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ATTENDANCE, SICKNESS, LEAVE AND ABSENCE POLICY AND PROCEDURES



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1. ABOUT THIS POLICY

- 1.1 Good Vibrations is committed to providing clear attendance, sickness, leave and absence policies and procedures, which meet the needs of the business and team.
- 1.2 This policy applies directly to Good Vibrations employees only.

2. EMPLOYMENT CONTRACTS

- 2.1 All staff will be issued with an employment contract, covering the following areas: duties, place of work, hours of work, salary, holiday, expenses, incapacity to work, confidentiality, information security and disciplinary and grievance policies.
- 2.2 Clause 12 of the contract contains standard contractual wording about scenarios in which an employee could be liable to have their contract terminated without notice.
- 2.3 Should a scenario arise, as described in clause 12d, 12e or 12f, Good Vibrations' trustees will consider the individual circumstances and where possible offer some support to the employee, so long as that employee has not and is not likely to bring Good Vibrations into disrepute. This in line with Good Vibrations' supportive environments value. However, Good Vibrations reserves the right to terminate employment without notice if deemed necessary.

3. ANNUAL LEAVE

- 3.1 Full-time staff are entitled to 28 days' paid holiday per year. Part-time staff are entitled to paid holiday proportionate to the amount of a full-time post they are working, e.g. someone working 0.5 F.T.E is entitled to 14 days' paid annual leave.
- 3.2 Additionally, you are entitled to your usual UK public holidays, or days in lieu if we ask you to work on a public holiday. This is on a pro rata basis for part-time staff.

Total annual leave entitlement including public holidays:

TOTAL = (28 holiday days + 8 bank holiday days) x the FTE % they are working

- 3.3 Our holiday year runs 1 Sep - 31 Aug. If your contract started or finished part way through the year your entitlement is calculated on a pro-rata basis rounded up to the nearest whole day.
- 3.4 Please request holiday approval more than 2 weeks in advance with your line manager.
- 3.5 You may only carry forward more than 5 days of accrued holiday to a subsequent year, if you have the prior written consent of the Chair of Trustees, or you have been unavoidably prevented from taking holiday because of sickness absence, statutory maternity, paternity or adoption leave, or pandemic.
- 3.6 During any continuous period of absence due to incapacity of one month or more you shall not accrue holiday and your holiday entitlement for the year will be reduced pro rata, if it does not fall below the *Entitlement of the Employee* under the *Working Time Regulations 1998*.

4. SICKNESS ABSENCE

- 4.1 Attendance is monitored against [The Bradford Factor](#). This benchmark considers the frequency and length of absence. By measuring number of spells of absence it identifies persistent short-term absence. The Bradford Factor trigger is 125 points, and this determines what action should be taken. The Bradford Factor is based on a rolling 12-month period from the first date of absence after joining Good Vibrations. Further guidance on it is at Appendix 2.
- 4.2 We recognise that sometimes you will be unavoidably prevented from coming to work owing to illness or injury, but you are expected to maintain a satisfactory record of attendance.

- 4.3 You are expected to follow government legislation and guidelines during pandemics.
- 4.4 If you are unable to work you must inform your manager on the telephone by 9am on the first day of absence, explain why you cannot attend work and, if possible, give your expected return date. If you're too ill to telephone, someone can call on your behalf.
- 4.5 You are required to telephone your manager each day you are unwell and unable to work.
- 4.6 You will need a doctor's fit note after 7 days off work sick in a row. If the note says you 'may be fit for work', you and your manager should discuss any changes that might help you return to work. You will be treated as 'not fit for work' if there is no agreement on these changes.
- 4.7 When you return to work, you and your manager should update the *Attendance Spreadsheet* and complete a *Return to Work Interview* (see Appendix 1).
- 4.8 You can take paid holiday while on sick leave if you don't qualify for sick pay. If you are ill just before or during a holiday, you can take it as sick leave instead. If you do this you are paid Statutory Sick Pay (SSP), which will count towards the amount of holiday pay you have received. The exceptions to this rule are if you do not qualify for SSP, and/or if you were off work being paid occupational sick pay.
- 4.9 If you have regular periods of sickness, they may count as linked. To be linked, the periods must qualify for SSP by lasting 4 or more days each and be 8 weeks or less apart. You are not eligible for SSP if you have a continuous series of linked periods that lasts more than 3 years.
- 4.10 Being off work sick for >4 weeks is considered long-term sick. You must communicate weekly by telephone with your manager during long-term absence, so they can make arrangements to cover your work/offer you support. Let them know when you are returning to work. We may carry out home visits and require medical reports/examinations if you are on long-term absence and/or if the illness is work related. We will make adjustments to how we manage this situation if this procedure is not possible or appropriate, e.g. if someone is off on long term sick leave and cannot communicate via telephone weekly.
- 4.11 If you are long-term sick, we will consider if you can return to work, e.g. working flexibly or doing different work. We will consult with you about when you could return to work, and if your health will improve. We will make reasonable adjustments to your working conditions if you become disabled because of your sickness, e.g. shorter hours or adapting equipment.
- 4.12 Where your fit note covers > 14 days, you may be required to obtain a final certified certificate indicating you are fit to return to work. When you return to work, you and your manager should update the *Attendance Spreadsheet* and complete a *Return to Work Interview*.

5. COMPANY SICKNESS PAY ALLOWANCES

- 5.1 Whilst company sickness payments will normally be granted for genuine absence taking account of these procedures, they are at the Executive Director/ Chair of Trustees' discretion.
- 5.2 After your probation period; in your first 12 months of service, you may receive full pay during sickness for up to 2 weeks' (pro-rata'd for part-time staff) absence. This period increases (on a pro-rata basis) as your service increases:
- (a) 1 - 3 years' employment = 4 weeks' aggregated absence
 - (b) 3 - 5 years' employment = 8 weeks' aggregated absence
 - (c) More than 5 years' employment = 10 weeks aggregated absence plus 1 week for every extra year of service up to a maximum of 12 weeks' aggregated absence.

5.3 The Chair of Trustees may, at his/her discretion, award company sick pay to you if your Bradford Factor score is >125, based on a positive work performance history.

6. STATUTORY SICK PAY

6.1 There is no company sick pay during the probation period. For all sickness absence during this time you will only be paid [Statutory Sick Pay](#) (SSP). You can receive £95.85/week SSP*¹ if you are too ill to work. We will pay you this sum for up to 28 weeks. You need to qualify for SSP and have been off work sick for 4 or more days in a row (incl. non-working days).

6.2 You get SSP for days you would normally have worked. It is not paid for the first 3 days you are off, unless you have been paid SSP in the last 8 weeks and are eligible again. To qualify for SSP you must earn at least £120 per week and tell us you are sick within 7 days. You still qualify if you started recently and haven't received 8 weeks' pay. You will not qualify if you have received the maximum amount of SSP or are getting Statutory Maternity Pay.

7. BEREAVEMENT, JURY SERVICE AND OTHER DISCRETIONARY LEAVE

7.1 If you suffer a bereavement, please discuss leave requests with your line manager. All requests will be considered sympathetically. For full-time staff, we usually allow up to 5 days paid leave for immediate relatives and up to 3 days paid leave for non-immediate relatives (on a pro rata basis if part-time). We are sympathetic in cases of domestic distress and emergencies too.

7.2 The length of time/division between bereavement leave/annual leave is dependent on individual circumstances. The final decision rests with the Executive Director. We will keep records of such leave granted and whether it is paid/unpaid.

7.3 If you are called for Jury Service, please inform the Executive Director. You will be given unpaid leave and must claim expenses from the court, including for loss of earnings.

7.4 You can take reasonable time off work to take action, which may be necessary to care for dependants - your wife, husband, child, parent or someone who lives in the same household as you, but who is not your employee, tenant or lodger. The entitlement is to unpaid time off but a decision on whether leave should be taken as paid or unpaid will rest with the Executive Director/Chair of Trustees and will depend on an assessment of the circumstances. When you request time off to care for a dependant you must tell your line manager the reason for the absence and likely duration.

7.5 Aim to make medical appointments outside normal working hours or at the start/end of the day where possible. If you need to take time off for medical appointments, inform your line manager, giving as much notice as possible, providing an appointment card if asked to do so.

8. MATERNITY AND PATERNITY LEAVE

8.1 When you take time off to have a baby you might be eligible for Statutory Maternity Leave (SML) and Statutory Maternity Pay (SMP). More information can be found [here](#). SML is 52 weeks: 26 weeks of Ordinary Leave, then 26 weeks of Additional Leave. You do not have to take 52 weeks but you must take 2 weeks after the baby is born. Employment rights are protected while on SML.

8.2 The earliest you can start leave is 11 weeks before the expected week of childbirth. Leave starts the day after the birth if the baby is early or automatically if you're off work for a pregnancy-related illness in the 4 weeks before the week it's due. No matter how long you've been with us, how many hours you work or how much you get paid, you qualify for SML if you

¹ Based on 2020/21 figures

tell us the following at least 15 weeks before your due date: when the baby is due, and when you want to start/end maternity leave.

- 8.3 You must provide at least 8 weeks' notice if you want to change your return to work date.
- 8.4 SMP is paid for up to 39 weeks. You get:
- (a) 90% of your average weekly earnings (before tax) for the first 6 weeks
 - (b) £151.20*² or 90% of your average weekly earnings (whichever is lower) for the next 33 weeks
- 8.5 SMP usually starts when you take maternity leave, starting automatically if you are off work for a pregnancy-related illness in the 4 weeks before the week baby is due.
- 8.6 To qualify for SMP you must:
- (a) earn on average at least £120 a week;
 - (b) give the correct notice;
 - (c) give proof you're pregnant;
 - (d) have worked for your employer continuously for at least 26 weeks continuing into the 'qualifying week' - the 15th week before the expected week of childbirth.
- 8.7 We will confirm how much SMP you'll get and when it will start and stop. If you are not eligible, we will give you a form SMP1 explaining why. You still get SML and SMP if your baby is born early, if he/she is stillborn after your 24th week of pregnancy or if he/she dies after birth.
- 8.8 When your partner is having a baby, adopting a child or having a baby through a surrogacy arrangement you may be eligible for 1 or 2 weeks' paid Paternity Leave. You must take it in one go, starting after the birth and ending within 56 days of it. You can give the general time you want to take leave and should give 28 days' notice to change this start date. [Here is more information](#). Your employment rights are protected while on paternity leave.
- 8.9 At least 15 weeks before the week the baby is expected you must give us form SC3 and tell us the baby's due date, when you want your leave to start, and if you want 1 or 2 weeks' leave.
- 8.10 To qualify for Statutory Paternity Pay, you must have worked for your employer for at least 26 continuous weeks before: the 15th week before the baby is due, or the end of the week the adoption agency matched you with a child.
9. SHARED PARENTAL LEAVE AND PAY
- 9.1 Shared Parental Leave gives you more flexibility in how to share the care of your child in the first year following birth or adoption. Parents can share a pot of leave, deciding to be off work at the same time or to take it in turns to look after the child. Find out more about it [here](#).
- 9.2 Mothers/adopters can also choose to end Maternity/Adoption Leave early and exchange it for Shared Parental Leave and Pay. They and their named partner will then need to decide how they want to share this entitlement. A family can use Shared Parental Leave even when only one parent meets the eligibility criteria. Shared Parental Leave may be taken at any time from when your child is born/ placed with you until 1 year after that date.

² Based on 2020/21 figures

10. PARENTAL LEAVE

10.1 Parental Leave entitles you to take up to 18 weeks' leave, per parent, per child, up to your child's 18th birthday. You can take up to four weeks' Parental Leave per child, per year but you must give at least 21 days' notice. You are entitled to unpaid Parental Leave if you have:

- (a) been employed by Good Vibrations for at least a year;
- (b) an Adoption Order or are named on the child's birth certificate;
- (c) or expect to have parental responsibility.

10.2 We guarantee you Parental Leave if it is to be taken by the father from the date of the child's birth or by the parents of an adopted child from the start of the placement. At any other time, we can postpone Parental Leave if we feel it will unduly disrupt the business and agree to let you take the same period of Parental Leave on alternative dates within six months.

11. ADOPTIVE AND SURROGATE PARENTS

11.1 You are entitled to take up to 52 weeks' Adoption Leave if you are matched with a child for adoption. Parents can decide which parent will be the adopter for Adoption Leave purposes. You can take Adoption Leave from 2 weeks before the adoption. Find out more [here](#).

11.2 Intended parents in a surrogacy arrangement who are eligible, and intend to apply for a Parental Order, are entitled to Adoption Leave too. If you are having a baby through a surrogacy arrangement you can take Adoption Leave from the birth.

12. H.M.R.C FORMS

<https://www.gov.uk/government/collections/statutory-pay-forms>

13. APPENDIX 1: RETURN TO WORK INTERVIEW FORM

Signed copy to be saved on the employee's personnel file.

Name of staff member:	
Dates off work:	
Total number of days off work:	
Reason for absence:	
Details of notification of absence:	
Recurrence of absence likely?	
Any needs Good Vibrations can support with?	
Further notes:	
Your Bradford Factor score:	
Attendance Record updated?	
Return to Work Interview carried out with:	
Signatures of employee and line manager:	
Dated:	

14. APPENDIX 2: BRADFORD FACTOR GUIDANCE

The Bradford Factor highlights persistent short-term absence. It is calculated by taking the total no. of days' absence (A) in a period and multiplying it by the no. of occasions absent (O) squared. All details relate to a 12-month rolling period.

Examples:

- 5 days' absence covered by 1 occasion = Bradford Factor of 5. (5 x (1 x1)).
- 5 days' absence covered by 3 separate occasions = Bradford Factor of 45. (5 x (3 x3)).
- 5 days' absence covered by 5 separate occasions = Bradford Factor of 125. (5 x (5 x5)).

Please see below for the scoring scheme:

Points score	90 - 125	125 - 200	200 - 500	500 - 900	900 – 1200
Action Possible	Record of Counselling session	Investigation meeting	Investigation and then disciplinary meeting	Investigation and then disciplinary meeting	Investigation and then disciplinary meeting
Maximum penalty	Counselling record on file	Verbal warning	First written warning	Final written warning	Dismissal
Meeting with whom	Immediate manager	Immediate manager	Executive Director and another Good Vibrations representative	Executive Director and Chair of Board of Trustees	Executive Director and Chair of Board of Trustees
Examples to activate	3 instances - 10 days	4 instances - 15 days	5 instances - 20 days	7 instances - 25 days	8+ instances - 26 days+

The scores can be exceeded by 1 long-term instance, but if instances are less than 3, then disciplinary action may not be appropriate.

Remember to use your discretion when examining reasons for absence. If action is not felt appropriate, keep a note on file of the decision's rationale.

Be consistent in decisions on what action, if any, to take.