

## PROLONGED SICKNESS CHECKLIST

- \* Use this checklist to assist you to make a decision about ending employment in cases of prolonged sickness
- \* Tick each box to show you have considered each item

### 1. Investigation

- Ensure that you have a completed the Prolonged Sickness Case Map, in line with the Prolonged Sickness 'What Good Looks Like' document.
- Examine the employee's personal file to gain an overall picture, including the Pre-Employment Health Questionnaire.
- Establish whether the employee is receiving company sick pay, Statutory Sick Pay, or other Department of Social Security benefits. This may help you decide whether to act or not, at this stage.
- Establish whether absence was related to an accident at work, as extra lenience should be considered.
- Ensure that you have an up-to-date medical referral report.
- Establish whether the employee is, in your opinion, likely to be covered by the Disability Discrimination Act.
- Check if the employee has Next Steps or an Adjustment Plan in place.
- Identify what changes have been made to the employee's job, to enable the employee to improve his/her attendance.
- Establish whether the employee is in the company pension scheme.
- If the health referral report is unclear, speak to the Occupational Health Advisor to gain further information.
- Invite the employee to a preliminary hearing & send Example Letter 3 (Invite employee to preliminary hearing to discuss health referral report - Supporting Your Attendance Guide, Section 7)
- Inform your Personnel Manager Group/Personnel Manager that you are planning the meeting.
- Decide whether it is more suitable in the employee's situation to arrange a meeting in store, another venue, or a home visit.

- Stress that the employee will be given every opportunity to state his/her case, challenge evidence and explain any mitigating circumstances.
- Ask for an update on the employee's medical condition since you have last had contact with them.
- Remind the employee of their absence record, length of service and typical time we would support their absence. Explain the business case for why we can't support them indefinitely (e.g. costs to the business, impact on existing staff).
- Discuss with the employee the contents of the medical report.
- Check if the employee agrees with the medical opinion, and if not, in what ways they believe it is wrong.
- Consider the likelihood of the employee returning to work in the near future in their existing role.
- If the preliminary hearing suggested alternative roles, explain any opportunities that exist, and find out if these are acceptable to the employee, and if not, why not.
- If the preliminary hearing revealed suggestions of adjustments which could be made to allow the individual to return to work, describe what it is reasonable to do. Find out if this is acceptable to the employee.
- Allow the employee to comment on all the evidence and put forward any further information or explanations.
- Ask as many questions as necessary to ensure that the employee's position is fully understood.
- Discuss with the employee the possible options if they are unable to return to work. (Ensure the options are appropriate before discussing them):
  - Contractual dismissal: on the grounds of incapability to fulfil their contract due to ill health.
  - Ill health retirement.
  - Supporting their absence longer, until a further review (only in exceptional cases, where new information could arise in the near future - particularly in Disability Discrimination Act cases or when absence is due to an accident at work).
  - Supporting their absence if the employee is terminally ill and has a life expectancy of less than 12 months.
- If there needs to be further investigation because new evidence has come to light, adjourn the hearing, conduct further investigations, and then reconvene the hearing and go through the whole interview process again.



- If the employee is unable to return to work, establish the following from the medical report and decide whether the employee may be eligible for an ill health retirement pension:
  - Is the employee's medical condition permanent (likely to last for the remainder of the employee's working life i.e. until 65)
  - Is the employee unable to work in any capacity or unable to undertake the job for which they are employed?
  - Are there no suitable alternatives?
- If the decision is that the employee is eligible for a pension, consider whether the employee is terminally ill with less than 12 months life expectancy.

### 6. Informing the employee

- Reconvene the hearing.
- Remind the employee that this is a formal hearing due to their incapability to do their job as a result of ill health, and could result in their employment being ended.
- Clearly inform the employee of the decision based on the following options:

#### Option One

- If there is a clear possibility that the individual may be able to return to work soon, or if there is a significant decision is to be made about their condition in the near future which may enable them to return, consider supporting their absence further (no longer than 3 months without further review).

This may be particularly appropriate if we believe the individual may be covered by the Disability Discrimination Act, (additional support is a further adjustment), or if absence is due to an accident at work. In these circumstances further support will help our case and show that we have done all we can to help them.

#### Option Two

- If the employee is:
  - unable to return to work, or alternative work,
  - unable to undertake a return to work programme, and suitable reasonable adjustments are not possible,
  - in the pension scheme, and the Occupational Health Advisor has indicated that they are likely to qualify for a pension,

ask the employee if they would like to apply for a pension.

- If the decision is taken to dismiss the employee, adjourn the meeting to allow time to complete the Record of Contractual Dismissal for Prolonged Sickness. Reconvene, and read the details to the employee, ensuring that the employee clearly understands his/her effective date of termination, notice entitlement, and the right of appeal. Also ensure that the employee understands that the possibility of alternative work was considered but no suitable vacancy was found. Give the written confirmation to the employee, asking him/her and the representative to sign to acknowledge receipt.
- Ask the employee to read the notes that were taken at the meeting and sign or initial each page to confirm they are an accurate record of what has been said.
- Inform the Occupational Health Advisor and Personnel Manager Group/Personnel Manager of the outcome.
- Follow up by sending Example letter 5 (Dismissal Ill Health - Supporting Your Attendance Guide).

## 7. Meeting to Discuss Outcome of Ill Health Retirement Application

- Decide whether it is more suitable in the employee's situation to arrange a meeting in store, another venue or a home visit.
- Write to the employee using Example letter 7 (Invite Employee to Interview – Supporting Your Attendance Guide), to discuss the outcome of their ill health retirement application.
- Arrange for the Store Manager to conduct the meeting and for the Personnel Manager to be present to take detailed notes.
- Inform the employee of his/her right to representation and arrange if necessary for the representative to be present at the meeting.
- If the decision is made to dismiss the employee, inform them that this is now a disciplinary meeting due to their incapability to fulfil their contract caused by their ill health.
- Start by explaining the purpose of the meeting.
- Introduce all those present and their part in the proceedings.
- Check that the employee is fully fit and able to take part in the interview so we are sure that the employee is not suffering from the effects of medication, or is unwell and does not really understand what is happening



- Stress that the employee will be given every opportunity to state his/her case, challenge evidence and explain any mitigating circumstances.
- Ask for an update on the employee's medical condition since you have last had contact with them.
- Remind the employee of their absence record, length of service and typical time we would support their absence. Explain the business case for why we can't support them indefinitely (e.g. costs to the business, impact on existing staff).
- Discuss with the employee the contents of the medical report.
- Check if the employee agrees with the medical opinion, and if not, in what ways they believe it is wrong.
- Consider the likelihood of the employee returning to work in the near future in their existing role.
- If the preliminary hearing suggested alternative roles, explain any opportunities that exist, and find out if these are acceptable to the employee, and if not, why not.
- If the preliminary hearing revealed suggestions of adjustments which could be made to allow the individual to return to work, describe what it is reasonable to do. Find out if this is acceptable to the employee.
- Allow the employee to comment on all the evidence and put forward any further information or explanations.
- Ask as many questions as necessary to ensure that the employee's position is fully understood.
- Discuss with the employee the possible options if they are unable to return to work. (Ensure the options are appropriate before discussing them):
  - Contractual dismissal: on the grounds of incapability to fulfil their contract due to ill health
  - Ill health retirement.
  - Supporting their absence longer, until a further review (only in exceptional cases, where new information could arise in the near future - particularly in Disability Discrimination Act cases or when absence is due to an accident at work).
  - Supporting their absence if the employee is terminally ill and has a life expectancy of less than 12 months.
- If there needs to be further investigation because new evidence has come to light, adjourn the hearing, conduct further investigations, and then reconvene the hearing and go through the whole interview process again.



# Attendance Review Meeting Checklist

Name of individual	Peter Still	Notetaker Name and Position	KEITH McKEOWNIE TEAM MANAGER
Date of Attendance Review Meeting	07/08/08	Representative	DECLINED
Attendance Review Number	4	Manager Name and Position	John McFarlane
Meeting outcome (complete after meeting held)	SET NEXT STEPS	Start Date: Is this within 6 months of absence?	<del>Yes</del> /No

## BEFORE THE MEETING

- Check that the meeting is planned within 7 calendar days of the individual's return.
  - Check the individual's file to assess their absence history.
  - Is the individual still within their first 6 months of employment? ~~Yes~~/No.
- Record reason for current absence. Back Problem
- Identify the current absence picture for the last 26 weeks:
    - Current absence % (taken from the Welcome Back Meeting) 4.61 %
    - Number of absence's in the last 26 weeks? 1 occasions
    - Reasons for absence
- (Ensure lateness is excluded. If there is repeated lateness address this separately as misconduct.)
- Are there any previous periods of absence that are mitigating in the last 26 weeks? ~~Yes~~/No  
List them here:
- Have all mitigating absences in the last 26 weeks been removed from the absence calculation ~~Yes~~/No  
If not:
- Re-calculate the review level excluding mitigating absences 4.61 %
  - Is the individual still over the review level? ~~Yes~~/No
- Are there any domestic absences in the last 26 weeks? ~~Yes~~/No  
List them here:
- Are there absences that may indicate a recurring illness? ~~Yes~~/No
    - If yes, list them here: BACK PROBLEM (SPONDYLITIS IN THE SPINE)
    - Are there any next steps that need to be reviewed in cases of recurring illness or domestic absence? ~~Yes~~/No
    - Do they link to the current absence reason? ~~Yes~~/No
    - Is there an adjustment plan in place? ~~Yes~~/No
    - Does it relate to the current absence reason? ~~Yes~~/No
  - Look at the individual's absence history beyond 26 weeks ('bigger picture')
    - Is it now better, worse or consistent?
    - List any trends here: CONSISTENT
  - Is the individual currently on the monitoring process? ~~Yes~~/No  
- What is the stage and when does it expire?
  - How many times has the individual been on the monitoring process since 23/7/07?  
List the individual's history on the monitoring process

Stage One	Stage Two	Stage Three
		26/10/07
	03/9/08	29/01/08



# Attendance Review Meeting Checklist

- Discuss the preparation work with your line manager, Attendance Coach or Personnel and Training Manager to ensure that the key points have been established before the start of the meeting
- Ensure you have records of previous Attendance Reviews to hand, as well as copies of next steps or adjustment plans.

## AT THE MEETING

- Inform the employee that this is a meeting regarding their current level of absence which is over the review level. (This could be their increased review level if covered by the Disability Discrimination Act)
- Stress this is not a disciplinary meeting but could lead to dismissal
- Offer representation. ( Ensure new starters / young employees / non English speakers understand their right to representation and can follow the process).
- Outline the meeting process explaining that the current absence history and bigger picture absence will be reviewed. A decision will be made on appropriate action to take that will support the employee to attend work.
- Discuss the current reason for absence and any other absences in the last 26 weeks
  - How can we support the individual?
  - What have they done to prevent further absences occurring?
  - Did they attend the doctor - what was the result of the visit?
  - Do we need to make any adjustments on a temporary basis?

### Mitigation

- Considering the current absence and the last 26 weeks absences :
  - Is the current absence mitigating? Yes/No
  - Having removed the mitigating circumstances is the absence level now below the review level? Yes/No

If you have answered YES to either or both questions above inform the employee that as there are mitigating absences you will not be taking any further action. Where necessary record any next steps identified.

Inform the employee that should they have absences in the future it may lead to action being taken

- Record your decision in 'Informing your decision' at the end of the checklist.
- The employee and individual should sign copies of the notes.

End meeting

### Excellent attendance history

- Review in detail the bigger picture absence - look back beyond 26 weeks. Discuss any trends or patterns. Discuss any actions taken previously.
  1. Are there absences in the bigger picture review? Yes/No
  2. Are they indicating an unacceptable absence history in the past? Yes/No
  3. Have previous Attendance Review taken place Yes/No

If you have answered NO to the questions above consider it is reasonable to conclude that this current absence performance is a one off in an otherwise excellent attendance history. If this is the case inform the employee that on this occasion no further action will be taken, however, action may be taken in the future if the level of attendance is considered to be unacceptable.

- Record your decision in 'Informing your decision' at the end of the checklist
- The employee and individual should sign copies of the notes.

End meeting

### Recurring / domestic / sporadic (circle as applicable)

#### Recurring Illness

- From the bigger picture review consider if there could be one illness causing recurring absence? If yes discuss and record what this illness is CERVICAL SPONDYLITIS
- What actions has the employee made already to improve attendance?
  - How can we support the employee to improve attendance?
  - Review any next steps already made
  - Review any adjustment plan already in place
  - Are the activities and timescales on the next steps or adjustment plan correct?
  - Could we reasonably expect to see an improvement in attendance with the next steps adjustments identified?
  - Have you considered if the individual is covered by the Disability Discrimination Act?



B-3

SUPPORTING ATTENDANCE

STAGE THREE CONFIRMATION

Issued to (employee name) PEER SILL Based at (Site) LIMINGTON DC

Clock/employee number 1609 Department/shift/crew WAREHOUSE

Names and positions of anyone else present.  
071122

I would like to confirm that \*(Tick and delete as applicable)

Since being placed on stage two of monitoring on 31.08 (Date) your level of attendance has not improved. During the last rolling 26 weeks you have failed to attend on the following occasions and although this failure is understood your attendance levels are showing no sign of improvement.

Your absence level is unacceptable and you are within the first 6 months of employment which commenced on ..... (Start date)

Your absence level is unacceptable and this is the third time onto monitoring in a rolling 2 years

Your current absence percentage is 17.3% and you have been absent on the following occasions:

Date of first day of absence	No. of rostered shifts	Days of the week	Reason
<u>30.9.07</u>	<u>9</u>		<u>FLU</u>
<u>23.12.07</u>	<u>6</u>		<u>INFECTION</u>
<u>19.1.08</u>	<u>3</u>		<u>LEG PAIN</u>

Our concerns are such that if you fail to attend on one more occasion your contract of employment could be terminated.

You have confirmed that you are not suffering from any recurring illness which may be contributing to your current levels of absence.

Having discussed the reasons for your unacceptable attendance the company is committed to helping you improve. Your monitoring period is 6 months, which expires on 21.07.08 at which point if your absence levels are acceptable you will be removed from the monitoring process.

Please ensure you talk to me if the current situation changes or you do not understand anything contained with this confirmation.

For and on behalf of Tesco

Sign [Signature] Print name CHRISTINE MILNE Position SHIFTING

I acknowledge receipt of this stage 3 placement

Sign [Signature] Print name PEER SILL Position WAREHOUSE



## SUPPORTING ATTENDANCE

### STAGE TWO CONFIRMATION

Issued to (employee name) PETER STILL Based at (Site) W11 DC

Clock/employee number 11009 Department/shift/crew WHISE FRESH N3

Names and positions of anyone else present.

S. DALE, K. DEKORNE

I would like to confirm that since being placed on stage one of monitoring on 29.8.08 (Date) your level of attendance has not improved.

During the last rolling 26 weeks you have failed to attend on the following occasions and although the reasons for this failure are understood, your absence continues to give the company reason for concern.

Your current absence percentage is 4.7 and you have been absent on the following occasions:

Date of first day of absence	No. of rostered shifts	Days of the week	Reason
<del>21.8.08</del>	<del>2</del>		
21.8.08	2		LIPSET STOMACH
6.9.08	4		EARACHE
18.9.08	28		BACK PAIN

Your failure to attend regularly challenges our ability to deliver on time to shops and compromises our ability to provide full shelves for our customers.

This confirmation requires you to take steps to improve your attendance levels to meet your contractual obligations. You have confirmed that there are no reasons why you will not be able to improve your level of attendance and you will be making every effort to do so.

Failure to improve the situation will result in you being placed on the final stage of the Monitoring process at which point further absences will put your continued employment at risk.

Having discussed the reasons for your non attendance the company is committed to helping you improve. Your monitoring period is 6 months, which expires on 30.4.09 at which point, if your absence levels are acceptable you will be removed from the monitoring process.

Please ensure you talk to me if the current situation changes or you do not understand anything contained with this confirmation.

For and on behalf of Tesco

Sign [Signature] Print name GABRIELINE Position SHIFT NR

I acknowledge receipt of this stage 2 placement

Sign [Signature] Print name Peter Still Position WHISE FRESH



# Attendance Review Meeting Checklist

## Domestic absence

- If there are domestic absences in the current absence history discuss how we can support the employee to prevent a reoccurrence? What have they done themselves?  
If next steps are already in place could we reasonably have expected them to address the domestic absence?  
Are there other next steps that could help resolve the situation?

## Sporadic Absence

- Where there is a pattern of sporadic absences that are not linked discuss what else the employee believes can be done to improve attendance. Can we help?
- Ask the employee if there is anything else they feel should be considered. Summarise your discussion so far.
- Inform the employee that you will now consider the points discussed and will adjourn the meeting.

## Adjournment

Time meeting adjourned .....am/pm

The employee and representative should read and sign the notes completed so far.

## EXAMINING THE KEY POINTS

- Consider the key points discussed at the meeting and review your preparatory work

### Sporadic Absence and Domestic Absence

- Is it reasonable to conclude that this is a 'bad patch' in an otherwise good attendance history where we have already spoken to the employee before?

If **YES**:

You could take no further action. Otherwise consider placement onto a stage of the process - record your decision and reason in the section 'Informing your decision'

If **NO**:

- Is it reasonable to conclude that the current level of attendance is unacceptable? The employee has been spoken to previously and next steps are not applicable.  
Is the absence having an adverse effect on the business? Does the bigger picture indicate a poor attendance history?

If **YES** you should consider placement onto a stage of the process.

If the individual has already been on stage monitoring twice in the previous 2 years, starting 23/07/07 this will mean placement on stage three.

If the individual has less than 6 months service this will mean placement on stage three.

If the individual is already on stage three of the monitoring process this will mean referral to a disciplinary meeting.

Record your decision and reason in the section 'Informing your decision'

If **NO** you are agreeing that the level of attendance is acceptable and should set up to two sets of next steps to support the individual to attend work to an acceptable level. Record your decision and reason in the section 'Informing your decision'

### Recurring Illness

- If there is a recurring illness consider if the individual is clearly covered by the Disability Discrimination Act? Refer to your Personnel and Training Manager who will be able to guide you.

### Clearly covered by Disability Discrimination Act

- You should adjourn to put an adjustment plan in place with the support of the Personnel and Training Manager or if an adjustment plan is already in place consider further adjustments that can be made until all adjustments have been exhausted.
- If you consider all adjustments have been made, you need to consult with the Personnel and Training Manager to confirm this and agree how you will proceed regarding a possible dismissal for incapability due to ill health. Record your decision and reason in the section 'Informing your decision'



# Attendance Review Meeting Checklist

**Not clear to you that the employee is covered by the Disability Discrimination Act**

- Check with the Personnel and Training Manager or Attendance Coach if they believe the individual may be covered by the Disability Discrimination Act  
If YES, plan a time with the individual and the Personnel and Training Manager to develop the adjustment plan – Record your decision and reason in the section 'Informing your decision'  
If NO you should consider if next steps can be taken to support the individual, if there is, take a next step after the meeting to develop them, or consider the possibility further.  
If no next steps can be identified consider placement on the monitoring process  
Record your decision and reason in the section 'Informing your decision'
- If you are about to place an individual with a recurring illness onto Stage Three and they could face dismissal with one more absence, make a final check with the Personnel and Training Manager for cover under the Disability Discrimination Act. Continue with the adjournment until this check has been made.  
If now covered you should put an adjustment plan in place as per the 'Clearly covered by the Disability Discrimination Act in this checklist.

**Informing your decision**

Have you considered all points in the attendance history? Have you reached a decision that is considered reasonable given the information the employee has given? Yes/No

Reconvene the meeting. Ask any further questions that may have come to light following your review of the key points. Does the employee have anything further they wish to add? Yes/No

**Explain your decision to the employee giving reasons (Tick one box)**

- No further action record reasons: (mitigation or excellent attendance history) \_\_\_\_\_
- Remove from monitoring process and place on an adjustment plan – (A recurring illness that is clearly covered by Disability Discrimination Act
- Place on a stage of the monitoring process  
Stage 1  Stage 2  Stage 3
- Set next steps ( Domestic absence or recurring illness – up to 2 sets only)
- Refer to Dismissal Officer ( At stage 3 of monitoring)

**Additional Activity**

- Issue the relevant stage placement confirmation form.
- Ensure copies of the next steps are given to the individual. Record them below.
- If an adjustment plan is required arrange a further meeting with the individual, Line Manager and Personnel and Training Manager. If not already issued, issue a recognising recurring illness letter.
- If the employee may face dismissal inform them that a letter will be sent inviting them to a meeting which will be held with a minimum of 48 hours notice.
- The employee and representative should sign each page of the notes.

Next steps	Who	When

MANAGER SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

INDIVIDUAL SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

# RECORD OF INFORMAL DISCUSSION

Employee Peter Snu

Supervisor/Manager DAVID MANAGER

Date issue raised 07/08/08 Date of Meeting 07/08/08

Brief description of issue PETER IS UNHAPPY AT HIS TREATMENT WHEN HE WAS ON DAYSHIFT / BACKSHIFT AND THE LACK OF SUPPORT WITH CERTAIN MANAGERS.

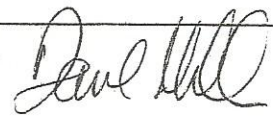
## Actions Agreed

Next Step	By Whom	By When

## Solutions/Outcomes

HAVE EXPLAINED TO PETER THAT WE HAVE PROCESSES IN PLACE TO SUPPORT PEOPLE NOW BUT HE SAYS HE UNDERSTANDS, BUT WANTS TO BRING IT TO THE ATTENTION OF DLT WHAT HAS HAPPENED IN THE PAST.

We agree that:



- i) a decision was made to resolve the problem
- ii) the issue should be referred to a stage one grievance

Once a decision has been made the completed form should be given to the employee, a copy may be placed on their file, if requested.



## PETER STILL - SUMMARY OF HEALTH PROBLEM

WE HAVE NOW HAD 3 MEETINGS WITH PETER ABOUT HIS HEALTH AS HE HAS A CONDITION CALLED CERVIC SPONDYLITIS IN THE SPINE WHAT THIS MEANS IS OCCASIONALLY SMALL PARTS OF BONE CAN BREAK OFF FROM HIS SPINE CAUSING SEVERE PAIN AND DISCOMFORT.

HE CURRENTLY TAKES CO-CODAMOL FOR THE PAIN. HE WAS ON STRONGER PAINKILLER BUT THIS WASNT GOOD FOR HIM BECAUSE OF THE JOB HE DOES.

HIS FLARED UP BACK AT THE START OF JULY IN WHICH I MET DOWN WITH PETER AND CARRIED OUT AN IN-FORMAL DISCUSSION TO AGREE THAT IN THE SHORT TERM WE WOULDN'T MOVE HIM ANYWHERE BUT LOADING UNTIL THIS SETTLED DOWN AGAIN.

WE THEN SAT DOWN ON THE 20/07/08 TO REVIEW HOW PETER WAS DOING. I THEN DECIDED TO START FILING OUT ALL THE RELEVANT FORMS (HEALTH INVESTIGATION, MEDICAL CONSENT AND XRAY REFERRAL) TO CAPTURE ALL THE RELEVANT INFORMATION ABOUT HIS PROBLEMS WERE. THE OUTCOME OF THE MEETING IS PETER WAS STILL IN A LOT OF PAIN AND WE AGREED THAT HE WOULDN'T PICK FOR A FURTHER 3 WEEKS AND WE WOULD REVIEW AGAIN AT THE E.O.W 24.

AFTER THIS MEETING I AGREED TO TAKE A NEXT STEP TO GO THROUGH HIS FILE AND FIND ALL INFORMATION FROM PAST HEALTH CARE. AFTER DOING THIS ALL I CAN FIND IN HIS FILE WAS LETTER FROM HIS DOCTOR CONFIRMING HIS PROBLEM, READING IS THERE ISN'T MUCH DETAIL AROUND HOW THIS AFFECTS HIS JOB I.E HEAVY LIFTING, TWISTING, TURNING, BENDING, PULLING, PUSHING ETC.

PETER SAYS THAT HEAVY LIFTING CAN TRIGGER THIS AND SAYS THAT HE CAN ONLY PICK IN DPP3 (YOGHURTS ETC)

LAST WEEK THE 07/08/08 WE HAD TO CARRY OUT AN ARM WITH PETER AS HE WAS OFF SICK FOR 6 DAYS DUE TO A HEALTH PROBLEM. THIS ABSENCE WAS ADVISED BY HIS DOCTOR AS REST WOULD ASSIST IN HIS REHABILITATION. THE OUTCOME OF THE ARM WAS WE GAVE PETER NEXT STEPS TO ASSIST AND SUPPORT HIM WITH HIS SYA AS THERE WAS NO EVIDENCE OF THIS HAPPENING IN THE PAST.

AFTER THE ARM WE REVIEWED HOW PETER WAS DOING AND HE CONFIRMED THAT AT THIS MOMENT HE HAD NO PAIN AND EVERYTHING WAS FINE. THE OUTCOME FROM THE MEETING WAS THAT PETER AGREED THAT HE WOULD START PICKING PAIN SPORADICALLY WHICH WILL BE BROKEN UP WITH LOADING. I ALSO EXPLAINED TO PETER THAT HE MAY PICK FOR 2 CONSECUTIVE SHIFTS THROUGH THE SYA/100% PI. AND HE WAS OK WITH THAT.

WE ALSO AGREED WITH PETER THAT HE WILL BE RE-TRAINING IN MANUAL HANDLING BY THE E.O.W 25 TO ASSIST HIM WHEN HE IS PICKING. WE ALSO AGREED THAT GOING FORWARD IF HE HAS A FLARE UP THEN WE WOULD AGREE TO REMOVE HIM FROM PICKING AND REVIEW WEEKLY UNTIL IT SETTLES DOWN AGAIN.



THE MAIN REASONS FOR ME PUTTING FORWARD THIS HEALTH REFERRAL AND CONSENT FORM ARE AS FOLLOWS:

(i) THERE IS NO EVIDENCE OF ANY PREVIOUS REFERRAL APART FROM THE SMALL LETTER FROM HIS DOCTOR.

(ii) FOR HIS DOCTOR AND JENNY TO CONFIRM THAT PRO-LONGER PICKING IS A RISK OF THIS FLARING UP.

(iii) FOR HIS DOCTOR AND JENNY TO CONFIRM THAT HE CAN'T PICK HEAVY PRODUCTS IE BUTTERS FATS/JUICE AS THIS ISN'T CURRENTLY IN HIS FILE.

(iv) TO HAVE A BETTER UNDERSTANDING OF PETER'S CONDITION AND ALSO TO CONFIRM IF THE SUPPORT ~~WE~~ WE ARE GIVING HIM IS AMPLE OR IS THERE ANYTHING WE SHOULD BE DOING THAT WE'RE NOT.

ANY ASSISTANCE WITH THIS WOULD BE MUCH APPRECIATED AND LOOK FORWARD TO YOUR REPLY.

David Miller  
DAVID MILLER

27/08/08

McLean, Beverley

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From: McLean, Beverley  
Sent: 14 August 2008 09:29  
To: Miller, David; Collie, Isobel  
Subject: P Still

Hi David

I spoke to Jenny yesterday. She is willing to see Peter on 27/8/08. Can you confirm if he is free for 11.30am or 2.30 pm and arrange a shift swap accordingly.

Jenny states Spondylitis it is likely to be a permanent condition covered by the DDA. It will definitely get worse and it is a good idea to Multi skill him so he is not only on the pick.

Jenny will provide u with a full medical report and advice on this after their meeting. Thanks for the forms and Summary you can tell you put some effort into it - cheers

Regards  
BEV

Bev McLean - PTE - Livingston  
Tel: 779321 / 7121



Grievance Form

There are three stages in the Grievance Procedures. Please note that not all grievances can progress to the second and third stage meetings.

State your reasons below as to why you wish to take out a grievance and pass this form to your Personnel Manager.

Your surname: STILL

Your first name: PETER

Store name & number: LIVINGSTON WAREHOUSE FRESH (1609)

Type of Grievance: General/Terms & Conditions/Equal Opportunities/Health & Safety

Detail your grievance:

TEAM MANAGERS, BRUCE BAUKORSTON, STEVEN CAVE AND OPTIONS ROBERT WHITE. WAS TOLD BY EACH ONE OFF THE ABOVE WHEN I ASKED ABOUT MY HEALTH ASSESSMENT WHICH WAS ASKED FOR AFTER BEING REINSTATED AFTER DISMISSAL, ON A PERIOD OFF 2 AND HALF YEARS I WAS PRESSURED INTO PICKING HEAVY PRODUCTS WHICH HAD CAUSED LOWER BACK PAIN, WHICH ENDED WHEN I STOPPED WORK AGAIN FOR NEARLY 2 MONTHS FOR SAME REASON. I'D BEEN DISMISSED BEFORE I FOUND OUT I HAD HEALTH ISSUES BUT WAS TOLD I DIDN'T BY THE ABOVE MANAGERS

Your signature: P. STILL Date: 8/8/05

Distribution: Top copy to employee, second copy to employee's personal file

Stage One Meeting

Attended by: P. STILL, T. MCCOARTY, LES EGGETT.

Following the meeting:

(Please Tick)

- I agree to withdraw the grievance
- I accept the grievance has been resolved
- I accept a final decision was given
- I wish to refer the grievance to Stage Two

for the following reasons:.....

.....

Your Signature: ..... Date: .....

**Stage Two Meeting**

Attended by: .....

Following the meeting:

(Please Tick)

- I agree to withdraw the grievance
- I accept the grievance has been resolved
- I accept a final decision was given
- I wish to refer the grievance to Stage Three

for the following reasons:.....

.....

Your Signature: *Peffer* ..... Date: *20/8/08* .....

**Stage Three Meeting**

Attended by: .....

Following the meeting:

(Please Tick)

- I agree to withdraw the grievance
- I accept the grievance has been resolved
- I accept a final decision was given

Your Signature: ..... Date: .....

Distribution: Top copy to employee, second copy to employee's personal file



## GRIEVANCE CHECKLIST

## DISCRIMINATION/HARASSMENT/BULLYING

Grievance arising from a Discrimination, Harassment or Bullying Complaint.

Use this checklist in any formal grievance hearing concerning allegations of harassment or bullying. Tick each box to show you have considered each item.

## Preparation

- Ensure that the Tesco Grievance Procedure will be followed in full.
- To ensure fairness, a member of the personnel function hearing the grievance must not have had any previous involvement in the circumstances which have led to the formal grievance being lodged.
- Examine the employee's Grievance Registration Form to establish the basis upon which the grievance is being raised.
- Examine any written documentation provided by the employee to support the grievance, e.g. personally recorded details of incidents informal approaches to stop unacceptable behaviour, statements from other employees etc.
- Examine the employee's personal file and training record to gain an overall picture of the individual, in particular reviewing any previous complaints concerning harassment or bullying.
- If the alleged harasser or bully is named on the Grievance Registration Form, examine that employee's personal file and training record to gain an overall picture of the individual, in particular reviewing any previous complaints concerning harassment or bullying.
- Establish on a confidential basis whether the employee raising the grievance has tried to use informal action to prevent unacceptable behaviour in the past.
- Meet with the employee to confirm the date, time and place of the grievance hearing stressing the confidentiality of the circumstances, how the sensitivity of the situation is understood and that at no time during the hearing will the alleged harasser/bully and the employee raising the grievance be interviewed together.
- Inform the employee of his/her right to representation, pointing out that additional support is available to them, this could be a person of the same sex, race, religion, etc., or someone who is familiar with their circumstances – if representation is required,

Jan 2005

May 2003

TERMS OF EMPLOYMENT

Grievance Checklist – Discrimination/Harassment/Bullying



- Through questioning and listening carefully to the responses, clearly come to a conclusion as to the employee's view of the behaviour.
  - For a case of harassment, the behaviour would have to be unwanted, unreasonable and offensive which has created an intimidating, hostile or humiliating working environment.
  - For a case of bullying the behaviour would have to be unwanted, vindictive, cruel and malicious which has humiliated and undermined the individual.
  - Look for other signs of potential damage such as victimisation, failing to promote etc.
- Establish if the employee has any documentary evidence to support the grievance, examine this in detail and ask as many questions as necessary to establish its validity.
- If the employee wants to call any witnesses, they may be seen individually, question their evidence objectively and allow the employee and his or her representative to ask any further questions as necessary – stress to the witnesses that the information is confidential.
- Summarise the key points of the grievance so there is no misunderstanding of the basis on which it will be decided.
- Explain that the meeting will now have to be adjourned for a sufficient amount of time to allow a thorough investigation to take place which will include giving the alleged harasser/bully every opportunity to state his or her case, and if necessary any witnesses to be interviewed.
- Ask the employee what they would like the outcome to be.
- Agree with the employee and his or her representative, that the date, time and place of the reconvened meeting will be arranged as quickly as possible and this is documented in the notes.

### Investigation

- If the alleged harasser/bully was not named before the grievance hearing, inform him or her that a formal grievance has been raised, a meeting with the complainant has been held, the matter is being treated as confidential, once further investigations have been completed there will be every opportunity for the accused to state his or her case and that no discussions should be entered into with the complainant in the meantime about

Jan 2005

May 2003

TERMS OF EMPLOYMENT

Grievance Checklist – Discrimination/Harassment/Bullying



the matter will now be reported to the appropriate Line Manager to consider whether disciplinary action/further investigatory suspension is appropriate and he/she will be informed of the outcome as soon as possible.

- If the employee's explanation is accepted and no further action needs to be taken, inform the employee that this is the case but ask that the matter should not be discussed with complainant.
- Ensure the notes are read and signed by the employee.

#### Examining the evidence

- Re-examine the evidence in the light of the employee's response and conduct any further investigation as appropriate.
- Establish if, on the balance of the evidence, you genuinely believe that an act of harassment or bullying has been committed. If it has then:
  - You must report the fact to the appropriate Line Manager and hand over all of the evidence to allow a disciplinary hearing to take place.
  - In addition, if in light of the investigation the employee may have committed an act of gross misconduct, he/she will have to be suspended on full-pay, so the matter must be reported to the appropriate Line Manager with extreme urgency.
- If new evidence proves there is no case to answer, inform the accused employee, but ask that the matter should not be discussed with the complainant.
- If there are no grounds for upholding the grievance, then the grievance meeting can be reconvened.
- If the matter has been referred for disciplinary action, then inform the complainant and delay reconvening the meeting until the disciplinary matter has been decided.

#### The Reconvened Grievance Hearing

- Reconvene the meeting and clearly inform the employee what decision has been made and why. i.e. the person has been disciplined appropriately, details of the discipline should remain private and confidential.
- If the employee want to refer the matter to the next stage, inform him or her of the procedure.

- Complete the Grievance Registration Form confirming the employee's decision and assist the employee to go to the next stage, if appropriate.
  
- Place the following documents in the employee's personal file as appropriate:
  - Copy of the written confirmation of the result.
  - Copy of any witness statements.
  - Copy of the signed notes taken.
  - Copy of this checklist confirming the procedural steps taken.



# Conscience Hearing.

10/8/05.

MC - 00.50 - 01.13.

Present - Peter Sill  
Rep Declined

Tom McGervey  
Lee Ezzell

MC - I'm here to hear this Peter call if  
you could state in your own words.

MC - When I got my job back

MC - What was that

S - 2 1/2 yrs ago.

MC - 2 1/2 yrs?

S - Yes, I was told when I got it  
back it was a three hour Ruffalo  
that I could be paying in the child  
and working 2 or 3 days per week.  
I was still home at the time I got  
my job back and I was paying every  
day. I went to preschool and was told  
to go to the shift again. I was  
paying more and ended up off for  
2 weeks. I had a health referral.

MC - Dating back to that date?

DRH

Tom - So, I'll get the cases  
but it may not be the  
cases you're looking for so  
at what point do we draw  
a line under it?

PS - I just want to know why  
he treated me like that,  
I was nothing to him.

Tom - As a couple of next steps  
I'll go and speak to Bruce  
and go through the notes for  
him and I'll contact personnel  
and see if there was ever  
a health referral.

PS - It was with Willie Kelly, James  
Phillips and it was a condition  
that I did not pick all week,  
it was to be split 5.

Tom - O.K. I'll look at it and see  
if maybe though that line that  
they did not need a health  
referral as such but it may  
have taken away visibility.

PS - Well you can check with  
the care health team.

Tom - Agents meeting at 01.13.

PS



Tue - So it's like a fresh start  
or rights.

PS - Yes, I had a terrible time  
before and was being pulled  
for everything. It felt like I  
could do nothing right.

Tue - So does do we go for  
here? Do I speak to Bruce  
or do we set up a meeting  
with you and Bruce?

PS - I don't know? Maybe you  
speak to Bruce.

Tue - So, what if I speak to  
Bruce and ask, was there a  
health referral? and if so  
why was the referral not called  
upon?

PS - Yes, I was just miserable then,  
I was anxious.

Tue - So, do I set up a meeting  
with you and Bruce or do  
I get the cases?

PS - I couldn't sit in the same  
room with him.

~~PS~~

Tracy - So it may or may not be a health referral.

PS - Dave Miller says there is a health referral, and my work is to be split up.

Tracy - O.K. I'll speak to Dave to get clarification on that.

PS - O.K., but that's what Dave said.

Tracy - O.K. So that's the resolution to this grievance is it that you get to highlight your treatment.

PS - Yes, Bruce knew there was a referral.

Tracy - So how do you feel now Peter? Since you came rights?

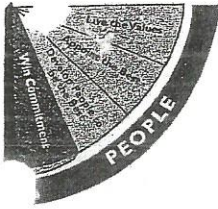
PS - Great, it's a different place.

Tracy - So can we not draw a line under that. It is a new beginning and how is your relationship with Dave Miller?

PS - Good, I had no problems on rights.

Robert





# MEDICAL REPORT CONSENT FORM

Before completing this form PLEASE READ THE REVERSE SIDE which contains important information concerning your rights under the Access to Medical Report Act.

Name: Peter Stille Date of Birth: 13/6/69

Address: 107 Falside Cres  
BATHSOTE CH48 2DS

Employee Number: \_\_\_\_\_

Location (Office/DC/Store name): Lwingsok

I HEREBY CONSENT TO A MEDICAL REPORT BEING SUPPLIED BY:

Doctor's Name: DR JULIE THOMSON

Address: BATHSOTE MEDICAL CENTRE  
WATBURN RD, BATHSOTE

Telephone No:

In Confidence to: Jenny Thompson RGN OHS (Tesco Occupational Health Advisor)

At the following address: OCC Health Dept Tesco plc  
New Toro House Dalmeida Road Nether

I understand that any clinical detail will be treated in professional confidence by the Occupational Health Service but advice based on it may be given to Tesco management

I have read the summary overleaf of the Access to Medical Reports Act and understand my rights under the Act. The option I have chosen is: (\*Delete as appropriate)

- A \* ~~I do not consent to a report being supplied.~~
- B \* ~~I consent to a report being supplied, and require access before it is released. I understand that I have 21 days to make arrangements to see the report with my Doctor.~~
- C \* I consent to a report being supplied and do not require access before it is released.

A copy of this consent shall be valid as the original.

Signed: \_\_\_\_\_ Date: 27. 8. 2008

## Health Referral report

Private & Confidential

From: Jenny Thompson  
ROHA  
Dundee

To: Kara Mathieson  
Personnel Manager  
Livingston

CC: PTE

Date: 28.8.08

Ref:

---

Re: *Peter Still*

D.o.B. 13.6.69

This report was prepared at the request of yourself, following the arranged meeting with Peter in your DC on 27.8.08

### Health Problem

Peter has suffered from a back condition for some years and the DC was aware of this. They had been told in the past following the over turning of a previous dismissal that the condition was likely to be covered by the DDA.

### In answer to your questions on Fitness for Work.

In answer to the Team Managers question Peter's condition is on going and will become worse as he gets older. Heavy lifting will increase the risk of further problems which in turn could lead to further prolonged and short term absences.

I believe he is on night shift at the present time and states that he has been managing quite well with the adjustments that have been put in place. He does admit he has recently had another short absence. My advice would be that he does not go back to picking and the adjustments made remain in place until I have obtained a new medical report.

In his file is an old GPs letter requesting "light" duties which I understand was not acted upon at the time and this in part was the reason why Joanne Ratcliffe over turned his dismissal. Peter is telling me that Joanne told him he would be retrained and given a return to work plan when he was reinstated but I can find no documentation with regards to this.

I will arrange to meet with Peter again once I have the report.

I hope this information is of help to you. Should you require further clarification or assistance, please do not hesitate to contact me.

Jenny Thompson  
Occupational Health Advisor



Occupational Health  
Tesco House  
Delamare Road  
Cheshunt  
Hertfordshire EN8 9SL

Dr Julie Thomson  
The Medical Centre  
Whitburn Road  
Bathgate

Direct Line/Fax: 01307 840598

~~28.8.08~~  
Ref: JMT/PS  
Date 28.8.08

Dear Dr Thomson

Re: **Peter Still**                      **Date of Birth: 13.6.69**  
**107, Falside Crescent, Bathgate**

Peter is employed by Tesco Stores Ltd as a Warehouse picker working full-time 37hours/week over 5 night shifts at our Livingston DC store and has been with the Company since November 2004.. I have enclosed the job description, which applies to this employee.

Following continued concern regarding Peter's health and fitness for work, he has been referred to me. I understand that over reason months Peter has had a couple of short term absences due to his spinal problems. I would be grateful for an update on his current health issues and advice as to whether he is fit to carry ut his normal job.

In order that I can provide the most appropriate management advice, I would be grateful for your opinion on the following:

- a) Diagnosis
- b) Medical history related to current health problems
- c) Investigations completed with results
- d) Current or pending treatment and investigations
- e) Prognosis - short and long term
- f) The main physical or psychological impairment related to their diagnosis that is preventing Peter from working

Please find enclosed a signed Consent Form.

Please enclose a separate invoice for any reasonable costs you have incurred in preparation of the report, which I will settle upon receipt.

Thank you for your help and I look forward to hearing from you soon.

Yours sincerely,

  
Jenny Thompson R.G.N., OHNC.  
**Regional Occupational Health Advisor**

## Simpson Medical Group

Partners: Dr J Thomson, Dr A McNutt, Dr D Hay, Dr R Holden, Dr C Hayward

Bathgate Primary Care Centre, Whitburn Road, BATHGATE EH48 2SS  
Tel: 01506 654444 Fax: 01506 635931

1 October 2008

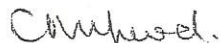
Ms Jenny Thompson  
Occupational Health Dept.  
Tesco plc  
New Tesco House  
Delamore Road  
CHESHUNT  
EH9 8SL

Dear Ms Thompson

**Peter Still, 107 Falside Crescent, Bathgate**

Further to your reminder for a medical report on the above, we have unfortunately not received this initial request. I would therefore advise that you send this, along with a signed consent form from Mr Still and we will expedite this as quickly as possible.

Yours sincerely



Catherine McLeod  
Practice Manager



## Simpson Medical Group

Partners: Dr J Thomson, Dr A McNutt, Dr D Hay, Dr R Holden, Dr C Hayward

Bathgate Primary Care Centre, Whitburn Road, BATHGATE EH48 2SS

Tel: 01506 654444 Fax: 01506 635931

31 October 2008

Ms Jenny Thompson  
Occupational Health  
Tesco House  
Delamare Road  
Cheshunt  
Hertfordshire  
EN8 9SL

Dear Ms Thompson

**Peter Still, (13/06/69) 107 Falside Crescent, Bathgate**

You write regarding the above patient. I will try and answer your questions in order. His diagnosis is that he was diagnosed in 1996 from a spinal X-Ray to have lumbar spondylosis with grade 2 spondylolisthesis at the lumbar sacral junction. He gets back pain on occasions which is worse when he is lifting and has recently had a couple of periods off work having had a MED 3 from us for a week on 30 September 2008 and a further one from 13<sup>th</sup> October to 20<sup>th</sup> October and from the notes it would appear that he is due back to work on 28<sup>th</sup> October. He is not awaiting any investigations for this but is currently taking Amitriptyline 10mg one or 2 at night as needed and Co-Codamol 30+500mg 2 tablets 4 times a day as needed. It is the pain that is stopping him from working and obviously if he does prolonged lifting his back can play up but it does not mean that things will actually necessarily get worse and in the short term there is no reason why he should not go back to work. It is difficult to advise on the long term as back problems, as you know, are notoriously difficult to give a prognosis on and very much are affected by other ongoing things in peoples lives and work. I hope this information is of help to you.

Yours sincerely

Dr Clare Hayward

# Attendance Review Meeting Checklist

Name of individual	PETER STILL	Notetaker Name and Position	K. J. BROWN
Date of Attendance Review Meeting	30.10.08	Representative	SHAR
Attendance Review Number	6	Manager Name and Position	SHINE
Meeting outcome (complete after meeting held)	STAGE 2	Start Date: Is this within 6 months of absence?	Yes/No

✓

ART CHECKED

## BEFORE THE MEETING

- Check that the meeting is planned within 7 calendar days of the individual's return.
- Check the individual's file to assess their absence history.
- Is the individual still within their first 6 months of employment? Yes/No (No)
- Record reason for current absence. CAPTURE 2 INSTANCES IN ART: SARACHE 09.08  
BACK PAIN 18.08
- Identify the current absence picture for the last 26 weeks:
  - Current absence % (taken from the Welcome Back Meeting) 41 %
  - Number of absence's in the last 26 weeks? 4 occasions
  - Reasons for absence  
BACK PAIN: 25.7.08  
UPPER SPINAL: 21.8.08
- (Ensure lateness is excluded. If there is repeated lateness address this separately as misconduct.)
- Are there any previous periods of absence that are mitigating in the last 26 weeks? Yes/No (No)  
List them here: \_\_\_\_\_
- Have all mitigating absences in the last 26 weeks been removed from the absence calculation Yes/No (No)  
If not:
  - Re-calculate the review level excluding mitigating absences \_\_\_\_\_ %
  - Is the individual still over the review level? Yes/No
- Are there any domestic absences in the last 26 weeks? Yes/No (No)  
List them here: \_\_\_\_\_
- Are there absences that may indicate a recurring illness? Yes/No (No)
  - If yes, list them here: BACK PROBLEM -> ALREADY REFERRED TO OCC HEALTH.
  - Are there any next steps that need to be reviewed in cases of recurring illness or domestic absence? Yes/No (No)
  - Do they link to the current absence reason? Yes/No (No)
  - Is there an adjustment plan in place? Yes/No (No)
  - Does it relate to the current absence reason? Yes/No (No)
- Look at the individual's absence history beyond 26 weeks ('bigger picture')
  - Is it now better, worse or consistent?
  - List any trends here: \_\_\_\_\_
- Is the individual currently on the monitoring process? Yes/No (No)  
- What is the stage and when does it expire? STAGE 1 EXP. 27.2.09
- How many times has the individual been on the monitoring process since 23/7/07?  
List the individual's history on the monitoring process

Stage One	Stage Two	Stage Three
27.2.09	3.1.08	26.10.07



# Attendance Review Meeting Checklist

- Discuss the preparation work with your line manager, Attendance Coach or Personnel and Training Manager to ensure that the key points have been established before the start of the meeting
- Ensure you have records of previous Attendance Reviews to hand, as well as copies of next steps or adjustment plans.

## AT THE MEETING

- Inform the employee that this is a meeting regarding their current level of absence which is over the review level. (This could be their increased review level if covered by the Disability Discrimination Act)
- Stress this is not a disciplinary meeting but could lead to dismissal
- Offer representation. ( Ensure new starters / young employees / non English speakers understand their right to representation and can follow the process).
- Outline the meeting process explaining that the current absence history and bigger picture absence will be reviewed. A decision will be made on appropriate action to take that will support the employee to attend work.
- Discuss the current reason for absence and any other absences in the last 26 weeks
  - How can we support the individual?
  - What have they done to prevent further absences occurring?
  - Did they attend the doctor - what was the result of the visit?
  - Do we need to make any adjustments on a temporary basis?

### Mitigation

- Considering the current absence and the last 26 weeks absences :
  - Is the current absence mitigating? Yes/No
  - Having removed the mitigating circumstances is the absence level now below the review level? Yes/No

If you have answered YES to either or both questions above inform the employee that as there are mitigating absences you will not be taking any further action. Where necessary record any next steps identified.

Inform the employee that should they have absences in the future it may lead to action being taken

- Record your decision in 'Informing your decision' at the end of the checklist.
- The employee and individual should sign copies of the notes.

## End meeting

### Excellent attendance history

- Review in detail the bigger picture absence - look back beyond 26 weeks. Discuss any trends or patterns. Discuss any actions taken previously.
  1. Are there absences in the bigger picture review? Yes/No
  2. Are they indicating an unacceptable absence history in the past? Yes/No
  3. Have previous Attendance Review taken place Yes/No

If you have answered NO to the questions above consider it is reasonable to conclude that this current absence performance is a one off in an otherwise excellent attendance history. If this is the case inform the employee that on this occasion no further action will be taken, however, action may be taken in the future if the level of attendance is considered to be unacceptable.

- Record your decision in 'Informing your decision' at the end of the checklist
- The employee and individual should sign copies of the notes.

## End meeting

### Recurring / domestic / sporadic (circle as applicable)

#### Recurring Illness

- From the bigger picture review consider if there could be one illness causing recurring absence? If yes discuss and record what this illness is BACK PROBLEM
- What actions has the employee made already to improve attendance?
  - How can we support the employee to improve attendance?
  - Review any next steps already made
  - Review any adjustment plan already in place
  - Are the activities and timescales on the next steps or adjustment plan correct?
  - Could we reasonably expect to see an improvement in attendance with the next steps adjustments identified?
  - Have you considered if the individual is covered by the Disability Discrimination Act?



# Attendance Review Meeting Checklist

## Domestic absence

- If there are domestic absences in the current absence history discuss how we can support the employee to prevent a reoccurrence? What have they done themselves?  
If next steps are already in place could we reasonably have expected them to address the domestic absence?  
Are there other next steps that could help resolve the situation?

## Sporadic Absence

- Where there is a pattern of sporadic absences that are not linked discuss what else the employee believes can be done to improve attendance. Can we help?
- Ask the employee if there is anything else they feel should be considered. Summarise your discussion so far.
- Inform the employee that you will now consider the points discussed and will adjourn the meeting.

## Adjournment

Time meeting adjourned .....am/pm

The employee and representative should read and sign the notes completed so far.

## EXAMINING THE KEY POINTS

- Consider the key points discussed at the meeting and review your preparatory work

### Sporadic Absence and Domestic Absence

- Is it reasonable to conclude that this is a 'bad patch' in an otherwise good attendance history where we have already spoken to the employee before?

If **YES**:

You could take no further action. Otherwise consider placement onto a stage of the process - record your decision and reason in the section 'Informing your decision'

If **NO**:

- Is it reasonable to conclude that the current level of attendance is unacceptable? The employee has been spoken to previously and next steps are not applicable.

Is the absence having an adverse effect on the business? Does the bigger picture indicate a poor attendance history?

If **YES** you should consider placement onto a stage of the process.

If the individual has already been on stage monitoring twice in the previous 2 years, starting 23/07/07 this will mean placement on stage three.

If the individual has less than 6 months service this will mean placement on stage three.

If the individual is already on stage three of the monitoring process this will mean referral to a disciplinary meeting.

Record your decision and reason in the section 'Informing your decision'

If **NO** you are agreeing that the level of attendance is acceptable and should set up to two sets of next steps to support the individual to attend work to an acceptable level. Record your decision and reason in the section 'Informing your decision'

### Recurring Illness

- If there is a recurring illness consider if the individual is clearly covered by the Disability Discrimination Act? Refer to your Personnel and Training Manager who will be able to guide you.

### Clearly covered by Disability Discrimination Act

- You should adjourn to put an adjustment plan in place with the support of the Personnel and Training Manager or if an adjustment plan is already in place consider further adjustments that can be made until all adjustments have been exhausted.
- If you consider all adjustments have been made, you need to consult with the Personnel and Training Manager to confirm this and agree how you will proceed regarding a possible dismissal for incapability due to ill health. Record your decision and reason in the section 'Informing your decision'



# Attendance Review Meeting Checklist

**Not clear to you that the employee is covered by the Disability Discrimination Act**

- Check with the Personnel and Training Manager or Attendance Coach if they believe the individual may be covered by the Disability Discrimination Act  
 If YES, plan a time with the individual and the Personnel and Training Manager to develop the adjustment plan – Record your decision and reason in the section 'Informing your decision'  
 If NO you should consider if next steps can be taken to support the individual, if there is, take a next step after the meeting to develop them, or consider the possibility further.  
 If no next steps can be identified consider placement on the monitoring process  
 Record your decision and reason in the section 'Informing your decision'
- If you are about to place an individual with a recurring illness onto Stage Three and they could face dismissal with one more absence, make a final check with the Personnel and Training Manager for cover under the Disability Discrimination Act. Continue with the adjournment until this check has been made.  
 If now covered you should put an adjustment plan in place as per the 'Clearly covered by the Disability Discrimination Act' in this checklist.

**Informing your decision**

Have you considered all points in the attendance history? Have you reached a decision that is considered reasonable given the information the employee has given? Yes/No

Reconvene the meeting. Ask any further questions that may have come to light following your review of the key points. Does the employee have anything further they wish to add? Yes/No

**Explain your decision to the employee giving reasons (Tick one box)**

- No further action record reasons: (mitigation or excellent attendance history) .....
- Remove from monitoring process and place on an adjustment plan – (A recurring illness that is clearly covered by Disability Discrimination Act)
- Place on a stage of the monitoring process  
 Stage 1  Stage 2  Stage 3
- Set next steps ( Domestic absence or recurring illness – up to 2 sets only)
- Refer to Dismissal Officer ( At stage 3 of monitoring)

**Additional Activity**

- Issue the relevant stage placement confirmation form.
- Ensure copies of the next steps are given to the individual. Record them below.
- If an adjustment plan is required arrange a further meeting with the individual, Line Manager and Personnel and Training Manager. If not already issued, issue a recognising recurring illness letter.
- If the employee may face dismissal inform them that a letter will be sent inviting them to a meeting which will be held with a minimum of 48 hours notice.
- The employee and representative should sign each page of the notes.

Next steps	Who	When
Follow up mtg TBA with	PS/JT	TBA
J. THORSON FOLLOWING RECEIPT OF MEDICAL RECORDS.		

MANAGER SIGNATURE *Gene M...*

INDIVIDUAL SIGNATURE *Patt...*

DATE 30.10.08

DATE 30.10.08



## Prolonged Sickness - Case Mapping

Site: <b>LIVINGSTON</b>	Store Number: <b>8474</b>
Name: <b>PETER THOMAS W. STILL</b>	Employee No.: <b>17917319</b>
D.O.B.: <b>13/06/69</b>	D.O.J.: <b>26/11/04</b>
Dept / Job Code: <b>W/OP FRESH NS</b>	Member of Pension Scheme <b>(Y/N)</b>
Date sickness commenced: <b>25/11/08</b>	Length of Service at this point: <b>4 YRS 1 MONTH</b>
Reason for Absence: <b>BACK PROBLEM</b>	
Typical date / week number for max length of support: <b>12/05/09 WK11 - 24 WKS</b>	

Stage No.	Action to be Taken	Date Action to be Taken	
<b>ONE</b>	PM contacts individual to confirm if prolonged sickness. Arrange a meeting for 5 weeks after employee is first absent.	28 days after start of absence  Wk No. <del>45</del>	
	PM meets with individual to discuss their illness.	5 wks after start of absence  Wk No. <del>45</del> - mtg 31/10/09	
<b>TWO</b>	Complete Health Referral and obtain consent for Medical Report.	13 wks before end of typical max length of support  Wk No.	
<b>THREE</b>	Review Medical Referral with OHA & arrange a preliminary or formal meeting with the individual for the following week.	5 wks before end of typical max length of support  Wk No.	
	Either: PM meets with individual for preliminary meeting OR PM & SM meet with employee for formal meeting	Once medical report is received, approx 4 wks before the end of typical max length of support  Wk No.	
	If appropriate SM and PM meet with employee for formal meeting	1 wk after preliminary meeting  Wk No.	
	Pensions Application only: SM & PM meet with employee formally to discuss the outcome of Ill Health Retirement Pension Application	As soon as a decision has been received from the Trustees  Date:	

RTW  
30/12/08

### Notes / History



IC/DC

**Private & Confidential**

Mr Peter Still  
107 Falside Crescent  
Bathgate  
West Lothian  
EH48 2DS

**TESCO**

Tesco Distribution Ltd  
Carnegie Road  
Livingston  
West Lothian  
EH54 8TB

Tel: 01506 779300  
Fax: 01506 779348

19 May 2009

Dear Peter

You are required to attend a disciplinary meeting as follows:

With: Jim Henderson, Shift Manager  
Date: Friday, 22 May 2009  
Time: 11.00am.  
Venue: Carnegie Road, Livingston DC – please report to the main Reception.

This meeting is to discuss the alleged report of consumption of fresh product (Tesco product) in the back of trailer being loaded for Peebles store.

You may have a representative with you who can be either;

- A person who is employed by the union as an official.
- Another union official who is certified by a union as having received training in acting as a worker's companion at disciplinary and grievance procedures.
- A fellow Tesco employee

If you would like a representative, please advise us as to who will be accompanying you prior to the meeting. The representative is;

- Chosen by the employee and is one of the above
- ~~Permitted to address the hearing~~
- Permitted to confer with the employee during the hearing.

*Please be advised that this hearing may result in disciplinary action being taken against you, up to and including dismissal.*

If you are unable to attend the meeting or have any queries please contact me immediately to discuss an alternative date/time. You can contact our office on 01506 779321 or 779322.

Yours Sincerely,  
For and on behalf of  
Tesco Stores Ltd

*Isabel Collie*

Isabel Collie  
**Personnel & Training Executive**



**Private & Confidential**



Tesco Distribution Ltd  
Carnegie Road  
Livingston  
West Lothian  
EH54 8TB

Mr Peter Still  
107 Falside Crescent  
Bathgate  
West Lothian  
EH48 2DS

Tel: 01506 779300  
Fax: 01506 779348

29<sup>th</sup> May 2009

Dear Peter

You are required to attend an Appeal Meeting with John Clark General Manager on Thursday 11<sup>th</sup> June 2009 at 4.30 pm. The venue will be Livingston Depot .

This meeting is to discuss your recently submitted Appeal Hearing Request.

You may have a representative with you who can be either;

- A person who is employed by the union as an official.
- Another union official who is certified by a union as having received training in acting as a worker's companion at disciplinary and grievance procedures.
- A fellow Tesco employee

The representative is;

- Chosen by the employee and is one of the above
- Permitted to address the hearing
- Permitted to confer with the employee during the hearing.

Ian Fraser, Usdaw Area Organiser will meet you in the staff canteen at approximately 4.00 pm.

If you are unable to attend the meeting, please contact me immediately to discuss an alternative date/time. You can contact our office on 01506 779321/22. In the meantime, if you have any queries please speak to Robbie Panton or Isabel Collie- Personnel and Training Exec.

Yours Sincerely,  
For and on behalf of  
**TESCO STORES LTD**

A handwritten signature in black ink, appearing to read 'Isabel Collie', is written over the typed name.

Isabel Collie  
Personnel & Training Executive



Our Ref: 17917319/HSC-ST

Mr PTW Still  
107 Falside Crescent  
Bathgate  
West Lothian  
EH48 2DS

19 June 2009

Dear Peter,

**Tesco PLC Pension Scheme**

Now that you have left the Pension Scheme, you have choices about the pension that you built up in the Scheme while you were a member.

Your choices are:-

a) To leave your pension of £986.31 in the Scheme until your Normal Retirement Age of 65. This pension will increase by increases in the Retail Prices Index up to 5% a year.

Or

b) To transfer your pension benefits to another occupational pension scheme or to a personal pension. The current transfer value is £4,372.56 (of which £4,372.56 represents Protected Rights). This figure is guaranteed for three months from the date of this letter but you can decide to transfer at any time before your normal retirement age.

These benefits represent 1.13% of the government lifetime allowance. If you do not notify us otherwise, we will set up a deferred pension for you.

If you have any queries at all, please feel free to contact our helpline on 0845 070 1113.

Every year the Trustees give you an update on the pension scheme. This comes out at the end of September and you'll be able to find it on the pensions website. The website address is [www.pensionwebsite.co.uk](http://www.pensionwebsite.co.uk), **username: tesco**, **password: mypension**, and click onto pensions logo. Please let us know if you'd prefer to get this update in writing by ringing our Helpline.

Yours sincerely,



Judith Murray  
**Pensions Administration Manager**

## Prolonged Sickness - Case Mapping

Site: <u>LIVINGSTON</u>	Store Number: <u>8474</u>
Name: <u>PETER THOMAS W. STILL</u>	Employee No.: <u>17917319</u>
D.O.B.: <u>13/06/69</u>	D.O.J.: <u>26/11/04</u>
Dept / Job Code: <u>W/OP FRESH NS</u>	Member of Pension Scheme <u>(Y)/N</u>
Date sickness commenced: <u>25/11/08</u>	Length of Service at this point: <u>4 YRS 1 MONTH</u>
Reason for Absence: <u>BACK PROBLEM</u>	
Typical date / week number for max length of support: <u>12/05/09 WK11 - 24 WKS</u>	

Stage No.	Action to be Taken	Date Action to be Taken	
<b>ONE</b>	PM contacts individual to confirm if prolonged sickness. Arrange a meeting for 5 weeks after employee is first absent.	28 days after start of absence  Wk No. <u>45</u>	
	PM meets with individual to discuss their illness.	5 wks after start of absence  Wk No. <u>45 - mtg 31/10/09</u>	
<b>TWO</b>	Complete Health Referral and obtain consent for Medical Report.	13 wks before end of typical max length of support  Wk No.	
<b>THREE</b>	Review Medical Referral with OHA & arrange a preliminary or formal meeting with the individual for the following week.	5 wks before end of typical max length of support  Wk No.	
	Either: PM meets with individual for preliminary meeting OR PM & SM meet with employee for formal meeting	Once medical report is received, approx 4 wks before the end of typical max length of support  Wk No.	
	If appropriate SM and PM meet with employee for formal meeting	1 wk after preliminary meeting  Wk No.	
	Pensions Application only: SM & PM meet with employee formally to discuss the outcome of Ill Health Retirement Pension Application	As soon as a decision has been received from the Trustees  Date:	

RTW  
30/12/08

### Notes / History



# Attendance Review Meeting Checklist

Name of individual	TOTAL STILL	Notetaker Name and Position	G. STEIN
Date of Attendance Review Meeting	9.1.09*	Representative	M. KIRKWOOD
Attendance Review Number	88	Manager Name and Position	S. C. NINE SHIFT MGR
Meeting outcome (complete after meeting held)	Adjustment Plan	Start Date: Is this within 6 months of absence?	Yes/No

\* Resigned from 7.1.09 due to receipt of further KOP (not present)

## BEFORE THE MEETING

- Check that the meeting is planned within 7 calendar days of the individual's return.
  - Check the individual's file to assess their absence history.
  - Is the individual still within their first 6 months of employment? Yes/No
- Record reason for current absence. \_\_\_\_\_
- Identify the current absence picture for the last 26 weeks:
    - Current absence % (taken from the Welcome Back Meeting) 49.9 %
    - Number of absence's in the last 26 weeks? 5 occasions
    - Reasons for absence
      - BACK PLAN 25.7.08                      BACIL PROBLEM 18.9.08
      - UPSET STOMACH 21.8.08              BACIL PROBLEM 25.11.08
      - BACIL PROBLEM 6.9.08
- (Ensure lateness is excluded. If there is repeated lateness address this separately as misconduct.)
- Are there any previous periods of absence that are mitigating in the last 26 weeks? Yes/No
  - List them here: \_\_\_\_\_
- Have all mitigating absences in the last 26 weeks been removed from the absence calculation If not: Yes/No
- Re-calculate the review level excluding mitigating absences \_\_\_\_\_ %
  - Is the individual still over the review level? Yes/No
- Are there any domestic absences in the last 26 weeks? Yes/No
  - List them here: \_\_\_\_\_
- Are there absences that may indicate a recurring illness? Yes/No
  - If yes, list them here: BACIL PROBLEMS
- Are there any next steps that need to be reviewed in cases of recurring illness or domestic absence? Yes/No
  - Do they link to the current absence reason? Yes/No
  - Is there an adjustment plan in place? Yes/No
  - Does it relate to the current absence reason? Yes/No
- Look at the individual's absence history beyond 26 weeks ("bigger picture")
    - Is it now better, worse or consistent?
    - List any trends here: \_\_\_\_\_
- Is the individual currently on the monitoring process? Yes/No STAGE 2 30.4.09
  - What is the stage and when does it expire?
- How many times has the individual been on the monitoring process since 23/7/07?
  - List the individual's history on the monitoring process

Stage One	Stage Two	Stage Three
27.2.09	29.08.08	



# Attendance Review Meeting Checklist

- Discuss the preparation work with your line manager, Attendance Coach or Personnel and Training Manager to ensure that the key points have been established before the start of the meeting
- Ensure you have records of previous Attendance Reviews to hand, as well as copies of next steps or adjustment plans.

## AT THE MEETING

- Inform the employee that this is a meeting regarding their current level of absence which is over the review level. (This could be their increased review level if covered by the Disability Discrimination Act)
- Stress this is not a disciplinary meeting but could lead to dismissal
- Offer representation. (Ensure new starters / young employees / non English speakers understand their right to representation and can follow the process).
- Outline the meeting process explaining that the current absence history and bigger picture absence will be reviewed. A decision will be made on appropriate action to take that will support the employee to attend work.
- Discuss the current reason for absence and any other absences in the last 26 weeks
  - How can we support the individual?
  - What have they done to prevent further absences occurring?
  - Did they attend the doctor - what was the result of the visit?
  - Do we need to make any adjustments on a temporary basis?

### Mitigation

- Considering the current absence and the last 26 weeks absences :
  - Is the current absence mitigating? Yes/No
  - Having removed the mitigating circumstances is the absence level now below the review level? Yes/No

If you have answered YES to either or both questions above inform the employee that as there are mitigating absences you will not be taking any further action. Where necessary record any next steps identified.

Inform the employee that should they have absences in the future it may lead to action being taken

- Record your decision in 'Informing your decision' at the end of the checklist.
- The employee and individual should sign copies of the notes.

End meeting

### Excellent attendance history

- Review in detail the bigger picture absence - look back beyond 26 weeks. Discuss any trends or patterns. Discuss any actions taken previously.
  1. Are there absences in the bigger picture review? Yes/No
  2. Are they indicating an unacceptable absence history in the past? Yes/No
  3. Have previous Attendance Review taken place Yes/No

If you have answered NO to the questions above consider it is reasonable to conclude that this current absence performance is a one off in an otherwise excellent attendance history. If this is the case inform the employee that on this occasion no further action will be taken, however, action may be taken in the future if the level of attendance is considered to be unacceptable.

- Record your decision in 'Informing your decision' at the end of the checklist
- The employee and individual should sign copies of the notes.

End meeting

### Recurring / domestic / sporadic (circle as applicable)

#### Recurring illness

- From the bigger picture review consider if there could be one illness causing recurring absence? If yes discuss and record what this illness is SADIE PROBLEM
- What actions has the employee made already to improve attendance?
  - How can we support the employee to improve attendance?
  - Review any next steps already made
  - Review any adjustment plan already in place
  - Are the activities and timescales on the next steps or adjustment plan correct?
  - Could we reasonably expect to see an improvement in attendance with the next steps adjustments identified?
  - Have you considered if the individual is covered by the Disability Discrimination Act?



# Attendance Review Meeting Checklist

## Domestic absence

- If there are domestic absences in the current absence history discuss how we can support the employee to prevent a reoccurrence? What have they done themselves?  
If next steps are already in place could we reasonably have expected them to address the domestic absence?  
Are there other next steps that could help resolve the situation?

## Sporadic Absence

- Where there is a pattern of sporadic absences that are not linked discuss what else the employee believes can be done to improve attendance. Can we help?
- Ask the employee if there is anything else they feel should be considered. Summarise your discussion so far.
- Inform the employee that you will now consider the points discussed and will adjourn the meeting.

## Adjournment

Time meeting adjourned .....am/pm

The employee and representative should read and sign the notes completed so far.

## EXAMINING THE KEY POINTS

- Consider the key points discussed at the meeting and review your preparatory work

### Sporadic Absence and Domestic Absence

- Is it reasonable to conclude that this is a 'bad patch' in an otherwise good attendance history where we have already spoken to the employee before?

If **YES**:

You could take no further action. Otherwise consider placement onto a stage of the process - record your decision and reason in the section 'Informing your decision'

If **NO**:

- Is it reasonable to conclude that the current level of attendance is unacceptable? The employee has been spoken to previously and next steps are not applicable.  
Is the absence having an adverse effect on the business? Does the bigger picture indicate a poor attendance history?

If **YES** you should consider placement onto a stage of the process.

If the individual has already been on stage monitoring twice in the previous 2 years, starting 23/07/07 this will mean placement on stage three.

If the individual has less than 6 months service this will mean placement on stage three.

If the individual is already on stage three of the monitoring process this will mean referral to a disciplinary meeting.

Record your decision and reason in the section 'Informing your decision'

If **NO** you are agreeing that the level of attendance is acceptable and should set up to two sets of next steps to support the individual to attend work to an acceptable level. Record your decision and reason in the section 'Informing your decision'

### Recurring Illness

- If there is a recurring illness consider if the individual is clearly covered by the Disability Discrimination Act? Refer to your Personnel and Training Manager who will be able to guide you.

### Clearly covered by Disability Discrimination Act

- You should adjourn to put an adjustment plan in place with the support of the Personnel and Training Manager or if an adjustment plan is already in place consider further adjustments that can be made until all adjustments have been exhausted.
- If you consider all adjustments have been made, you need to consult with the Personnel and Training Manager to confirm this and agree how you will proceed regarding a possible dismissal for incapability due to ill health. Record your decision and reason in the section 'Informing your decision'



# Attendance Review Meeting Checklist

**Not clear to you that the employee is covered by the Disability Discrimination Act**

- Check with the Personnel and Training Manager or Attendance Coach if they believe the individual may be covered by the Disability Discrimination Act  
If YES, plan a time with the individual and the Personnel and Training Manager to develop the adjustment plan – Record your decision and reason in the section 'Informing your decision'  
If NO you should consider if next steps can be taken to support the individual, if there is, take a next step after the meeting to develop them, or consider the possibility further.  
If no next steps can be identified consider placement on the monitoring process  
Record your decision and reason in the section 'Informing your decision'
- If you are about to place an individual with a recurring illness onto Stage Three and they could face dismissal with one more absence, make a final check with the Personnel and Training Manager for cover under the Disability Discrimination Act. Continue with the adjournment until this check has been made.  
If now covered you should put an adjustment plan in place as per the 'Clearly covered by the Disability Discrimination Act in this checklist.

**Informing your decision**

Have you considered all points in the attendance history? Have you reached a decision that is considered reasonable given the information the employee has given? Yes/No

Reconvene the meeting. Ask any further questions that may have come to light following your review of the key points. Does the employee have anything further they wish to add? Yes/No

**Explain your decision to the employee giving reasons (Tick one box)**

- No further action record reasons: (mitigation or excellent attendance history) \_\_\_\_\_
- Remove from monitoring process and place on an adjustment plan – (A recurring illness that is clearly covered by Disability Discrimination Act)
- Place on a stage of the monitoring process  
Stage 1  Stage 2  Stage 3
- Set next steps ( Domestic absence or recurring illness – up to 2 sets only)
- Refer to Dismissal Officer ( At stage 3 of monitoring)

**Additional Activity**

- Issue the relevant stage placement confirmation form.
- Ensure copies of the next steps are given to the individual. Record them below.
- If an adjustment plan is required arrange a further meeting with the individual, Line Manager and Personnel and Training Manager. If not already issued, issue a recognising recurring illness letter.
- If the employee may face dismissal inform them that a letter will be sent inviting them to a meeting which will be held with a minimum of 48 hours notice.
- The employee and representative should sign each page of the notes.

Next steps	Who	When

MANAGER SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_

INDIVIDUAL SIGNATURE \_\_\_\_\_

DATE \_\_\_\_\_



(6)

ATTENDANCE REVIEW HEARING NOTES

DATE: 13/11/09

TIME: 03.20

PRESENT

Employee: Peter Stone ( )

Manager: Loisiel Armstrong ( )

Employee Rep: Roy Mulla ( )

Note Taker: John Murphy ( )

IA This is NOT A DISCIPLINARY HEARING  
IT MAY LEAD TO DISMISSAL VIA  
COMPANY SJA

Do you require ARA?

PS YRS

IA This meeting is to cover your  
absence 23/10/09 to 2/11/09 which  
2 days takes your absence 29 to an OCCASIO  
Due to stress

PS I have had a lot of stress  
outside work as in work  
I have come to try to  
settle things down  
After a performance meeting  
I just got too much  
JM Farrell and J Chenahan  
contributed to my problems  
outside also

IA In terms of your absence  
how are you feeling  
what treatment are you  
getting

John Murphy Peter Stone

(5)

PS - I HAVE <sup>BEEN</sup> GROWN A WEBSITE FOR MENTAL HEALTH BY THE DOCTOR WITH EXERCISES ETC WHICH HELPS

IA - AND YOUR DOMESTIC PROBLEM

PS - MY GIRL IS POSTING US GREAT PICTURES

IA - ANY SUPPORT WE CAN GIVE YOU

PS - NO I JUST WANT TO GET ON WITH MY WORK

IA - YOU ARE NOT ON A STRAIGHT NOW - BUT YOUR SVA HISTORY - SHOWS THAT YOU HAVE BEEN THROUGH THE PROCESS TWICE IN THE LAST 2 YEARS INCLUDING 2 STAGE 3 PLACEMENTS

IA - DO YOU HAVE ANYTHING ELSE TO ADD

PS - NO

MEETING APPROVED 03.28 TO KNOW VIA TO GO THROUGH FINES

RECOMMENDED 03.30 STAGE 26/OCT/07 PLACEMENT ~~STAGE~~

MEETING APPROVED 03.31

A

Paul

Paul



IA I HAVE REVIEWED THE SITUATION AND HAVE NO ALTERNATIVE BUT TO PLACE YOU ON A STAGE 3 PLANMENT WHICH WILL REMAIN FOR 6 MONTHS TO 8/05/10

IA WITH THIS LEVEL YOU NEED TO TELL US IF YOU NEED TO BE OFF TO PLAN ABSENCES

IA TREN EXPLAINED THE STAGE 3 PLANMENT DOCUMENT TO PETER WHO THEN SIGNED THE DOCUMENT

MEETING CONCLUDED 03.42. 13/11/04

R Miller \*

Pasta



**SUPPORTING ATTENDANCE**

**STAGE THREE CONFIRMATION**

Issued to (employee name) PETER STILL Based at (Site) LIVINGSTON DC2

Clock/employee number 3573 Department/shift/crew L/HSC FRESH

Names and positions of anyone else present.  
BOB MURPHY  
JOHN MURPHY

I would like to confirm that \*(Tick and delete as applicable)

Since being placed on stage two of monitoring on ..... (Date) your level of attendance has not improved. During the last rolling 26 weeks you have failed to attend on the following occasions and although this failure is understood your attendance levels are showing no sign of improvement.

Your absence level is unacceptable and you are within the first 6 months of employment which commenced on ..... (Start date)

Your absence level is unacceptable and this is the third time onto monitoring in a rolling 2 years

Your current absence percentage is 22.3% and you have been absent on the following occasions:

Date of first day of absence	No. of rostered shifts	Days of the week	Reason
<u>23/9/09 - 2/11/09</u>	<u>29</u>		<u>ANXIETY/STRESS</u>

Our concerns are such that if you fail to attend on one more occasion your contract of employment could be terminated.

You have confirmed that you are not suffering from any recurring illness which may be contributing to your current levels of absence.

Having discussed the reasons for your unacceptable attendance the company is committed to helping you improve. Your monitoring period is 6 months, which expires on 8/5/10 at which point if your absence levels are acceptable you will be removed from the monitoring process.

Please ensure you talk to me if the current situation changes or you do not understand anything contained with this confirmation.

For and on behalf of Tesco

Sign [Signature] Print name J. ARMSTRONG Position WSM

I acknowledge receipt of this stage 3 placement

Sign [Signature] Print name Peter Still Position 13/11/09



OCC HEALTH

- PETER STU

- 13/12/09

- DAVID MUEHL

- 0500am

DM - DID YOU RECEIVE THE BLOOD TESTS BACK IN MAY

PST - YES

DM - DID IT SHOW ANYTHING

PST - NO EVERYTHING CLEAR

DM - HOW DO YOU FIND THE LOADING

PST - NO ISSUES WITH ANY PART OF THE PROCESS

DM - DO YOU HAVE PROBLEMS WITH TRAILER TOWS (LIFTING)

PST - NO

DM - DO YOU HAVE OR A PROBLEM WITH TURNING ANY OF THE CAGES

PST - NO UNLESS THE WIRES ARE FAULTY

DM - DO YOU FIND ANY PROBLEMS WITH RULERS

PST - NO ISSUES

DM - WHAT ABOUT STARTING IN CAGES

PST - NO ISSUES

DM - HOW DO YOU FEEL ABOUT THE ASSEMBLY AND GOING OVER THERE

PST - I THINK I'LL BE OFF MORE

DM - WHY DO YOU THINK THAT

## HEALTH INVESTIGATION FORM

This form can be used to investigate health problems staff feel are caused or made worse by work. It will help managers identify causes of work related health problems and the Next Steps that can be taken by the Manager and staff member to resolve the problem. If you need further advice, following your investigation, contact your OHA or Trading Law Manager.

Name: PETER STIL

Employee Number: 17917319

Location: LIVINGSTON COMBINED

Job: WAREHOUSE OPERATIVE

Hours: 37.5

Date staff member reported health problem: 21/10/05

Date of investigation: 13/12/09

Manager carrying out investigation: DAVID MILLER

### INVESTIGATION DETAILS:

Use the checklist below to discuss with the staff member what they feel the problem is.

Potential Problems.	Tick	Manager comments.
Heavy lifting and handling	✓	WITH THE SPONDYLITS HE CANNOT PICK HEAVY ITEMS SUCH AS BATTERS AND FATS
Repetitive lifting and handling	✓	DUE TO THE CONSTANT READING AND THE SOME FRAGMENTS BREAKING OFF WILL CAUSE INFLAMMATION AND LOSS MORE PAIN
Static/repetitive arm/hand/head movements		
Poorly maintained/faulty equipment		
Inadequate/poor design of equipment		
Pressure of work/volume of work		
Conflict at work		
Inadequate information/training		
Chemicals/Substances in the workplace		
Unsure about/not following correct work method		
Personal health problems	✓	HAS A CONDITION CALLED SPONDYLITS IN THE SPINE
Other		