

Sickness Absence Policy

Scope : This policy applies to the following AG Barr business divisions :

Barr Soft Drinks	FUNKIN Cocktails
✓	✓

1 POLICY STATEMENT

The Company aims to strike a reasonable balance between the pursuit of its business needs and the genuine needs of colleagues to take time off work due to sickness. If a colleague is persistently absent from work, however, this can damage efficiency and productivity, and place an additional burden on colleagues.

It is in the interests of everyone - customers, colleagues and the Company - that we have high attendance standards. This policy and procedure is designed to help us meet our business objectives on attendance which are:

- to deal positively and sympathetically with colleagues who have medical conditions or injuries which affect their ability to work normally;
- to avoid operational difficulties and maintain effective staffing levels; and
- to deal fairly and reasonably with colleagues who have either frequent periods or extended periods of sickness absence.

2 SCOPE

This policy relates to short term and long term sickness absences from work. Cases of unauthorised absence will be dealt with under our [Disciplinary Policy](#).

This policy applies to absence caused by personal illness or injury, not to unforeseen domestic or other circumstances.

This policy applies to all colleagues regardless of length of service. It does not form part of any contract of employment and it may be amended at any time. We may also vary the procedures set out in this policy, including any time limits, as appropriate in any case.

DISABILITIES

We are aware that sickness absence may result from a disability. In relation to absence resulting from a disability, particular consideration will be given to whether there are reasonable adjustments that could be made to the requirements of a job or other aspects of working arrangements that will provide support at work and/or assist a return to work.

If you consider that you are affected by a disability or any medical condition that affects your ability to undertake your work, you should inform your people leader.

3 PROCEDURE FOR NOTIFICATION AND CERTIFICATION OF ABSENCE

3.1 Absence Notification

If you are absent from work you must notify your immediate people leader as soon as you know you will be absent. In most circumstances this should normally be before the start of the day/shift, or if this is not possible, within one hour of the start. You will be asked to specify:

- the reason for absence;
- when the illness started;
- expected date of return or when you will follow up the call;
- what action is being taken to mitigate the effects of the illness;
- contact details for duration of absence; and
- any other relevant information

It is expected that you will call in person and only in exceptional circumstances will it be acceptable for someone else to call on your behalf. It is not acceptable to leave a voicemail outside working hours, ask a colleague to notify an absence or to send a text message. If the call goes to voicemail during working hours, a message should be left giving a contact number for the people leader to call back. It is your responsibility to make every effort to speak directly to your people leader as soon as possible so that inconvenience to your colleagues who will be covering your work is minimised.

In order to report absence in line with this policy, it is your responsibility to ensure that you have the correct telephone number for your people leader.

Failure to notify the Company as above will be treated as unauthorised absence and may lead to non-payment of Company sick pay for the total sickness period and may result in disciplinary action.

For each subsequent sick day after the first day of absence, you should generally telephone your people leader as soon as reasonably practicable in the morning or at the start of the shift.

However, people leaders may use their discretion and can agree different arrangements with you, if appropriate.

People leaders and colleagues should record absences within the Protime Time & Attendance system.

3.2 Sickness - Part Shift

If you come to work but need to leave during the day because of ill health, you should inform your people leader before leaving work. If they are unavailable, you should inform the next most appropriate person within the department.

If you go home, unfit for work, after completing at least half a shift, this absence will not be taken into consideration for absence monitoring purposes. However, should such absences become a frequent occurrence (3 times in a 12 month period), then an investigation will be held into the matter, separate to any other capability/absence monitoring.

Should you leave work before completing half of your shift, then this period of absence will be used in managing your sickness absence and will be considered as a sickness absence occurrence.

3.3 Absence up to 7 Calendar Days

You should maintain contact on a regular basis throughout your absence, particularly when the likely duration of an absence is unknown.

On return to work, having been absent between 1 and 7 calendar days (inclusive), you must complete a self-certificate and submit this to your line manager unless a medical certificate has already been received.

3.4 Absence longer than 7 Calendar Days

You must provide a Statement of Fitness for Work issued by a GP, nurse, occupational therapist, pharmacist or physiotherapist for all absence that exceeds 7 calendar days. Once a Statement of Fitness for Work has been received, you should maintain reasonable contact (as agreed with your people leader) regarding your absence and likely return to work date and immediately before any sick Statement of Fitness for Work runs out.

You can return earlier than the date stipulated on the Statement of Fitness for Work if you feel able to, and with the Company's agreement.

In cases of suspected abuse of our sick pay policy or where there is a concern about the level of or reason for absence, you may be required to provide a Statement of Fitness for Work for each absence regardless of duration. In such cases the Company will meet the cost of obtaining the medical certificate.

3.5 Pregnancy-related absences

Pregnant colleagues who are absent because of pregnancy-related ill health must abide by the Company's absence notification procedure, provide the relevant evidence and will be asked to attend a return to work interview. However any sickness absence for a pregnancy-related reason will not be included when checking the need for formal action.

4 RETURN TO WORK

All colleagues returning from sickness absence will receive a Return to Work Interview (RTWI) which will be carried out on their first day back at work after each occasion of absence. If this is not possible, e.g. for operational reasons the people leader is not available, the meeting will take place as soon as reasonably practicable.

colleagues are encouraged to:

- be open about the reasons for their absence to give their people leader the opportunity to provide support where possible;
- tell their people leader of any extenuating circumstances, e.g. personal or family problems or an unmanageable workload; and
- bear in mind that the Company may ask for express consent to seek a medical report, e.g. from their GP or Occupational Health.

5 SICKNESS AND ANNUAL LEAVE

5.1 Illness During Annual Leave

When you fall sick while on holiday, the Company may allow you to transfer to sick leave and take a replacement holiday at a later time. This is subject to the following conditions:

- the total period of ill health must be certificated by a statement of fitness for work;
- you must contact the Company as soon as you know that there will be a period of sickness during a holiday;
- you must submit a written request no later than 5 days after returning to work setting out how much of the holiday period was affected by sickness and the amount of leave that you wish to take at another time; and
- where you are overseas at the time you fall ill, evidence must still be produced that you were ill by way of a medical certificate.

5.2 Annual Leave while absent due to ill health

A colleague who is absent on sick leave will continue to accrue their contractual holiday entitlement and will be given the opportunity to take this at a later date, including in the subsequent leave year, if they do not take their holiday entitlement due to being on sick leave. In cases of long term sickness, you may request to book annual leave. Your line manager will discuss with Human Resources, and if agreed, holiday pay rather than sick pay will be paid for the days agreed.

6 COMPANY SICK PAY

The Company operates a contractual sick pay scheme that is more generous than statutory sick pay. Please see below:

Service	Company Sick Pay Eligibility
0 - 6 Months Service	Nil
6 Months - 2 Years	10 Weeks in a <u>rolling</u> 12 Month period
More than 2 years	20 weeks in a <u>rolling</u> 12 Month period

Any entitlement to Company sick pay is inclusive of any entitlements to statutory sick pay.

The Company reserves the right to withhold or suspend Company sick pay at its discretion. Circumstances in which contractual sick pay may be withheld include:

- failure to follow required absence notification and certification procedures or maintain reasonable contact;
- unreasonable refusal to attend occupational health or absence review meetings;
- we have reasonable grounds to believe that you are not genuinely sick or injured;
- the incapacity has been caused through negligence or participation in inappropriate behaviour, eg fighting, drunkenness or through working in any other occupation the colleague has;
- a pattern of absence before or after annual leave;
- false or misleading information is supplied concerning your absence;
- absence as a result of working with another employer or you are found to be working for another employer whilst off sick;
- you have given or received notice to terminate your employment; and
- absence immediately following conduct, performance, disciplinary or grievance discussions.

The colleague will normally be entitled to receive SSP when contractual sick pay is withheld or suspended, although the organisation can withhold or suspend SSP if it is not satisfied that the colleague is ill, and no evidence of sickness is provided.

Payments under the Company's scheme will be calculated by reference to the colleague's basic salary only (contractual weekly hours) and any payments made under the Company's scheme are inclusive of any entitlement to SSP for the same period of absence.

7 MEDICAL, DENTAL AND ANTENATAL APPOINTMENTS

The Company recognises that colleagues will, from time to time, need to attend medical appointments.

You should endeavour to arrange medical appointments in your own time, or if this is not possible, at times that will cause the minimum amount of absence from work or inconvenience to the Company. However, because the Company accepts that it is not always possible to arrange medical appointments outside working hours, its policy is to permit reasonable time off work for such appointments.

Provided that you give your people leader reasonable notice of the date and time of an appointment, time off with pay will normally be granted, although this is subject to the discretion of your line manager.

Where time off for medical appointments becomes frequent or regular, or starts to cause difficulties for your department, the line manager has the discretion either to require you to make up for the time off by working extra time on another occasion, or to grant any further time off without pay.

The Company reserves the right to ask you to reschedule an appointment if its timing would cause business disruption. Your people leader may also request you to produce confirmation of the appointment.

Colleagues who are pregnant have the statutory right not to be unreasonably refused paid time off for antenatal appointments. Paid time off will automatically be granted, although colleagues should endeavour to arrange appointments outside working hours.

A prospective father or partner of a pregnant woman has the statutory right to take unpaid time off to attend up to two antenatal appointments.

Absence / appointment recording should take place within the Protime Time & Attendance system.

8 MEDICAL ADVICE/OCCUPATIONAL HEALTH

When managing your sickness absence, we may request access to your medical records and/or ask you to consent to a medical examination on your fitness for work by occupational health. Occupational health is a speciality that considers very specifically the effects of work on health. It also considers an individual's health, ability and fitness to perform a particular job.

You will be asked to agree that any report produced in connection with a medical examination required by the Company may be disclosed to us and that we may discuss the contents of the report with the relevant doctor.

If you do not consent to any request by us for a medical report or to any such report being disclosed to us, we may have to make decisions regarding your future employment based on the information available to us.

9 ATTENDANCE IMPROVEMENT PROCEDURE

9.1 Trigger points for short term absence

It is inevitable that colleagues will on occasion be off work through short spells of absence. A problem arises however when a colleague's level of attendance fails to meet the standards of attendance required by the Company.

At or following your return to work interview, if your people leader considers that your absence record is unsatisfactory, they will advise you that a formal absence review meeting will be held to consider your absence(s). Absence triggers are in place in order to help line managers address a colleague's absence appropriately and ensure that absence is managed consistently and fairly across the organisation.

Formal absence review meetings may result in a range of outcomes from no action to warnings for unsatisfactory attendance and dismissal.

Progression through the policy will generally operate as follows:

Stage	Trigger	Potential sanction
Absence Review Stage 1	3 occasions of absence or total number of days/shifts absent equal to or greater than 2 contractual working weeks in the previous 12 months or any pattern or duration of absences which gives cause for concern;	Stage 1 absence warning of 6 months' duration
Absence Review Stage 2	Further absence(s) during Stage 1 warning period;	Stage 2 absence warning of 12 months' duration
Absence Review Stage 3	Further absence(s) during Stage 2 warning period;	Stage 3 absence warning of 12 months' duration
Absence Review Stage 4	Further absence(s) during Stage 3 warning period.	Dismissal

9.2 Procedure for absence review meetings

We will give you reasonable notice of the date, time and place of any absence review meetings. We will put any concerns about your absence levels and the basis for those concerns in writing or otherwise advise why the meeting is being called. The meeting will normally be conducted by your line manager and may be attended by a Company witness.

You may be accompanied to any absence review meeting by a trade union representative or a work colleague.

You must take all reasonable steps to attend an absence review meeting. Failure to do so may result in disciplinary action.

The purpose of each absence review meeting may include:

- discussing the reasons for and impact of your absences;
- determining the likelihood of further absences;
- considering whether medical advice is required;
- considering what, if any, measures might improve your health and/or attendance;
- agreeing a way forward and any action that will be taken. Such action may include the imposition of a warning for unsatisfactory attendance (of the durations indicated at 9.1 above). It may also, depending on the steps we have already taken, include warning you that you are at risk of dismissal on the grounds of persistent short-term absence.
- at Absence Review Stage 4, consideration of termination of your employment on the grounds of persistent short-term absence.

Confirmation of any decision made at an absence review meeting, the reason for it, and of the right of appeal will be given to you in writing as soon as reasonably practicable after the meeting.

9.3 Appeal Process

At each stage of the formal absence review procedure, you will have the right to appeal.

If you wish to appeal against an absence review decision, you should do so to the manager immediately above the level responsible for the formal absence review meeting in the first instance. You should do so, in writing, within 5 working days of receiving written confirmation of the absence review decision. The appeal should set out the grounds on which you believe that the decision was flawed or unfair.

We will give you reasonable notice of the date, time and place of any absence review appeal meeting. You may be accompanied to any absence review appeal meeting by a trade union representative or a work colleague.

The outcome of the appeal will be confirmed to you in writing, explaining the grounds on which the decision was reached. The outcome of the appeal will be final.

In the event of an appeal against dismissal being successful, you will be reinstated and any loss of income will be paid.

10 LONG TERM ABSENCE

The Company is committed to dealing fairly and sympathetically with colleagues who are absent from work for long periods because of ill health. The Company aims to assist colleagues with their rehabilitation and eventual return to work. However, the Company must also pay due regard to its operational needs. The absence of a colleague on long term sickness absence can damage efficiency and productivity and place an additional burden on colleagues.

It is important to maintain contact with a colleague on long term sickness absence and it is the joint responsibility of both the people leader and the colleague to maintain contact. The people leader will contact the colleague to agree on the method and frequency of contact.

Regular meetings or home visits will be held with you by the people leader and HR. (Where illness is stress related, medical advice will be taken).

The purpose of maintaining contact is to:

- demonstrate interest and concern for the colleague;
- discuss with the colleague the likely timescale of returning to work;
- discuss any medical appointments and treatment;
- discuss with the colleague what steps can be taken to assist the colleague in returning to work (e.g. a phased return, amended job duties, altered hours, workplace adaptations) and where appropriate agree a plan to assist with return to work;
- confirm when the next contact will take place;
- identify whether any assistance is required through occupational health; and
- provide any required information to the colleague regarding their sick pay position.

Colleagues should submit Statement of Fitness to Work certificates in the normal way.

Where a return to work does prove possible, the Company may require occupational health confirmation that the colleague is fit to return.

The Company will be sympathetic when a colleague is ill, but the colleague should appreciate that if they are absent through long term ill health, injury or incapacity, it may not be possible for the situation to continue indefinitely, and their employment may be reviewed or terminated on the grounds of long-term ill health absence where there is no foreseeable return to work. Termination of employment will not usually take place without:

- full consultation with the colleague;
- medical assessment and reports; and
- consideration of reasonable adjustments including in relation to alternative employment/duties/hours.

11 ILL HEALTH RETIREMENT

Retirement on the ground of ill health will be considered where:

- it appears unlikely from the medical advice that a colleague on long term sickness absence will be able to return to their role; and
- Colleagues are entitled to a pension under their pension scheme.

Consent for ill health retirement must be obtained from the Trustees of the scheme and is considered on an individual basis.

12 CONFIDENTIALITY

We respect the confidentiality of all information relating to a colleague's sickness. This policy will be implemented in line with all data protection legislation, the Access to Medical Reports Act 1988 and Access to Health Records Act 1990. Access to colleague's sickness absence records will be restricted to relevant managers and the HR Department only.

Last Reviewed : December 2023	Last Updated : December 2023
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