

# Attendance Policy

## 1. Statement

Wilko aims to encourage all team members to maximise their attendance at work. Absence can cause serious operational difficulties for our business and put an additional strain on other team members. Wilko understands that there will inevitably be some absence among team members however, where this is deemed as unacceptable, we may consider formal action. We expect team members to do everything they can to speed up their recovery and reduce absence from work.

Whilst on sickness absence team members should not undertake any similar work or employment whether paid or voluntary as this may indicate that their absence is not genuine. Team members should also not participate in any activity inconsistent with the illness (e.g. taking part in highly physical activities if absent with a bad back) unless advised by a medical professional. If illness is not genuine the team member may be subject to disciplinary action which could ultimately result in their dismissal.

## 2. Principles

- The key aim of the policy is to encourage good attendance and timekeeping among all team members to ensure that we have a dependable work force across all areas of the business to meet the organisation's needs whilst supporting team members at times of need
- Where team members generally have good attendance at work we will provide additional Company Sick Pay benefit (CSP) in a year when they really need it (subject to eligibility)
- Most absences will be included and counted for this policy except approved holidays and authorised leave (e.g. bereavement, parental, maternity, dependant etc).
- All absences related to pregnancy will be excluded from being counted as absence spells for the purpose of absence management or CSP payment.
- Some or all absences related to disability may be excluded from being counted as absence spells for the purpose of absence management or CSP payment.
- There may also be other exceptional cases when absences may be excluded or any eligibility to CSP paid (Managers may refer to the **Attendance Management Guidelines** for additional information)

## 3. Scope

This policy applies to all team members across the wilko family of businesses, but certain sections may be applicable to team members employed before certain dates, this will be clearly indicated on the relevant section.

## 4. Responsibilities

The management of attendance and timekeeping is the responsibility of Line Managers (People Support in DC's), but support and guidance is available from both HR and the Company's health and wellbeing providers.

## 5. Standards

### 5.1 Team Member Wellbeing

We have a range of resources on our Shape our Future portal to support team members wellbeing, just go to coronavirus news and guidance and click **my wellbeing** on the drop down to take you to all the most up to date information.

The Company has an Employee Assistance Programme that provides confidential support or counselling. This includes short-term counselling and referral services for you and your immediate family. Balancing the pressures of work with the needs of home and personal life can be at times, stressful. Therefore our EAP means that you have access to a 24/7 legal and information line along with an on-line portal along with access to the My Health advantage

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app which gives you access to a range of resources to support both you and your family, this is also accompanied by support and guidance for line managers.

Details of how to access our Employee Assistance Programme can be found on the posters displayed in all working locations you can give them a call on 0800 0280199 or go to the website to log in (**user name: Wilko and password: Team**) or why not download the new healthy advantage app sign up by using code this unique code: **MHA003609**.

## 5.2 Notification of Unplanned Absence - Procedure

For all spells of absence, it is the team member's responsibility to ensure they personally speak to someone from the management team usually their Line Manager (or Firstcare in the DC's), as soon as practicably possible but at least one hour before the scheduled start time. This is to ensure there is no confusion about the absence and to agree ongoing contact arrangements. **Text messages, emails and social media are not an acceptable method of notification unless previously agreed with line management.** If a message is passed on through another team member/family member and it is not received by the agreed point of contact, then this may be deemed as an unauthorised absence.

The purpose of the call will be to establish the reason for absence (which could affect whether CSP is paid or not), likely duration of the absence, to agree the level of contact to be made (i.e. daily or weekly calls) or a return-to-work date. The team member must continue to inform their agreed point of contact of any change to the information given when the absence was reported as they continue to be absent from work, sharing information about ways to support a return to work and any recommendations from the doctor or Occupational Health.

The team member must give notice of their return to work on the day prior to when they intend to return unless this has already been agreed during the contact call(s). If prior notice is not given and their shift has been covered, they may be sent home to avoid additional costs and will not receive payment for that shift.

Team members must keep in touch when absent from work due to sickness. Should an absent team member not be contactable and/or fail to attend welfare meetings (when no legitimate reason is provided) CSP may be withheld and it may be considered as a conduct issue under the company's **Disciplinary Policy**.

## 5.3 Absence Certification

If a team member is absent for a period of up to 7 calendar days through sickness they will confirm the reason for and duration of their absence as part of the Return to Work Interview (RTWI). If they are absent for a period of 8 or more calendar days than a 'Statement of Fitness to Work to Work' (commonly referred to as a 'Fit Note') from the GP must be provided. Further Fit Notes must be provided if the absence exceeds the expiry date on the original certificate. Failure to submit a Fit Note within a timely manner without good reason may result in any eligibility to CSP not being paid.

## 5.4 Witness and representative support in meetings

In return to work interviews and welfare meetings (where a team member is off long-term sick) a team member can have a witness present to support them. In Absence Review meetings and Formal capability meetings where decisions are made about issuing Absence Stages or whether to end a team members employment then a representative can support a team member. Meetings should not be unnecessarily delayed due to unavailability of a specific witness or representative, where this arises an alternative witness or representative should be chosen by the team member or virtual representation considered.

If someone is present as a witness, they can listen and take notes but not take any other part in the meeting. If they are a representative, they will be allowed to speak on behalf of the team

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member during the proceedings as well as the team member, but a representative can't answer questions directed at the team member.

A witness or representative would ordinarily be a current wilko team member, wilko GMB Steward or a Trade Union Official. In exceptional cases (i.e. where the team member is a young worker or has a disability) if having a person outside of wilko and a trade union (i.e. a parent or support worker) would be beneficial then full consideration should be given to allowing this.

Where a team member is a member of the GMB and requests their presence, it is expected that Shop Stewards will attend all meetings except for appeals when either a Senior Steward, Convenor or Regional Officer may act as a representative for GMB members.

## 5.5 Return to Work Interviews and Absence Reviews

For all spells of absence, a return to work interview (RTWI) will be completed with the team member and the nominated person (typically their Line Manager/ People Support in DC's) usually face to face (or virtually) during their first shift back using the **Return to Work Form (RTW1)**. The purpose of the meeting is to provide an opportunity for the Line Manager (People Support in DC's) to welcome the team member back to work, understand the cause of the absence, whether work or non-work related, and to establish the team member's fitness to be back at work and whether any adjustments can be put in place.

There will be an opportunity to discuss the team member's attendance record, the reason for absence and offer support as required. All absences will be recorded on MyView (and on Firstcare in the Distribution Centres) and the team member can have a witness present. The Line Manager (People Support in DC's) will advise the team member of the potential consequences of any further absences as appropriate and confirm the absence management process.

From the 2nd spell of absence within a 12-month rolling period, in addition to the RTWI (**Return to Work Form RTW1**) a more in-depth Absence Review meeting will take place using the **Absence Review form (RTW2)** to identify any health issues and explore ways in which attendance can be improved, appropriate support arranged as necessary and discuss a referral to Occupational Health if appropriate. During the Absence Review meeting a decision may be made on whether an Absence Stage needs to be issued due to unacceptable absence levels. The team member must have the process explained to them and be offered a witness or representative before the Absence Review section of the return to work meeting takes place.

For manager guidance on how to conduct Return to Work Interviews and Absence Review meetings please refer to the **Attendance Management Guidelines**.

## 5.6 Sickness during holidays

If a team member falls sick during a holiday they may be entitled to take the balance of their holiday later. The Company will allow the team member to transfer to sick leave and take replacement holiday later. This however is subject to the following conditions:

- The total period of sickness must be fully certified by a qualified medical practitioner. Under these circumstances a team member cannot self-certify
- The team member must contact their Line Manager (Firstcare in DC's) as soon as he/she knows that there will be a period of sickness during a holiday
- If a team member is abroad when they become sick, evidence must still be produced of the sickness by way of either a medical certificate or proof of a claim on an insurance policy for medical treatment received at the overseas location

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Under normal circumstances, team members who are absent through sickness, accident or injury will not be permitted to take holiday leave instead of sick leave, as the Company is keen to ensure holiday entitlement is used for the purpose for which it is intended.

However, there may be personal circumstances where Management agree that some holiday entitlement may be appropriate (i.e. during a long-term period of illness where CSP has been exhausted). This may be arranged by mutual consent.

## 5.7 Working from home

For some Support Centre and field-based roles, team members may request to work from home when they are ill. Whilst occasional home working whilst unwell may be appropriate for certain roles, we need to ensure this is managed to a strict criterion to ensure that we are fulfilling our duty of care for the sick team member whilst ensuring that a consistent and fair approach with absence management is being taken.

If agreed, the team member is expected to deliver the full expectation of their role during this time although where possible (role dependant) adjustments to working hours can be supported in line with agile working.

## 5.8 Medical Appointments

Team members should make appointments outside of work hours where possible. Only reasonable time required to attend a reasonable number of appointments will be paid and team members are expected to attend work before and/or after the appointment wherever possible. Where a team member is unfit to attend work after a medical appointment, which results in them being absent for the rest of their shift then they should follow the absence reporting procedure and the absence should be managed within existing policy.

## 5.9 Dependant Leave

All team members have the right to unpaid time off during working hours for dependants, this time off is intended to deal with **unforeseen** matters and **emergencies** involving a dependant, and to make any necessary long-term arrangements for their care. Dependant leave should not be counted as an absence occasion for the purpose of Attendance Categories for CSP or for the management of short-term absence.

The leave can be taken for example:

- to deal with a breakdown in childcare
- to put longer term care in place for children or elderly relatives
- if a dependant falls ill or is taken into hospital
- If a dependant is at risk of physical or emotional harm and urgent intervention is needed

It is not intended to allow team members to provide care for a dependant beyond the reasonable amount necessary to enable them to deal with the immediate crisis. Normally a day or two is deemed as reasonable but this will depend on individual circumstances.

Team members must inform their Line Manager (First Care in DC's) in advance if possible of the reasons for the leave and the amount of time they expect to need off work. Managers should where possible support team members with reasonable time away from work to deal with dependant care issues.

If issues arise over the ability to support a team members level of dependant leave absence, then further discussions should take place with the team member to raise this as a concern and to work through whether they or wilko can put any adjustments in place to reduce the amount of absence taken for this reason. Where a series of meetings have taken place and despite any support given no improvement is made the concern should be escalated to the HR team by the line manager to request additional support.

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## 5.10 Occupational Health (OH)

A team member may be referred to OH by their Line Manager (People Support in DC's) as part of either the short or long-term absence procedure or where there are concerns around the team member's capability to carry out their job role due to medical reasons. OH may write to the team member's General Practitioner or Specialist (with the team member's consent) to seek a more detailed understanding of the medical condition.

Failure or refusal to attend an OH appointment may result in decisions being based without medical information and instead made on all other information available to management at the time. Failure to attend an agreed and confirmed OH appointment may result in the team member being charged for the appointment if the appropriate cancellation notice has not been given and any eligibility to CSP may be withheld and consideration given as to whether further action is required on the grounds of misconduct (**Disciplinary Policy**).

## 6. Company Sickness Pay Benefit (CSP)

Wilko's CSP benefit is in place to support team members who need to take time off work due to illness. CSP is entirely discretionary and is not a contractual right or legal requirement. The Company reserves the right to vary or withdraw CSP at any time and for any reason.

Payments for CSP will be based on contracted hours and will include the basic rate of pay as well as any environmental or night shift premium. If a team member is not entitled to CSP or exhausts this benefit, SSP may apply. The weekly rate of SSP is decided by the Government and is dependent upon the team member's average weekly earnings. Under the legislation the Company is responsible for paying SSP for up to 28 weeks of sickness over a 3-year period.

In order to qualify for SSP there must be a spell of at least 4 days in a row (including non-working days) and earnings must be at least at the Lower Earnings Limit for National Insurance Contributions (as set by government and subject to change) per week. The first 3 days are called 'Qualifying Days' (also referred to as 'waiting days') and no SSP payment is made for these days. CSP may be paid for those 3 days subject to the below 3 points.

Payment of CSP to individual team members is dependent upon the following (more details are given on each point below):

- 6.1 Eligibility to CSP (based on start date with wilko)
- 6.2 Attendance Category
- 6.3 Other grounds for withholding CSP

### 6.1 Eligibility for CSP based (based on start date with wilko)

#### For team members who commenced prior to 1<sup>st</sup> November 2020:

Any eligibility to CSP will start from the beginning of the second financial year of service (e.g. if a team member joined wilko on 5<sup>th</sup> June 2018 from 2<sup>nd</sup> February 2019 they would be eligible for 2 weeks CSP).

Length of service prior to the start of the current financial year:	Company Sick Pay accrued:
Up to 3 months	Nil
Over 3 months and up to 6 months	1 week
Over 6 months and up to 9 months	2 weeks
Over 9 months and up to 1 year	3 weeks
Over 1 year and up to 5 years	4 weeks
Over 5 years	1 week for each completed year of service to a max 26 weeks

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## For team members who commenced from 1st November 2020:

Any eligibility to CSP will start from the one year anniversary date of service (e.g. if a team member joined wilko on 5<sup>th</sup> June 2021 from 5<sup>th</sup> June 2022 they would be eligible for 1 weeks CSP).

Length of service prior to the absence:	Company Sick Pay accrued:
Up to 1 year service	No CSP SSP will apply (subject to eligibility)
Over 1 years service	1 week for each completed year of service to a maximum of 26 weeks, for example: 2 years' service = 2 weeks CSP 5 years' service = 5 weeks CSP

## 6.2 Attendance Category

Most team members will receive one payment of CSP for a spell of absence in a 12month rolling period (subject to their eligibility see point 6.1 above) and for any other absences they might have in that 12month period they will receive SSP (subject to entitlement).

We also want to recognise our 'good attenders' and so if a team member has had no absences over the 2 years prior to an absence, not only will they be paid CSP for that first absence but they will also be paid CSP for up to two further absences in the next 12month period accrued from the 2 year period of having no absences (3 spells of CSP in 12months).

If a team member has had just one absence over the 2 years prior to an absence they will be paid CSP for that first absence and for one further absence in the next 12month period accrued from the 2 year period of having only one absence (2 spells paid at CSP in 12months).

If a team member has had 6 absences or more over the 2 years prior to an absence they will only receive SSP for any absences in the following 12month period.

If however a team members absence is related to either pregnancy/disability or it is deemed to be a serious illness, regardless of how many spells of absence they have had in the previous 2 years or the current rolling 12months they will receive any eligibility to CSP. If an absence is related to COVID-19 then any payments made will be as per the 'Payment Table for Reference' within the 'Covid-19 QA Update/Coronavirus Latest Information Sheet' found on the SOF Portal under 'Latest Coronavirus news'.

The table below details these different categories:

Attendance Category	CSP Payment
<b>Attendance category 1</b> 100% attendance in previous 2 years	In next 12 month period for any absence TM will receive: <ul style="list-style-type: none"> <li>• One spell of absence paid CSP</li> <li>• Accrued payment of 2nd spell absence paid CSP</li> <li>• Accrued payment of 3rd spell absence paid CSP</li> <li>• All other absence paid SSP</li> </ul>
<b>Attendance category 2</b> 1 absence in previous 2 years	In next 12 month period for any absence they will receive: <ul style="list-style-type: none"> <li>• One spell of absence paid CSP</li> <li>• Accrued payment of 2nd spell absence paid CSP</li> <li>• All other absence paid SSP</li> </ul>
<b>Attendance category 3</b> 2 – 5 absences in previous 2 years	In next 12 month period for any absence they will receive: <ul style="list-style-type: none"> <li>• One spell of absence paid CSP</li> <li>• All other absences paid SSP</li> </ul>
<b>Attendance category 4</b> 6 Absences in previous 2 years	In next 12 month period for any absence they will receive: <ul style="list-style-type: none"> <li>• Only SSP paid for the following year</li> </ul>

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<b>Attendance category 5</b> Absences due to serious illness and not qualifying for CSP under Absence Policy	Exceptional absence process to be followed for authorisation to give CSP
<b>Attendance category 6</b> Absences due to disability or pregnancy	Disability / pregnancy related illness absence paid CSP

When counting how many absence spells a team member has had in the 2 year or 12month period the following absences should be excluded:

- COVID,
- pregnancy related,
- any accrued CSP spells (where CSP is paid based on a previous good attendance record in 2 year period)
- any authorised absence (i.e. dependant, bereavement, parental, maternity etc).

**For guidance on recording team members absence in MyView to ensure that they receive CSP in line with the Categories above and for the process to follow for requesting CSP for exceptional serious illnesses line managers should refer to the [Attendance Management Guidelines](#).**

## 6.3 General grounds for withholding CSP

In addition to the exceptions explained in the Absence Category section above wilko reserves the right to withhold CSP in certain circumstances and where it is believed there are genuine grounds to do so. Such grounds overrule any of the eligibility mentioned in 6.1 and 6.2 above and are (please note that this is not an exhaustive list):

- Once a team member is on an Absence Stage for the duration that the Absence Stage is live
- If a team member fails to follow the absence reporting and contact procedures
- If a team member fails to maintain contact or fails to attend arranged absence meetings (such as with the Company's Occupational Health provider) and internal welfare meetings
- If a team member is absent due to illness during notice periods, suspension, during investigations and/or disciplinary hearings or when their performance is being managed, and it is believed that the absence is as a direct result to delay/avoid the process. If no formal action is taken at the end of the process, the withheld CSP will be re-instated (subject to the absence stage & category and spell of absence as detailed under the 'short term absence' section below)
- If a team member fails to follow the absence reporting and contact procedures (refer to the **Unauthorised Absence Policy**).
- Cases of misconduct indicating the absence is not genuine
- Where evidence is available of patterns of absence (see separate section below for further details)
- Delay in providing a medical certificate (when no legitimate reason is provided)
- If a team member is absent on the first available scheduled workday before or after a bank holiday which they have booked as holiday
- Holiday leave is refused, and sickness absence is subsequently taken for the same period (refer to the premeditated absence section below).
- When long term absent before the start of a new CSP eligibility year new CSP will not automatically be re-instated at week 1 and will only re start after an appropriate return to work period.

If a decision is made to withhold CSP then consideration will be given as to whether further action is required on the grounds of misconduct as per section 8. below. If a team member believes the reason given for withholding CSP is not correct, then they are able to raise a grievance against the decision to withhold payment and there would be one right of appeal against the initial grievance outcome (refer to the **Grievance Policy**).

## 7. Managing Absence

When a team members absence becomes a concern, it would ordinarily be managed under one of these four headings:

- 7.1 Short term absence
- 7.2 Long term absence
- 7.3 High levels of absence
- 7.5 When absence from work becomes a conduct concern

Below is more detail on how these types of absence are identified and how they are managed

### 7.1 Short term absence

Short term absence is where absence occurs but typically for a relatively short period (i.e. less than 4 weeks).

The following process should be applied when dealing with short term absence. The process can be escalated if a team member is on a live Absence Stage and/or based on the number of spells of absence within the rolling 12 months (e.g. 3 spells would be a Final Absence Stage). When assessing the number of absences in the 12month period we refer to the last day of the first absence and the first day of the last absence.

Please note that at each stage of the process Absence Stages should never be automatic, all cases are individual and subject to review.

#### 7.1.1 Short Term Absence Management Procedure

This procedure typically allows for 4 absence spells in total with 2 Formal Absence Stages prior to an Absence Dismissal.

Where a team members Absence Stage has recently dropped off and they are absent again the next Absence Stage may still be considered (this will not unreasonably be applied without grounds to support it) i.e. regular absenteeism and patterns emerging, this is not an exhaustive list. When a team member is on a live Absence Stage they will not be paid CSP for any future absence spells.

#### Step 1 – First absence spell in rolling 12-month period

- upon return to work a RTWI will take place, using the **RTW1**. The team member will be reminded of the short-term absence management procedure in the **Attendance Policy** and the potential next steps should they have another absence within the rolling 12-month period or whilst the Absence Stage is still live. They can have a witness at the RTWI.

#### Step 2 – Second absence spell in the rolling 12-month period

- upon return to work a RTWI will take place using the **RTW1** and ordinarily following a short adjournment an Absence Review meeting will take place using the **RTW2**. They should have a witness or representative at the Absence Review meeting.
- following an adjournment the outcome of the Absence Review may be they are issued with a First Absence Stage which would remain live for a period of **9 months** (from the date of issue), however before any action is taken individual circumstances will be considered.

#### Step 3 – Third absence spell in the rolling 12-month period or a further spell whilst a First Absence Stage is live

- upon return to work a RTWI will take place using the **RTW1** and ordinarily following a short adjournment an Absence Review meeting will take place using the **RTW2**. They should have a witness or representative at the Absence Review meeting.
- following an adjournment, the outcome of the Absence Review may be that they are issued with a Final Absence Stage which would remain live for a period of **12 months** (from the date of issue), however before any action is taken individual circumstances will be considered.

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## **Step 4 – Fourth absence spell in the rolling 12-month period or a further spell whilst a Final Absence Stage is live**

- upon return to work a RTWI will take place using the **RTW1**
- ordinarily following a short adjournment an invite to an Absence Review meeting with an independent manager on a separate date and time will be given to the Team Member. They should have a witness or representative at the Absence Review meeting.
- the outcome of the Absence Review meeting could be an Absence Dismissal; however, before any action is taken individual circumstances will be considered with a full case review of previous absences and Absence Stages.

When counting how many absence spells a team member has had in the rolling 12month period (including the current absence) the following absences should be excluded: COVID, pregnancy related, any accrued CSP spells (where CSP is paid based on a previous good attendance record in 2 year period) any authorised absence (i.e. dependant, bereavement, parental, maternity etc).

**For guidance on recording team members absence in MyView to ensure that they receive CSP in line with the Categories above and for the process to follow for requesting CSP for exceptional serious illnesses line managers should refer to the [Attendance Management Guidelines](#).**

## **7.2 Long Term Absence**

Long term absence is where a team member has been absent for 4 or more consecutive weeks.

The main aim is to do everything we can to support team members who are sick and help them return to work, by considering reasonable adjustments to support their health and wellbeing and to facilitate a return to work as quickly as possible. Regular welfare meetings should be conducted at 4 weekly intervals and a referral to OH may also be appropriate. Each case will be individual and should be assessed on its own merits. If a team member is absent for 4 or more consecutive weeks, during this time they must remain in regular contact with their agreed point of contact and advise of their health condition. We reserve the right to contact team members during reasonable working hours during their absence from work. Managers should refer to the [Attendance Management Guidelines](#) on what should be covered as part of the welfare meetings.

Where a team member is on long-term sickness absence, but returns to work for short periods, the company reserves the right to continue to manage their sickness absence under Long Term Absence process.

If OH is not able to give any clear indication of a likely return to work date or the date is deemed to be within an unreasonable timescale, or the team member has little or no prospect of returning to work, or there is no suitable alternative work available to accommodate any necessary adjustments then management may hold a formal capability meeting within which they will consider terminating the team member's employment on the grounds of incapability due to ill health. The team member will have the right to appeal a dismissal on the grounds of incapability due to ill health (refer to the appeal section below).

There is no requirement that sick pay (either CSP or SSP) should be exhausted before management may take a decision to dismiss on the grounds of incapability where medical evidence indicates that a return to work is unlikely within a reasonable timeframe.

Consideration will always be given as to whether the team member is covered by the [Equality Act 2010](#). Where a team member has been diagnosed as terminally ill we will support them following that diagnosis and offer them the security of knowing they can choose the best course of action for themselves and their families. Whether that is to leave wilko so that they can spend their time how they wish without the routine of work or that they continue to be employed at wilko, we will work together with them to make the decision that is right for them and their family.

## 7.2.1 Long Term Sick, Company Sick Pay and the start of a new CSP eligibility year

Team members remaining on long term absence into the start of a new CSP eligibility year (1<sup>st</sup> Feb for pre Nov 2020 starters and the anniversary date of starting for post Nov 2020 starters) will not automatically receive full new CSP benefit (Managers can refer to the **Attendance Management Guidelines** for further information). A team member would however continue to be paid any qualifying CSP equivalent to what was remaining from the previous benefit year until they have reached the end of that amount. CSP does not roll over into a new year and so the CSP they receive will be deducted from the new year's allowance:

- For example, if a team member remains absent at the end of January and had 2 weeks' CSP allowance left at that time, they would receive CSP for the first 2 weeks of the new CSP eligibility year (i.e. from week 1, 2<sup>nd</sup> February for TM's with a start date pre November 2020).
- The new year's remaining CSP allowance will not be calculated until the team member has returned to work and provided regular and effective service for a period of 8 weeks or more following their return to work date. If a team member returns on a phased hours return, then the new year's CSP would not be calculated or available until the start of their 9<sup>th</sup> week back at work. At this time, the team member's CSP will be calculated in line with this policy, following which the amount of CSP already paid will be deducted. The remaining CSP following this deduction will then be pro-rated for the remainder of the current benefit year from the date that they returned to work (e.g. if only half of the year remains at the point of return, then the remaining CSP will also be halved)

## 7.2.2 Holiday Pay whilst on Long Term Absence

Where a team member is on long term absence and is expected to be absent for an extended period and they have exceeded their CSP they may in agreement with their Line Manager receive holiday pay on a week by week basis until it has been exhausted. A team member cannot receive holiday pay and CSP/SSP on the same day.

## 7.3 High levels of absence (over a 3-year period)

A team member may repeatedly demonstrate high absence over a period of years, which could be for one or more reasons. In these cases, the team member is not fulfilling their role and obligations to the business over an extended period of time (above and beyond the 12 months rolling period used for managing short term 'spells' of absence). If this exceeds 10 weeks per year over the last 2 or more years this should be investigated. Failure to improve attendance could lead to a formal capability meeting being considered and potential termination on the grounds of on the grounds of 'incapability due to ill health'. Managers should refer to the **Attendance Management Guidelines** for further information.

## 7.4 Appeals

For all Absence Stages issued including Absence Dismissal, and for Capability Dismissals a team member will have one right of appeal. An appeal hearing will be arranged as soon as reasonably practicable. The appeal officer should be impartial to the process and we will offer the team member/GMB the right to request an alternative hearing officer if there is a genuine reason that the hearing officer may not be deemed as impartial.

To launch an appeal against the outcome, a team member should write to the person who issued the Absence Stage/Formal capability decision or the HR department within 7 days of receiving the decision using the notification of appeal form that will be sent to them along with the Absence Stage or Formal Capability decision stating that they wish to appeal and the reasons why. An Absence Dismissal appeal will be conducted in line with the disciplinary appeals process - please refer to the **Disciplinary Policy**.

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## 7.5. When absence can become a conduct concern

Ordinarily any concerns with attendance at work would be managed by the processes detailed in this policy i.e. short term/long term/high levels of absence, however there are some situations related to absence from work that may result in them being managed as a conduct concern through our **Disciplinary Policy** as detailed below:

### 7.5.1 Lateness

All team members are expected to report for work punctually in readiness to start work at their agreed start time if they are not able to then they should follow the absence notification process detailed in section 5.2 above. There is no contractual or statutory right to be paid for time not worked due to lateness. Any payments made are done at absolute discretion. Time-keeping will be monitored, this may include visual observation and/or electronic swipe-card data where appropriate. Failure to comply with the notification process without good reason and/or persistent poor time keeping will be treated as a conduct issue.

### 7.5.2 Falsely Claiming to be unfit for work/not able to attend work or falsely claiming CSP Benefit

If a team member is absent from work and it is found that their conduct/activities during the period of absence are inconsistent with the illness or reason (i.e. dependant leave) for which they are absent, the absence may be managed as non-genuine and/or abusing the Attendance Policy which may be deemed as a gross misconduct offence and therefore could lead to summary dismissal as any relevant CSP being withheld.

### 7.5.3 Patterns of Absence – Short Term or Long Term

The Line Manager (People Support in DC's) will carry out regular reviews on a team member's past absence history to review any patterns of absence. Patterns of absence may include issues such as (please note that this is not an exhaustive list):

- The same weeks each year
- Absence before or after a holiday
- Always taking specific days i.e. Mondays/Fridays
- An absence which coincides with significant events such as payday/birthday/sporting event
- Where a team member persistently re-enters the procedure after a warning has expired
- Where a team member takes their full (CSP) over consecutive years
- Where a team member has been on a Final Absence Stage twice in a 3-year period

Where a pattern of absence is identified, CSP may be withheld as detailed within the 'withholding CSP' section above. The absence may also be considered as a conduct issue.

### 7.5.4 Premeditated Absence

If a team member is absent and following an investigation the absence is deemed as premeditated (this excludes any authorised time off), then the absence will be recorded and managed as such, CSP may be withheld as detailed within the 'withholding CSP' section above. This may be deemed as a gross misconduct offence and therefore could result in summary dismissal in line with our **Disciplinary Policy**.

## 8 Data Protection statement

For information on how we process data please refer to the Team member privacy policy.

Document Control Summary	
<b>Policy Name</b>	Attendance Policy
<b>Owner:</b>	HR Director 
<b>Author:</b>	ER Manager 
<b>Approved by:</b>	SHRBP Logistics Transformation & Industrial Relations

# Attendance Policy

<b>Understood by:</b>	GMB
<b>Document Reference Number:</b>	Version 4
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<b>Associated Documents:</b>	Grievance Policy, Disciplinary Policy, Unauthorised Absence Policy, RTW1, RTW2, Attendance Management Guidelines
<b>Relevant Legislation:</b>	Equality Act 2010; DWP Regulations