses or submit witness statements. If QRS intends to call any witnesses at the meeting, it will inform you in advance. Equally, if you wish to call any witnesses at the meeting, you should inform your line manager in advance as to the identity of your witnesses.

At the meeting you will be given the opportunity to respond to any information given by a witness. However, you will not normally be permitted to cross-examine witnesses unless, in exceptional circumstances, we decide that a fair hearing could not be held otherwise. We may adjourn the absence review meeting if we need to carry out any further investigations such as re-interviewing witnesses in the light of any new points you have raised at the meeting. You will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.

You must take all reasonable steps to attend an absence review meeting. Where appropriate, alternative arrangements such as meetings via telephone or at other locations will be offered. If you fail to attend an absence review meeting for a legitimate reason, the meeting will usually be postponed and reconvened at a later date. However, if you fail to attend an absence review meeting without a reasonable explanation, QRS may, if appropriate, proceed with the meeting and issue you with a written caution or notice of dismissal in your absence. Failure to attend means that you give up the opportunity to explain your absences and the reasons for them.

You will usually be given at least 3 working days' notice of the time and date of the meeting.

#### *Companion*

You are entitled to be accompanied by a work colleague or trade union representative at the meeting. If you wish to exercise this right, you should tell QRS in advance who you have chosen as a companion. During the meeting you may confer with your companion. Your companion may address the supervisor or manager taking the meeting, including presenting your case, summing up and responding on your behalf to views expressed, but may not answer questions on your behalf. If you or your chosen companion is unavailable on the proposed date, the meeting will be rearranged to a more mutually convenient time within the next five working days.

### *Confidentiality*

Our aim is to deal with absence matters sensitively and with due respect for the privacy of all individuals involved. All employees must treat as confidential any information communicated to them in connection with an absence review meeting. You, and anyone accompanying you (including witnesses), must not make electronic recordings of any meetings conducted under this procedure

QRS will arrange for notes of the review meeting to be taken, usually by someone who is not involved in the case. You will usually be given a copy of QRS's notes of the meeting. You or your companion is entitled to take your own notes.

### *Decision making*

Following the meeting, further investigation may be needed if new matters were raised at the meeting which had not been previously considered.

At a formal meeting or following any further investigation which is required, a review period will usually be set, during which your absence level will be monitored. If so, you will be informed of the attendance level expected during this period. You will be advised that if there is insufficient improvement in your attendance levels, then further action under this procedure may be taken.

Before reaching a conclusion as to appropriate action, your length of service and performance, the likelihood of a change in attendance, the likely effectiveness of any measures which may assist and the effect of past and future absences on QRS will be taken into account.

The outcome of any meeting and any further investigation will be confirmed to you in writing as soon as possible (ideally within five working days of the meeting). The different sanctions are set out below.

You will be advised of your right of appeal against any sanction.

At any stage of the formal procedure, you may be requested to supply medical certificates for all future periods of absence regardless of their length.

## **2.2 Stage 1 - First Written Caution**

Following a formal meeting to review your absence a first written caution may be issued if your absence level is unacceptable.

## **2.3 Stage 2 – Final Written Caution**

If there is insufficient improvement (or a deterioration) in your absence level during the review period, this will trigger a second sickness absence review meeting with your line manager.

If appropriate, your line manager will issue you with a final written caution.

## 2.4 Stage 3 – Dismissal

If there is insufficient improvement (or a deterioration) in your absence level during the second review period, you and one or two director(s) will meet again to discuss your continuing poor attendance level.

If the director(s) is/are not satisfied with your attendance record, you will be dismissed with notice. You will be advised of the date on which the employment will terminate.

## 2.5 Duration of Cautions

A first written caution will usually remain valid for six months.

A final written caution will usually remain valid for 12 months.

If, during these periods, there has been no cause for further action under this procedure, the cautions will normally cease to be valid after the time stated has elapsed. However, if a pattern of poor attendance emerges, it may be appropriate to extend the period for which a current caution remains valid. After cautions have expired, they will remain permanently on your personnel file but will usually be disregarded in deciding the outcome of future meetings under this procedure. QRS reserves the right to take into account expired cautions where absence levels deteriorate shortly after the expiry of a caution.

## 2.6 Appeal procedure

You have the right to appeal against a caution or dismissal on the grounds of poor attendance. Any appeal should be sent to a Company director who was not involved in making the decision to issue the caution or dismiss you. Your appeal must be lodged in writing within 5 working days of receipt by you of written notice of the outcome of the absence review meeting. This must state the grounds of the appeal, i.e. why you think the decision is wrong.

You will be invited to an appeal hearing to be heard by two Company directors, usually within 7 working days of receiving an appeal letter.

If you raise new matters in your appeal, QRS may need to carry out further investigations. If any new information comes to light, QRS will provide you with a summary including, where appropriate, copies of additional relevant documents and witness statements. You will have a reasonable opportunity to consider this information before the appeal decision is made.

The appeal hearing may be a complete re-hearing of the matter or it may be a review of the fairness of the original decision in the light of the procedure that was followed and any new information that may have come to light. This will be at our discretion depending on the circumstances of your case. In any event the appeal will be dealt with as impartially as possible.

You will have the right to be accompanied at an appeal meeting by a colleague or a trade union representative of your choice and your companion's role is as at absence review meetings.

The outcome of the appeal will be one of the following:

- the original decision will be upheld, or
- the severity of the decision will be reduced, or
- the decision will be overturned completely.

Once a decision has been reached you will be informed of it (and the reasons for it) in writing. The appeal decision will be final.

### 3. Long term sickness

This procedure is designed specifically for long term absences, i.e. 4 weeks or longer. Long term absences cause different issues from short term absences for both employees and the Company. For example, employees can feel isolated and lose confidence when out of contact with the office or colleagues for a long period of time. Generally, long term absences are more predictable than short term absences, but can still be very disruptive to QRS's business. This procedure seeks to assist and support employees while also providing guidance and information to managers to facilitate the smooth running of QRS's business. Cautions are not issued in the case of long term sickness as it is understood that employees in such situations are not in a position to reduce their sickness absence.

#### 3.1 Contact and Consultation

During long term sickness absences your line manager will meet with or talk to you to review your diagnosis, prognosis and any assistance which QRS may be able to provide. The frequency of these reviews will depend on what is appropriate in the circumstances given your condition and progress towards recovery/improvement. If face to face meetings are not appropriate, your line manager will keep in contact with you by telephone or in writing, unless such contact would be detrimental to your health.

You are encouraged to tell your line manager if you think you are disabled under the Equality Act 2010. While QRS will always seek to help and support you, it is difficult for us to do so without information. You should be assured that managers will keep such information confidential within management.

Whether or not you are disabled, you are also encouraged to make suggestions as to how QRS can support and assist you. If you are unwell for a long period of time you are often in a position as good as or sometimes better than anyone else, including your medical team, to know your capabilities and your limitations. A productive dialogue in such situations is often one of the best ways of ensuring the quickest, safest and most successful return to work.

### 3.2 Medical referral

In cases of long term sickness, QRS may refer you to a doctor for medical examinations in accordance with QRS's sick leave procedure for advice on the nature of the illness and your prognosis, a likely date of return and any rehabilitation advice. Your line manager will meet with you to discuss the advice received, your up to date medical position and any support QRS can provide to assist your return to work. This will take into account medical advice and your suggestions.

In cases of particularly long term absence, it may be appropriate to ask you to provide regular medical reports from your own doctor/consultant, or a doctor nominated by The Company. Where you have notified QRS that you are suffering from a disability, medical advice will usually be sought as to how QRS can make reasonable adjustments to assist you.

### 3.3 Dismissal on medical grounds

Unfortunately, there may be circumstances where it is simply impossible for you to return to work. For example, if the prognosis is that you will not be able to work for the foreseeable future, taking into account any support QRS is able to provide, it may be impractical for your employment with QRS to continue. In which case, your line manager will meet you if you are fit enough, otherwise, QRS will write to you. At the meeting or in the letter, your line manager will:-

- a. discuss your condition and your prognosis;
- b. explain the difficulties faced by QRS in light of your continued absence;
- c. review the support that has been provided to date;
- d. discuss the medical advice which has been sought;
- e. consider suggestions for alternative duties/positions and explain whether or not such alternatives are available and suitable; and
- f. warn you that you may be dismissed on medical grounds.

You will be given the opportunity to put forward suggestions, which will be considered by QRS. If no further support can be provided and you are unable to return to work, your employment with QRS may be terminated on notice. You will be advised of the reason for the termination of your employment with the Company. You will be notified of your right to appeal.

### 3.4 Appeal procedure

You have the right to appeal against dismissal on the grounds of ill health.

Any appeal should be sent to a Company director. The appeal should be lodged in writing within 5 working days of receipt by you of the dismissal letter. If your ill health prevents you from lodging an appeal within this time frame you should ask for an extension of time and QRS will consider what is reasonable in the circumstances. Your letter of appeal must state the grounds of the appeal, i.e. why you think the decision is wrong.

An appeal meeting will be held by two Company directors ideally within 10 working days of receipt of the appeal notice if you are fit enough to attend. Alternatively an appeal meeting can be conducted over the phone or by exchange of letters.

You will have the right to be accompanied at an appeal meeting by a colleague or a trade union representative of your choice and your companion's role is as at absence review meetings under the short term absence section above.

The outcome of the appeal will be one of the following:

- the original decision will be upheld, or
- the severity of the decision will be reduced, or
- the decision will be overturned completely.

Once a decision has been reached you will be informed of it (and the reasons for it) in writing. The appeal decision will be final.

### 3.5 Implementation of a Dismissal Decision

In the case of dismissal, your employment will cease at the end of your notice period (or earlier if QRS exercises its right to pay in lieu of notice). If an appeal is upheld and your employment has already been terminated, you will be reinstated and your pay and benefits will be made up for the period from the end of your notice period to the date of your reinstatement.