NI WATER

ATTENDANCE MANAGEMENT POLICY

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Attendance Management Policy

1. AIMS AND OBJECTIVES

Northern Ireland Water understands that employees may sometimes be unwell and that, as a result of illness or injury, they may be unable to work for a period of time, whether for just a day or two or on a longer term basis. The company aims to deal positively and sympathetically with employees who have medical conditions or injuries which affect their ability to work normally, whether or not they have taken sick absence.

This policy is designed to assist employees who are absent from work due to illness, as well as to enable the company to maintain effective staffing and attendance levels. We aim to deal fairly and reasonably with all those who have either frequent periods or extended periods of sickness absence. In making any decision to issue a formal warning for 'failing to attend work on a regular basis', Northern Ireland Water accept that each case can be unique and managed on a case by case basis, and therefore will take into consideration any existing circumstances. All employees should familiarise themselves with this policy so that they know what is expected of them should they become ill.

2. COMMENCEMENT AND STATUS OF THE POLICY

The following policy will supersede the current sickness absence policy from 1st June 2008.

The company reserves the right to alter any of the contents of this policy, subject to consultation with Trade Union at any time although you will be notified in writing of any changes.

Whilst this policy is not a disciplinary procedure, its provisions can in some cases lead to dismissal. Furthermore, unauthorised absence will be regarded as a potential breach of conduct liable to disciplinary investigation and dealt with under the company's disciplinary procedure.

3. RULES FOR NOTIFYING THE COMPANY OF YOUR ABSENCE AND KEEPING IN CONTACT

On the first day of your absence you must notify your line manager within half an hour of your normal start time, by telephone that you are not coming to work. You should make the call yourself where at all possible, and not ask someone to make it on your behalf. It is not acceptable to leave messages with colleagues or reception without first having taken all reasonable steps to contact your manager.

Unless your line manager tells you otherwise, you should telephone your line manager within half an hour of the beginning of your normal start time. Your line manager will record details of your absence on Oracle.

It is the company's policy to maintain contact with employees during long-term absence, as well as short-term absence. When it becomes clear that an absence has or is likely to become long-term, your line manager will agree with you how frequently you need to contact the company to keep it informed of your progress. You will normally be asked to keep in telephone contact on a weekly basis. Your line manager and a member of the HR team may also arrange to meet with you periodically. This may involve you coming into the

office/workplace or meeting at an agreed neutral venue or at your home if you prefer.

Failure to comply with the notification and contact requirements set out in this policy may result in you not being eligible for occupational sick pay or pensionable pay. In addition, your absence could be treated as unauthorised, which may result in disciplinary action.

4. CONDUCT DURING PERIODS OF SICK ABSENCE

Employees are reminded that during periods of sick absence they must ensure that they do not participate in any activities which may aggravate their condition and which may in turn adversely impact on their ability to return to work. Any breach of this provision will result in the withdrawal of occupational sick pay and will be investigated under the terms of the NI Water disciplinary procedures and may result in the issue of a disciplinary penalty.

5. CERTIFICATES

In addition to notifying the company of your absence, you must submit to your line manager a Self-Certification Form covering any absence of up to seven calendar days on the day that you return to work. These are available from your line manager or may be obtained from the intranet on the link detailed below.

If your absence lasts for longer than seven calendar days, you must also provide a Statement of Fitness for Work to cover any absence from the eighth day onwards. You must send this to your line manager as soon as possible and no later than the 10th day of your absence. If you are still absent on the expiry of your previous doctor's certificate, you must send another one to your line manager to cover any further absence, to arrive the day after your previous certificate expires.

The company reserves the right on occasions to require you to provide a Statement of Fitness for Work to cover an absence lasting less than eight calendar days due to the nature of the absence or because of the frequency of previous absences.

Providing a satisfactorily completed certificate is an important aspect of this policy and if you fail to provide one you may not be eligible for occupational sick pay, or, in some cases, SSP or pensionable pay. In addition, the company may treat your absence as unauthorised, which could result in disciplinary action being taken against you.

6. RETURN TO WORK INTERVIEWS

On you first day back to work your line manager will meet with you to discuss the reason for your absence and what has happened in your department during this period. If you do have any underlying problems or reasons that are causing you to take time off, this is a good opportunity to discuss them. We may be able to assist you. If you have not already handed in or sent your Self- Certification Form or Statement of Fitness for Work, you should do so at this meeting.Your line manager will record details of the interview and any actions agreed, on Oracle.

The company recognises that there may be exceptional circumstances where you would prefer not to discuss the reason for your absence with your line manager. If this is the case, you can discuss it instead with a HR Advisor or Manager (and give them your self-certificate or medical certificate). You should contact HR Directorate when you return to work (or before you return if that is possible) to make alternative arrangements.

7. RULES GOVERNING PAYMENT OF OCCUPATIONAL SICK PAY

NI Water will pay occupational sick pay to all employees in accordance with the existing qualification periods and where medical advice has been received which confirms that there is a reasonable prospect of an employee returning to work for as long as an employee:

i. attends all required medical referrals and / or meetings with their line manager or HR Directorate to discuss their sick absence record;
ii. returns to work within 2 weeks of their having been found fit to return to work by the company's occupational health provider;
iii. complies with the rules for notifying the company of your absence and keeping in contact as set out in section 3 of this policy document;
iv. complies with the rules governing conduct during periods of sick absence as set out in section 4 of this policy document;
v. complies with the rules for providing certification of absences as set out in section 5 of this policy document;.

For the avoidance of doubt, occupational sick pay shall be inclusive of Statutory Sick Pay (SSP).

8. ATTENDANCE REVIEW PROCEDURES

Whilst the Company will treat all absences as genuine unless proven otherwise, it is part of your contract of employment to attend work on a regular basis. The company does recognise that on occasions employees are too unwell to attend work and need time off to recover properly. However, there are limits to the amount of absence that the business can sustain taking into account the impact of the absence on work colleagues. Therefore, the company monitors the absence levels of all employees and, where appropriate, will take action to bring about an improvement including working with employees and line managers to improve attendance levels.

We use 'trigger levels' to identify those employees with attendance records that give cause for concern. Absences will be dealt with under either Procedure 1 or 2 as explained below. At any time during Procedure 1, the company may, at its discretion, choose to move you into Procedure 2 or vice versa.

It is important that you understand that trigger levels are not an entitlement to sickness absence and you may be called to account for any level of absence.

The 'trigger levels' are as follows:

a. four periods of absence during a rolling twelve month period; or
b. ten working days absence during a rolling twelve month period;

i. Procedure 1 (for short-term absences)

In making any decision to issue a formal warning for 'failing to attend work

on a regular basis', Northern Ireland Water accept that each case can be unique and managed on a case by case basis, and therefore will take into consideration any existing circumstances

a. Verbal Warning

Should your attendance record reach one of the above trigger levels, your line manager (at least Level 6) will hold a meeting with you to discuss your absence record and the reasons for it. Reaching these trigger levels may result in you being given a Verbal Warning. If there is a substantial and lasting improvement in your attendance, your Verbal Warning will lapse after six months from the date it is issued. At the end of six months, your line manager will inform you whether the Warning has lapsed or when it will next be reviewed. Consideration will be given to absences which have occurred within warning review period, which is six months from the date of the warning. You will have the statutory right to request to be accompanied by a fellow worker or trade union representative or official of your choice to any formal meeting or appeal under Procedures 1 and 2.

b. Written Warning

If, during the currency of your Verbal Warning, you

- are absent again for 5 or more days or on 2 or more occasions in any rolling six month period;

then a manager (at least Level 5) will hold another meeting with you to discuss your absence levels and the reasons for it. This level of absence may result in you being issued with a Written Warning. You will be informed that unless your sickness absence record improves and is maintained at an acceptable level then a Final Written Warning may follow. If there is a substantial and lasting improvement in your attendance, then this Written Warning will lapse after a period of twelve months. Your line manager will inform you after twelve months whether the Written Warning has lapsed or when it will next be reviewed.

c. Final Written Warning

If during the currency of your Written Warning, you

- are absent again for 5 or more days or on 2 or more occasions during any twelve month rolling period

then we will write to you asking you to attend a meeting to discuss your absence levels and the reasons for it. This level of absence may result in you being issued with a Final Written Warning by a manager (at least Level 4). You will be informed that unless your attendance record improves and is maintained at an acceptable level then dismissal may follow. If there is a substantial and lasting improvement in your attendance then this Final Written Warning will lapse after a period of twelve months. Your line manager will inform you after

twelve months whether the Final Written Warning has lapsed or when it will next be reviewed.

d. Dismissal

If during the currency of your Final Written Warning you are absent again for 5 or more days or on 2 or more occasions during a rolling twelve month period then we will write to you inviting you to attend a meeting to discuss your absence levels and the reasons for it. You will be advised in writing that a possible outcome of the meeting may be termination of your employment. Your level of absence will be discussed at the meeting and may result in you being dismissed with notice. A decision to dismiss you will only be taken by a Senior Manager at Level 3 and above and in consultation with Human Resources. You will be informed of your right to appeal.

ii. <u>Procedure 2 - long-term absence</u>

Procedure 2 is aimed at employees who have an underlying medical condition which is preventing them from working normally, perhaps causing them to have frequent short-term absences or, alternatively, a long-term period of absence. In such cases, the company may not feel it appropriate to follow the Warning system of Procedure 1.

The trigger level for long term sick absence is 20 continuous working days absence

It is accepted that ongoing long-term absentees may find it increasingly difficult to return to work.. By maintaining open and frequent communication between an employee whose ability to work normally is affected on a long-term basis, and ensuring that relevant medical information is available to both parties, we hope to be in a better position to offer employees the assistance they need to get back to work earlier or to improve attendance levels or productivity, as appropriate. This will involve actively considering possible reasonable adjustments to support your return to work which could include a phased return ,'lighter duties ' for an agreed period of time or a temporary adjustment to duties

Under Procedure 2, your line manager and a member of the HR team will therefore:

i. keep your absence (s) under review;
ii. maintain frequent contact with you, as and when appropriate, which may include periodic case meetings, both to keep us informed of your progress and to keep you informed of what has been happening at work in your absence. See also paragraph 3 above;
iii. HR Directorate will seek medical reports, which may also involve you attending one or more medical examinations with a doctor or other health professional appointed by the company;
iv. where appropriate, identify and consider with you possible reasonable adjustments to support your return to work or to improve your absence record or productivity or to return to work earlier than might otherwise be possible, including the opportunity to make use of Carecall Counselling Services and/or our Employee Support Officer where appropriate;
v. keep any reasonable adjustments that we have implemented under

review on an ongoing basis.

Your co-operation is required at all stages of Procedure 2, including the implementation of any agreed support measures. Given that the measures in Procedure 2 are aimed at enabling you to continue successfully in employment, a refusal to co-operate could affect your continued employment and your entitlement to occupational sick pay. (See paragraph 7 below for company policy on the provision of medical information).

Regrettably, circumstances may arise where it becomes necessary to consider your continued employment with the company. If so, we will, arrange to hold a meeting with you to formally review your absence history and likely return to work, taking into account any medical advice and the likely success of any reasonable adjustments, as well as the needs of the business. We will write to you in advance of the meeting explaining why and when a meeting will be held. In some circumstances, for instance where there is no prospect of you being able to return to work within a reasonable period of time, the review may result in your employment being terminated, on the grounds of capability, with notic and where that is a possible outcome of the meeting you will be advised in writing in advance. A decision to dismiss you will only be taken by a Senior Manager at Level 3 and above in consultation with Human Resources. You will be informed of your right to appeal.

9. OBTAINING MEDICAL INFORMATION

The company may at any time ask you to attend its doctor or other health professional or we may ask your permission to seek a medical report from your own doctor. This is to enable us to get a clear picture of your capabilities, diagnosis and prognosis. This information may be used to consider and implement measures aimed at assisting you to reduce your absence levels or return to work and/or to comply with our health and safety obligations. It may also be taken into account when making decisions about your future employment. All employees are therefore required to attend any medical examinations that are organised directly by NI Water or by IoH on behalf of NI Water. Failure to attend such examinations may result in the withdrawal of occupational sick pay. In addition NI Water will continue to manage an employee's absence and come to a decision about their continued employment in the absence of medical evidence caused by an employee's refusal to attend a medical referral.

10. PROCEDURAL STEPS

In all circumstances you can expect the following steps to be taken.

You will have the statutory right to be accompanied by a fellow worker or trade union representative of your choice to any formal meeting or appeal under Procedures 1 and 2.

At the beginning of a formal attendance meeting, you will be provided by HR with privacy information about the collection and use of your personal data for the meeting. This is a key transparency requirement under the UK GDPR. Such privacy information will include:

- The purposes of the processing.
- The lawful basis for the processing.
- The recipients of the personal data.
- The source of the personal data (if the personal data is not obtained from the

individual it relates to).

- The retention periods for the personal data.
- The details of whether individuals are under a statutory or contractual obligation to provide the personal data (if applicable, and if the personal data is collected from the individual it relates to).
- The rights available in respect of the processing.

You will also be informed at the start of the meeting that covert, personal recording is prohibited.

The company will not issue a Verbal, Written or Final Written Warning or dismiss you under Procedure 1 or 2 without:

i. Giving or sending you a letter explaining why a meeting is being held and when and where it will be, and setting out the relevant data protection information. This letter will also set out details of your attendance record, any relevant past Warnings and possible outcomes of the meeting. If you have difficulty understanding such a letter, you should ask your line manager, the HR Advisor or HR Manager for an explanation;

ii. at least 5 working days before the meeting, providing you with all relevant information, including medical reports;

iii. giving you at least 5 working days to consider your response to that information; and

iv. explaining the company's position at the meeting and giving you an opportunity to put your case.

The company will confirm the outcome of any meeting where a Verbal, Written or Final Written Warning or Dismissal is considered (together referred to as 'formal meetings') in writing.

If you are dissatisfied with the outcome of a formal meeting, then you can appeal the decision. Appeals should be in writing, setting out the specific reasons for the appeal and should be delivered to the Appeal Manager as detailed in your warning letter within seven working days of the decision. A meeting will be held to discuss your appeal. You have the right to be accompanied at this meeting by a work colleague or Trade Union Representative. This may take place after the decision appealed against has taken effect. The company will inform you of the outcome of the appeal in writing within 14 working days of the meeting.

All formal meetings and appeals will be held at a reasonable time and place. An employee who has been invited to attend a formal meeting or appeal must take all reasonable steps to attend the meeting. The company will not unreasonably delay any formal step of Procedures 1 and 2.

11. KEEPING RECORDS

The company will keep records of any action taken under this policy. These will be processed on a strict "need to know" basis, and will be stored in accordance with Data Protection legislation.

12. INJURY AT WORK

All accidents and any injury, however slight, which occur whilst on company premises, or on authorised company business, must be reported as soon as possible to your line manager. You should refer to the company's health and safety policy for further details on the procedure to follow.

Full details must be given as to how the injury was sustained, together with its nature and extent. These details must also be recorded on an Accident form, which can be obtained from your line manager.

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