

# Managing Absence Policy and Procedure

<b>Policy owner:</b>	Chief People Officer
<b>Policy approver:</b>	Executive Committee
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<b>Document owner:</b>	People Strategy and Organisational Development Director

## 1. Purpose

British Business Bank Plc (BBB or the Company) is committed to the health, safety and well-being of its employees and acknowledges its duty to provide support and assistance to employees who are unable to attend work due to ill health or injury. Whilst this is acknowledged, absence due to sickness can have an impact on business delivery and, as a result, BBB aims to monitor and control absence fairly, consistently and with understanding.

The Managing Absence Policy sets out BBB's approach in relation to the management of sickness absence in a fair and consistent way.

The Managing Absence Procedure sets out the procedural steps employees are required to take when reporting sickness and dealing with sickness absences. Any absences during a probationary period may, at the discretion of BBB, be handled under the Probationary Policy.

All employees are required to comply with the conditions of the Managing Absence Policy and Procedure. Failure to follow the Managing Absence Policy and Procedure may result in action being taken under BBB's Disciplinary Policy and Procedure and may also result in contractual sick pay (CSP) and statutory sick pay (SSP) being withheld.

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## 2. Scope

This policy applies to all employees of BBB Group entities and operations including permanent and fixed-term employees. This policy does not apply to agency workers, secondees to BBB or contractors who should refer to their appointed Line Manager or separate terms of engagement for details of how to deal with sickness absence.

This policy does not form part of any employee's contract of employment and BBB may amend it at any time, at BBB's discretion, and may depart from it depending on the circumstances of any case.

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## 3. Definition of Terms

### Short Term Sickness Absence

A short-term absence is defined as any single period of absence of one day or more and up to a maximum of 4 consecutive calendar weeks.

### Long Term Sickness Absence

Absences from work for a sustained period of time (4 weeks or more) are classed as long-term.

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## 4. Legal and Regulatory Framework

The principal laws relevant to this policy include, but are not limited to:

- Equality Act 2010
  - Employment Rights Act 1996
  - Health and Safety at Work Act 1974
  - General Data Protection Regulation 2016
  - Access to Health Records Act 1990
  - Access to Medical Reports Act 1988
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## 5. Key Principles

### 5.1 General Principles

Regular punctual attendance is a requirement of every employee's contract of employment.

BBB endeavours to deal with absence sympathetically, compassionately and with understanding, with the aim of supporting employees back to work.

BBB wishes to ensure that the reasons for sickness absence are understood in each case and investigated where necessary. In addition, where needed and reasonably practicable, measures will be taken to assist those who have been absent due to sickness to return to work.

Any information you provide to us about your health will be processed lawfully and in accordance with BBB's Data Protection Policy. BBB recognises that such data is sensitive and will handle it in a confidential manner.

### 5.2 Disabilities

BBB is aware that sickness absence may result from a disability. At each stage of the sickness absence process, particular consideration will be given to whether there are reasonable adjustments that could be made to the requirements of a role or other aspects of working arrangements that will provide support at work and/or assist a return to work. If you consider yourself affected by a disability or any medical condition, which affects your ability to undertake your work, you should inform a member of the HR team.

### 5.3 Sick Pay

#### Statutory Sick Pay (SSP)

If you are unable to attend work due to sickness absence, you may be entitled to SSP if you satisfy the relevant statutory requirements. Qualifying days for SSP are Monday to Friday, or as set out in your employment contract. The rate of SSP is set by the government in April each year. No SSP is payable for the first three consecutive days of absence. It starts on the fourth day of absence and may be payable for up to 28 weeks. If you are not eligible for SSP or if your SSP entitlement is coming to an end BBB will give you a form SSP1 telling you the reasons.

#### Company Sick Pay (CSP)

You may be eligible for CSP, which will be calculated using your normal salary, subject to the eligibility procedure set out below and as long as the notification and certification procedure detailed in this policy has been correctly followed.

Company Sick Pay includes your entitlement to SSP and will be paid as follows, per rolling 12 month period:

Length of Service	Full pay	Half Pay
Up to 1 year's service.	Up to 4 weeks	None
After 1 years' service.	Up to 6 weeks	Up to 2 weeks
After 2 years' service.	Up to 12 weeks	Up to 8 weeks
After 3 years' service.	Up to 15 weeks	Up to 10 weeks
After 4 years' service.	Up to 20 weeks	Up to 15 weeks
After 5 years' service.	Up to 26 weeks	Up to 26 weeks

If your length of service increases to the next level in the table above whilst you are on sickness absence, you will not receive the increased Company Sick Pay entitlement for the current absence. The increased entitlement will only be triggered on your return to work and will apply to any future periods of sickness absence.

For example, if you were absent for 12 weeks, during which time your length of service increased from 2 years to 3 years, your entitlement to sick pay would remain at up to 12 weeks full pay, 8 weeks half pay for that particular period of absence.

If you have been on long term sick leave continuously for more than one year you will not qualify for Company Sick Pay again until you have returned to work for a total of four consecutive weeks.

If the entitlement to SSP is exhausted, the Company will provide form SSP1 and the employee can then claim Employment and Support Allowance (ESA). If the employee is being paid CSP, at either full or half pay rate, they must inform the HR Team and refund to BBB an amount equal to any ESA received.

Where CSP reduces, ceases or is withheld, and salary adjustments can be made prior to payroll sign off, then adjustments will be made in the same month. Otherwise, they will be made the following month.

Employees will be notified in writing in advance of any action being taken that affects their pay.

If a period of sickness absence is or appears to be caused or contributed to by any third party and compensation is or may be recovered by you, you must immediately notify BBB via the HR portal at [REDACTED] of that fact and of any claim, compromise, settlement or judgment made and provide any further information that we may reasonably require. If BBB requires you to do so, you must cooperate in any related legal proceedings and refund to BBB any part of the compensation you recover that relates to lost earnings for the period of sickness absence, less any costs you incurred in seeking the compensation.

Separate shorter periods of sickness absence will be added together to work out total sickness absence.

Any employer and employee pension contributions will continue subject to the relevant scheme rules during any period of CSP or SSP.

#### **5.4 Medical Examinations and records**

BBB reserves the right to request that you undergo a medical examination to be undertaken by a BBB approved Occupational Health provider or Doctor. BBB will bear reasonable costs in relation to the provision of that medical advice. Your Line Manager, with support from the HR Team will arrange for you to be referred to a BBB approved Doctor or Occupational Health provider. The approved Occupational Health provider or Doctor will be asked to assess you to ascertain the likely length of absence, the probability of a return to full fitness and advise the Company if there is any further support that BBB may be able to provide or whether reasonable adjustments can be made to facilitate a return to work.

You will be asked to agree that any report produced in connection with any such examination may be disclosed to us and that we may discuss the contents of the report with our advisers and the relevant Occupational Health provider or Doctor.

You may also be asked by BBB to provide relevant medical records, or for you to consent to allow BBB to contact your GP and/or any other clinician with a view to obtaining copies of the same. You are expected to consent to that request, where reasonable, and to provide all such assistance to BBB and/or the recipient of the request to facilitate the provision of the medical records.

#### **5.5 Absence and Holidays**

Annual leave entitlement continues to accrue during periods of sickness absence. Any bank holiday which falls during sickness absence will continue to be treated as holiday and will be paid at the applicable holiday pay rate.

If your period of sick leave extends into the next holiday year, or if there is not enough time left in the current holiday year to make it practicable to take your remaining holiday entitlement, you can carry any unused holiday entitlement over to the following leave year to be used within three months of your return to work. Any annual leave not taken

within 18 months of the end of the holiday year in which it accrues (whether or not you have returned to work) will be lost.

### **5.6 Keeping in contact during sickness absence**

During any absence, it is important that you inform and update your Line Manager on a regular basis of your health and likely return-to-work date.

If you are absent on sick leave you should expect to be contacted on a regular basis by your Line Manager in order to discuss your wellbeing, expected length of continued absence from work and any of your work that requires attention. Such contact is intended to provide reassurance and so BBB can continue to liaise with you regarding your wellbeing and to assess whether reasonable adjustments can be implemented. BBB will endeavour to keep such contact to a reasonable minimum.

You will be periodically asked to attend meetings with your Line Manager at an appropriate location, including at your home, for providing information and facilitating an effective return to work. Where possible, you should ensure that you attend any such meeting.

If you feel too unwell or are physically unable to attend the office or a suggested location, BBB reserves the right to visit you at home or a mutually agreeable location. Video calls will also be considered depending on the circumstances.

### **5.7 Medical Appointments**

If you have a medical appointment (e.g. Dentist, Doctor, Hospital) you should inform your Line Manager as soon as you receive notification of the appointment, if the appointment will require you to be absent during working time. You should aim to keep disruption to a minimum and appointments that are arranged during working hours should be booked towards the beginning or the end of the working day. If this is not possible, you will be expected to attend work before and after the appointment. Such appointments whenever possible should be made outside of working hours.

You may be required to produce evidence of the appointment, if requested by your Line Manager.

### **5.8 Sickness Absence Notification**

The conditions set out below detail what you must do when you are sick:

You must inform your Line Manager before your contracted start time if you are absent due to sickness (or injury), giving the following information:

- Reason;
- Probable length of your absence;
- Whether you have sought or are planning to seek medical assistance from a doctor, hospital etc.;
- Your up to date contact details; and
- Details of any work that needs to be covered urgently including any meeting commitments that require cancellation or rescheduling.

If your Line Manager is not available, please contact a member of the HR Team to leave a message and your Line Manager will return your call. Emails are not a preferred method of contact when notifying the Company of your absence and should only be used as a last resort. You are required to report sickness absence yourself unless you are unable to do so due to your illness or injury, in which case someone may report your absence on your behalf.

Line Managers are responsible for updating their team member's MyHR absence record immediately after receiving the notification of sickness absence (where possible) but no later than the same day they were notified of the absence. This process should be followed for each day a Line Manager is notified of an absence.

Where a colleague has provided a Fit Note please input the full absence dates specified on the Fit Note and provide a copy of this to the HR Team.

### 5.9 Self-certification

You must self-certify your absence for the first seven calendar days of all sickness absences. Weekends, public and privilege holidays falling within a period of sickness absence will be counted for certification purposes.

The self-certification process is detailed on the intranet under 'How to Record Your Sickness Absence' in MyHR.

### 5.10 Statement of Fitness for Work ("Fit Notes") and Medical Evidence

If you are ill continuously for more than seven calendar days, you must:

- Promptly obtain a Fit Note signed and dated by your doctor; and
- send it to your Line Manager (by email, post or as agreed with Line Manager) no later than the tenth day of absence (or the next working day if the tenth day is a holiday or weekend).

Please see below for further information about Fit Notes.

Your Line Manager will then immediately forward your Fit Note to the HR Team, who will record the information and file it securely. If it does not cover the whole of the first seven days of absence, the HR Team will send you a self-certification form to complete and return to ensure that the Company has accurate sickness absence records to properly administer your sick pay.

The Fit Note must show:

- the reason for your absence; and
- the date on which you have been signed off to return to work, or the timescale in which your doctor wishes to see you again to review your illness or injury.

If you cannot return to work after such time you must obtain another Fit Note. Should your GP issue a Fit Note which indicates 'you may be fit for work taking account of the following advice:' (or words to that effect) you should contact your Line Manager to discuss the advice given as soon as possible. Your Line Manager, with support if appropriate from the HR Team, will agree any relevant temporary changes or support to be provided to you (where such relevant temporary changes or support are reasonable).

A "**Statement of Fitness for Work**" also known as a "**Fit Note**" can be obtained from a GP and advises the Company that an employee is either;

- (a) Unfit for work; or
- (b) May be fit for work if certain adjustments can be made

This means that the GP's assessment of the employee is that their condition does not necessarily prevent them from returning to work. For example they may be able to return to work more quickly if they could be offered a phased return or a temporary adjustment to their normal duties.

In these circumstances, your Line Manager will arrange a meeting to discuss the suggested amendments with the aim of facilitating your return to work.

If the suggested amendments are not possible, or are unreasonable, you will be advised to remain on sick leave. However, if the amendments are reasonable, you will be able to return to work, but regular reviews will be carried out to ensure that the amendments are adequate. It should be noted that any amendments are not to be viewed as a permanent change to the contract of employment, save for in exceptional circumstances.

Where BBB is concerned about the reason for absence, or frequent short-term absence, BBB may require a medical certificate for each absence regardless of duration. In such circumstances, BBB will cover any reasonable costs incurred in obtaining such medical certificates, for absences of a week or less, on production of a doctor's invoice.

If you are undergoing any medical surgery or procedure (whether required, elective or cosmetic), for which you will be absent from work, any entitlement to CSP will be subject to receipt of satisfactory medical evidence. This medical evidence will need to be in the form of a report from your doctor or a specialist confirming that you are undergoing the procedure on medical advice. You may be required to take annual leave for any absence related to a purely elective procedure.

### 5.11 Return to Work

BBB may require you to obtain confirmation from your GP or a medical practitioner of the Company's choice of your fitness for work after a long period of absence from work and BBB may require you to be seen by our Occupational Health provider. If you wish to return to work prior to the date on your Fit Note, BBB may require you to seek a Fit Note from your GP confirming that you are fit to return.

Requests for temporary adjustments to your working conditions will be considered by BBB and will be accommodated wherever possible and if organisational circumstances permit (please see **Statement of Fitness for Work (Fit Notes)** above).

Regardless of your length of absence, your Line Manager should conduct a **Return to Work** check in and complete the short online form on the HR system.

The purpose of the check in is to:

- Understand the current situation regarding your health and how you are feeling;
- Understand if any work-related factors have contributed to your period of absence;
- Understand if there are any adjustments to working arrangements that are needed to accommodate your illness or injury;
- Discuss any adjustments to hours, duties, or any other support required and timeframes. Signpost you to Employee Assistance Programme, Mental Health First Aiders or other resources if appropriate.

The Return to Work check in should take place on your first day back at work, or as soon as reasonably practicable after any sickness absence.

If the period of absence is for two weeks or more or part of a pattern the Line Manager should contact their HRBP to discuss and also hold a return to work meeting using the Return to Work form which can be found here:

This meeting is to:

- ensure that your absence does not go unnoticed and that you are fit to return to work;
- allow your Line Manager to express a proper interest in your wellbeing;
- ensure that all the support you need is in place;
- bring you up to date on any changes;
- give you an opportunity to raise any health, wellbeing or job related issues;
- discuss any problems you may be having and to discuss whether any reasonable adjustments have to be made to the workplace; and/or
- discuss your attendance record if appropriate.

Your Line Manager should document any notes and the outcome of the meeting on the Return to Work form, which they should then send to you by email. Once completed, this form will be submitted to the HR team for retention. You should keep a note of the meeting for your records, eg in your diary or elsewhere.



## 5.12 Unauthorised Absence

Absence that has not been notified according to this Managing Absence Policy and Procedure may be treated as unauthorised absence.

Cases of unauthorised absence will be dealt with under our Disciplinary Policy and Procedure.

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## 6. Roles and Responsibilities

Managers have a specific responsibility to ensure the fair application of this policy and all employees are responsible for supporting colleagues and ensuring its success.

### Managers

Managers should:

- support a positive wellbeing culture by taking proactive steps to create a safe and healthy working environment for their employees and by dealing with any health and absence issues at the earliest opportunity. This can include considering or making reasonable adjustments to support employees to attend work and/or carry out their duties;
- monitor absence levels in their areas and ensure early and appropriate action is taken in response to any identified trends;
- be familiar with this policy and the Managing Absence Procedure and ensure it is applied fairly and consistently and that they approach issues of employee absence with sensitivity and confidentiality; and
- ensure that reasonable contact is maintained with employees during periods of absence, keeping a record of any such conversations and that they hold an appropriate 'Return to Work' discussion/meeting with their employees after every period of sickness absence which will be copied to HR.

### Employees

Employees:

- must attend work unless they are unfit to do so, taking personal responsibility for their own health, well-being and attendance at work;
- should raise any health concerns which may impact on their work as early as possible to ensure that support mechanisms and/or adjustments can be considered;
- must report their absence promptly and in line with the Managing Absence Policy and are expected to maintain reasonable contact throughout any period of sickness absence; and
- on returning from a period of sickness absence employees should attend a 'Return to Work' Meeting with their Line Manager.

### Human Resources

The HR Team are available to work with managers in an advisory capacity to provide information and support to both managers and employees in relation to sickness absence issues.

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## 7. Compliance

All employees fall within the scope of this policy. BBB will ensure that a consistent approach is taken in relation to conduct/ behaviour issues, where such fall below the standards that are reasonably expected.



## 8. Further Information

Employees requiring further information, or advice concerning this policy, should contact a member of the HR Team. Details are also available – including the process for recording absence - under the MyHR section of the BBB Intranet.

### Version control

Version	Date	Author	Description	Approved by	Date approved	Date published
V 1.0	Nov 2016	HR	This document defines BBB's Procedures for dealing with absence	Senior Management Team	01 Nov 2016	01 Nov 2016
V 2.0	Dec 2018	HR Business Partner	Policy update and annual review	EXCO	17 Dec 2018	09 Jan 2019
V 2.1	Jan 2019	HR Business Partner	Clarification in section 8.1 of the procedure	CRO Delegate	29 Jan 2019	29 Jan 2019
V3.0	Aug 2021	HR Business Partner	Material changes to Policy	EXCO	2 November 2021	11 November 2021
V3.1	Feb 2023	Organisation Design, People Relations and Policies Director	In year minor change to Section 5.5 to clarify that the reclamation of holiday is not available for bank holidays.	CPO	16 February 2023	
V4.0	Feb 2023		Intranet version of v3.1			17 February 2023
V4.1	Mar 2023	Organisation Design, People Relations and Policies Director	In year change to section 5.11 Return to Work around including return to work check in meetings with a shorter on line form. RTW meetings and the more formal form will remain for periods of absence over 2 weeks and for the trigger points,	Interim Head of HR	08 February 2023	
V5.0	Mar 2023		Intranet version of 4.1			14 March 2023
V5.1	Dec 2023	Organisation Design, People Relations and Policies Director	Policy review	EXCO	06 December 2023	12 December 2023

## Appendix A

### Managing Absence Procedure

#### 1. Sickness absence meetings procedure

- 1.1 We may apply this procedure whenever we consider it necessary, including:-
- if you have 4 or more episodes of short-term sickness absence in a rolling 12-month period and/or
  - if you have 12 or more working days of sickness absence in a rolling 12-month period (where the 12 days are not necessarily linked) or where the number of absences in a short period warrants immediate action, e.g. 3 episodes or 9 days in 6 months and /or;
  - where you have been continually absent for more than 4 weeks;
  - where a pattern of absence is causing concern, for example regular Friday or Monday absences or absences regularly occurring on a particular day/week, pre or post annual leave, school holidays, public holidays, pay day etc. A continuous pattern of absence review meetings may also be considered.
- 1.2 The Company will consider whether the timescales set out at clause 1.1 should be adjusted in relation to any absence resulting from pregnancy, disability, gender reassignment, menopause symptoms, and illness or injury caused by domestic abuse.
- 1.3 Unless it is impractical to do so, BBB will give you five days' written notice of the date, time and place of a sickness absence meeting if you are off sick, or a minimum of 48 hours notice if you are back at work. BBB will put any concerns about your sickness absence and the basis for those concerns in writing or otherwise advise why the meeting is being called. A reasonable opportunity for you to consider this information before a meeting will be provided.
- 1.4 The meeting will be conducted by your Line Manager and will normally be attended by a member of the HR Team. You may bring a companion with you to the meeting (see further information below)
- 1.5 You must take all reasonable steps to attend a meeting which is arranged within your normal working hours. Failure to do so without good reason may be treated as misconduct. If you or your companion are unable to attend at the time specified you should immediately inform your Line Manager who will seek to agree an alternative time.
- 1.6 A meeting may be adjourned if your Line Manager is awaiting receipt of information, needs to gather any further information or give consideration to matters discussed at a previous meeting. You will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.
- 1.7 Confirmation of any decision made at a meeting, the reasons for it, and of the right of appeal will be given to you in writing within 5 working days of a sickness absence meeting (unless this time scale is not practicable, in which case it will be provided as soon as is practicable).
- 1.8 If, at any time, your Line Manager considers that you have taken or are taking sickness absence when you are not unwell, they may refer matters to be dealt with under our Disciplinary Policy and Procedure.
- 1.9 Following each stage of the procedure, where a satisfactory level of attendance has been achieved during the period of any formal warning, no further absence discussions will be required. However, you should be aware that your attendance must be sustained over the next rolling 12 months. In circumstances where this is not sustained you may be invited to a meeting under the next stage of the procedure to discuss your attendance.

## **2. Right to be accompanied at meetings**

- 2.1 You may bring a companion to any meeting or appeal meeting under this procedure.
- 2.2 Your companion may be either a trade union representative or a colleague. Their details must be given to the manager conducting the meeting in good time before it takes place.
- 2.3 Employees are allowed reasonable time off from duties without loss of pay to act as a companion. However, they are not obliged to act as a companion and may decline a request if they so wish.
- 2.4 BBB may at its discretion permit other companions (for example, a family member) where this will help overcome particular difficulties caused by a disability, or, for example, difficulty understanding English.
- 2.5 A companion may make representations, ask questions, and sum up your position, but will not be allowed to answer questions on your behalf unless agreed by BBB. You may confer privately with your companion at any time during a meeting.

The short-term sickness absence process which follows may be used to address long term sickness absence but there is also a separate process which BBB may choose, at its discretion, to utilise in some cases, where it is considered by BBB to be appropriate.

## **3. Short-term absence process - Stage 1: first sickness absence meeting**

- 3.1 This will follow the procedure set out in paragraphs 1 and 2 above on the arrangements for and right to be accompanied at sickness absence meetings.
- 3.2 The purposes of a first sickness absence meeting may include:
  - (a) Discussing the reasons for absence;
  - (b) Where you are on long-term sickness absence, determining how long the absence is likely to last;
  - (c) Where you have been absent on a number of occasions, determining the likelihood of further absences;
  - (d) Considering whether medical advice is required;
  - (e) Considering what, if any, measures might improve your health and/or attendance;
  - (f) Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting under the sickness absence procedure.
- 3.3 You may be issued with a written warning which will be recorded in your Personnel File and will remain active for up to 12 months. During this time you will be expected to sustain a satisfactory level of attendance in accordance with the trigger points outlined in paragraph 1.1 of this procedure.

## **4. Short-term absence process - Stage 2: further sickness absence meeting(s)**

- 4.1 Depending on the matters discussed at the first stage of the sickness absence procedure, a further meeting or meetings may be necessary. Arrangements for meetings under the second stage of the sickness absence procedure will follow the procedure set out in paragraphs 1 and 2 on the arrangements for and right to be accompanied at sickness absence meetings.
- 4.2 The purposes of further meeting(s) may include:
  - (a) Discussing the reasons for and impact of your ongoing absence(s);
  - (b) Where you are on long-term sickness absence, discussing how long your absence is likely to last;

- (c) Where you have been absent on a number of occasions, discussing the likelihood of further absences;
- (d) If it has not been obtained, considering whether medical advice is required. If it has been obtained, considering the advice that has been given and whether further advice is required;
- (e) Considering your ability to return to/remain in your job in view both of your capabilities and the business needs and any adjustments that can reasonably be made to your job to enable you to do so;
- (f) Considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeploying you;
- (g) Where you are able to return from long-term sick leave, whether to your job or a redeployed job, agreeing a return-to-work programme;
- (h) If it is considered that you are unlikely to be able to return to work from long-term absence, whether there are any benefits for which you should be considered;
- (i) Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting(s). This may, depending on steps we have already taken, include warning you that you are at risk of dismissal.

4.3 You may be issued with a final written warning which will be recorded in your Personnel File and will remain active for up to 12 months. During this time you will be expected to sustain a satisfactory level of attendance in accordance with the trigger points outlined in Section 1.1 of this procedure.

## **5. Short-term absence process - Stage 3: final sickness absence meeting**

5.1 Where you have been unable to achieve a satisfactory level of attendance despite supportive interventions and, following consideration of all of the circumstances outlined below, BBB may invite you to a meeting under the third stage of the sickness absence procedure. Arrangements for this meeting will follow the procedure set out in paragraphs 1 and 2 above on the arrangements for and right to be accompanied at sickness absence meetings.

5.2 The purposes of the meeting will be:

- (a) To review the meetings that have taken place and matters discussed with you;
- (b) Where you remain on long-term sickness absence, to consider whether there have been any changes since the last meeting under stage two of the procedure, either as regards your possible return to work or opportunities for return or redeployment;
- (c) To consider any further matters that you wish to raise;
- (d) To consider whether there is a reasonable likelihood of you returning to work or achieving the desired level of attendance in a reasonable time;
- (e) To consider the possible termination of your employment.

5.3 The possible outcomes of the meeting are (although the below is not exhaustive):

- (a) No further action is taken where the manager hearing the case believes that a sufficient improvement to attendance / satisfactory performance has been achieved. You will be advised that if this is not sustained you may re-enter the process at Stage 3 of this procedure;
- (b) A recommendation is made for further Occupational Health advice and a further review period is set.
- (c) Consideration to medical redeployment may be given if this is a recommendation from Occupational Health;

- (d) Issue of a further final written warning with a set period for improvement, advising that a failure to improve could lead to dismissal;
- (e) Termination of your employment by reason of health capability.

5.4 Termination will normally be with full notice or payment in lieu of notice.

- **6. Long-term sickness absence process:**

Where your absence is continuous for four weeks or more it may not be appropriate to follow the process above and, if so, the following process will be used:

- (a) Where possible, a discussion will be held with you about your prognosis and whether there is any indication of your return to work at any point in the short to medium term;
- (b) BBB will usually ask for your consent to obtain a medical report with a view to outlining your prognosis and a view on how long you are likely to continue to be absent for;
- (c) you will be consulted on the report and have (where possible) a discussion on the content and any suggestions the report may contain (note that it is not always possible to implement suggestions made by health care providers);
- (d) during this process BBB will also carry out regular welfare meetings with you, at least every month;
- (e) your situation may then be referred to our Group Income Protection (GIP) provider to begin their assessment of whether, if you continue to be unable to return, you may be eligible for this cover (subject to eligibility criteria) and also for their assistance supporting you with your ill health;
- (f) BBB will work with you and your health care providers to assist you to return, by putting in place reasonable adjustments/changes to assist you where possible and where the business can support this. These changes could relate to your role; your hours; equipment to assist you; your working environment or times. If a phased return is agreed there will be a review of how that is funded in terms of your pay and this will depend on how long the phased return is expected to continue and how much of your sick pay provision has been used;
- (g) redeployment may be considered for you to an alternative role which may suit you and help you to return, whether that be a temporary move or permanent. This will only be done in consultation with you. A change of role could result in a change of pay and benefits;
- (h) if you have a disability BBB will endeavour to hold a discussion with you regarding any reasonable adjustments that could be made to assist you in your role and to return to work;
- (i) if your prognosis is that you will not be fit to return for the foreseeable future and no changes can be made, or changes have not worked, the next stage will be to wait for a decision from our Group Income Protection provider (if eligible and if that has not already been received) before further decisions are made;
- (j) if you are unable to return to work (or if the evidence indicates that you will not be able to return to work in a reasonable and foreseeable period), and if the GIP provider is not able to

accept you onto the scheme under their terms, and if BBB cannot continue to wait until you recover (if any recovery is possible), then it may be necessary to terminate your employment.

BBB will take steps to ensure that you are kept involved and consulted at every stage of the process. It is BBB's general principle that BBB will act fairly and reasonably at all stages and do everything reasonably possible to avoid terminating employment and ensuring that you understand at every stage what the next possible steps will be.

## **6. Appeals**

- 6.1 You may appeal against the outcome of any stage of this procedure and you may bring a companion to an appeal meeting.
- 6.2 An appeal should be made in writing, stating the full grounds of appeal, to your Line Manager within five days of the date on which the decision was sent to you.
- 6.3 Unless it is not practicable, you will be given written notice of an appeal meeting within one week of the meeting. In cases of dismissal the appeal will be held as soon as possible. Any new matters raised in an appeal may delay an appeal meeting if further investigation is required.
- 6.4 You will be provided with written details of any new information which comes to light before an appeal meeting. You will also be given a reasonable opportunity to consider this information before the meeting.
- 6.5 Where practicable, an appeal meeting will be conducted by a manager senior to the individual who conducted the sickness absence meeting.
- 6.6 Depending on the circumstances, an appeal meeting may be a complete rehearing of the matter or a review of the original decision.
- 6.7 The final decision will be confirmed in writing, if possible within one week of the appeal meeting. There will be no further right of appeal.
- 6.8 The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay.