

VALE OF GLAMORGAN COUNCIL
MANAGING ATTENDANCE AT WORK



1. INTRODUCTION AND PURPOSE

- 1.1 The Vale of Glamorgan Council recognises the importance of supporting the attendance of employees at work. High levels of attendance are essential in the delivery of services to our customers and in maintaining the health, well-being and effective contribution of our workforce. This policy has been designed to support the approach and to set out key responsibilities and processes.

2. SCOPE

- 2.1 This policy applies to all Council employees with the exception of:-

- Elected Members
- School based staff directly employed by the school
- Agency staff (i.e. those not contractually employed by the Council)

3. DEFINITIONS

- 3.1 In this document the term “Line Manager” is used to describe any employee who is responsible for the management of staff. Chief Officers encompass Directors, Heads of Service and Operational Managers. References to days lost through sickness absence should be applied pro-rata for part time employees.

4. RESPONSIBILITIES OF LINE MANAGERS

- 4.1 In relation to this policy there will be a requirement for all managers to:

- Strive for high levels of staff attendance within their service area
- Support the attendance and well-being of employees at work
- Support the early but safe return to work of employees from sick leave
- Oversee the sensitive management of employees that cannot return to work
- Operate the attendance policy fairly and consistently
- Monitor the attendance levels within their section on a monthly basis

5. RESPONSIBILITIES OF EMPLOYEES

- 5.1 In relation to this policy there will be a requirement for all employees to:

- Strive to ensure their own high levels of attendance at work
- Comply fully with the reporting arrangements within the policy
- Keep managers updated on a regular basis during their absence
- Do all they can to minimise periods of absence
- Do all they can to ensure an early but safe return from any sick leave
- Look after their own health, safety and wellbeing in the workplace

6. ATTENDANCE MANAGEMENT PROCESS – KEY PRINCIPLES

- 6.1 High levels of attendance are essential for the effective delivery of services and the health and well-being of our workforce. Managers and staff should do all they can to strive for (and maintain) good levels of attendance.
- 6.2 This policy is based on the premise that all correctly reported sickness absence is for genuine reasons and that all appropriate support should be given to enable employees to return to work safely and as early as possible.
- 6.3 The policy is not appropriate where there is reason to believe that the absence is not for genuine reasons or that the policy is being willfully disregarded. In such circumstances referral should be made to the Council's disciplinary procedure
- 6.4 The policy is also based on the premise that the Council is a provider of services and positions cannot be held open for an indefinite period. There will be times when it will be necessary to end the employment of employees if their absence from work is negatively affecting service delivery.
- 6.5 The effectiveness of the policy will depend on an underpinning performance management system. As part of this it will be important for:
- Heads of Service to review attendance levels on a monthly basis
 - Corporate Management Team to review attendance levels on quarterly basis
 - Cabinet to review attendance levels on a six monthly basis
- 6.6 Employees are entitled to be accompanied at all formal management of attendance meetings by either a work colleague or a trade union representative.
- 6.7 The policy seeks to distinguish between the management of staff on short term intermittent absence and long term chronic absence. There will be occasions however where the employees' manager needs to take an overall view of an employee's absence record (including combined periods of absence) and pursue action accordingly
- 6.8 Issues discussed as part of the management of attendance policy together with related medical certificates and documentation should be treated confidentially.

7. ABSENCE REPORTING PROCEDURES

- 7.1 All employees must comply with the following absence reporting procedure:-

DAY 1	Where an employee is absent from work due to sickness, he/she must notify his/her Line Manager (or other designated officer) before the start of the working day/shift. Where immediate cover arrangements will need to be organised, this must be at least 1 hour before the start of the day/shift or in accordance with locally agreed arrangements. The employee should advise their manager of the reason and likely duration of the absence and the work commitments for that day
DAY 4	On the fourth calendar day of absence the employee must contact their Line Manager (in accordance with the times as set out above) to provide an update on their absence.
DAY 8	On the eighth calendar day of absence a doctor's Fit Note should be forwarded promptly and the employee must

	telephone their Line Manager (in accordance with the times as set out above). To allow for postage, the certificate must be received by at least the 14 th day of absence.
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7.2 Employees on long term absence should ensure that they keep their manager updated in relation to upcoming medical appointments and any likely date of return to work.

7.2 Failure to comply with the sickness reporting procedures will usually result in the absence being considered as unauthorised absence for which payment will not be made and the matter referred through the disciplinary procedure.

8. ENTITLEMENT TO SICK PAY

8.1 During the period of an employee’s sickness absence their contractual sick pay entitlement will be in accordance with the relevant negotiated terms and conditions of employment and the provisions of this Policy.

9. IMPORTANCE OF THE WELCOME BACK TO WORK MEETING

9.1 A welcome back to work meeting must be undertaken by the employee’s manager after each occasion of absence. It is important that this takes place on the first day of an employee’s return to work or, by exception the nearest day thereafter.

9.2 The purpose of the interview is to welcome the employee back to work, check they are fit to return and ensure all necessary Fit Notes have been received and related forms are completed. It is also the opportunity for the manager to review the absence record and explore any avenues of required support or action.

9.3 Any action must be summarised appropriately on the sickness absence/return to work form and then sent to the HR Employees Services in the Civic Offices. All such information must be kept confidential.

10. MANAGEMENT OF ATTENDANCE – INTERVENTION TRIGGERS

10.1 The need to review an employee’s absence will generally be prompted by sickness absence levels which hit the following trigger points. The management of such reviews is set out in sections 11, 12 and 13 below.

1	4 absence periods (of any length) in a rolling 12 month period	See section 11
2	10 or more non-continuous working days in a rolling 12 month period (excluding long term absence)	See section 11
3	Emerging long-term/chronic absence (e.g. beyond 4 weeks)	See section 12
4	Combined periods of short and long term absence	See section 13
5	Unusual patterns of attendance (e.g. before/after weekends)	

11. MANAGEMENT OF SHORT-TERM OR INTERMITTENT SPELLS OF ABSENCE

11.1 This process should be followed where an employee has periods of short or increasingly regular periods, of sickness absence which may or may not be covered by Fit Notes. In addition the process should be followed where absence triggers are met under the combined absence process (see section 13) . The procedure for managing such absence is detailed below.

Informal Stage

If as part of the welcome back to work meeting it is identified that an employee's absence is starting to become a cause for concern and has hit one of the trigger points as detailed in section 10, it is important that this is raised in that conversation. This will provide an early opportunity to explore any underlying or emerging reasons for the absence, highlight the importance of good attendance and provide support as appropriate. This may include a referral to Occupational Health or plans made for a workplace assessment.

The discussion will also provide an opportunity to advise the employee that their absence level is a cause for potential concern and that without an improvement it will be necessary to make a referral to the formal stages of the procedure.

The outcome of the above discussion would include an informal advisory notice which should be recorded in the sickness absence/welcome back to work form alongside any necessary interventions. The informal advisory notice should remain under review on the employee's personnel record for 6 months.

Stage 1

A formal stage 1 attendance review meeting will be held with an employee where their absence pattern continues to be of concern and the relevant triggers set out in 10.1 have been met.

The meeting will be chaired by the employee's manager and provide an opportunity to:-

- Discuss the reasons for the continued absence and its impact on the service
- Set out the required improvements to the employee's attendance levels
- Explain the consequences of a failure to meet the improvement standards
- Pursue support measures as appropriate (see section 16).

Actions arising from the meeting will be confirmed, in writing in the form of a Formal Advisory Notice. This will be monitored for 12 months. An outcome letter will draw the employee's attention to the possible impact on the future employment of the employee should the attendance not improve.

Stage 2

A formal stage 2 attendance review meeting will be held with an employee where their absence pattern continues to be of concern (i.e. the pattern of absence as set out in the triggers at section 10.1 have continued).

The meeting will be chaired by an appropriate manager and provide the opportunity to:-

- Discuss the reasons for the continued absence and its impact on the service
- Set out the required improvements to the employee's attendance levels
- Explain the need to review the employee's continued employment if the required improvement standards are not met
- Pursue support measures as appropriate (see section 16).

Actions arising from the meeting will be confirmed in writing in the form of a Final Advisory Notice which will be placed on the employee's personnel record and monitored for 18 months. An outcome letter will draw the employee's attention

to the likely consequence of dismissal if the employee's attendance should not improve.

Final Meeting to consider continued employment

If the pattern of poor attendance continues during the 18 month review period the employee will be required to attend a final meeting to consider future employment. The meeting will be chaired by a Director or Head of Service.. Details of this meeting are set out in section 14.

12. MANAGEMENT OF LONG TERM/CHRONIC ABSENCE

- 12.1 Long term sickness absence is usually categorised as a period of medically certified sickness absence which is continuous for at least four weeks and is likely to be ongoing.
- 12.2 Managers will be expected to take a case by case approach to the circumstances presented, basing such approach on a sequence of consultation/support meetings, attempts to understand the underlying medical issues and exploration of appropriate support interventions.
- 12.3 Some discretion will be needed in respect of the scheduling of review meetings but it is expected that the following schedule should be a minimum requirement.

1st Review meeting: Following four weeks of continuous absence

After four weeks the employee's manager should invite the employee to a review meeting. This should usually take place at the employee's workplace (or alternative venue as appropriate). In exceptional circumstances this may be done over the telephone.

The meeting will help to gain further information about the absence, confirm if there is a need for a referral to Occupational Health and respond to any concerns raised by the employee. It may be important to make a referral Occupational Health in order that advice can be obtained in relation to:-

- the likely length of absence
- the long term effects on performance
- any proactive support/intervention

The outcome of the informal absence review meeting should be confirmed to the employee in writing and any agreed interventions pursued.

2nd Review Meeting: Not later than 10 weeks of continuous absence

A further meeting will be arranged by the manager in order to review the absence and any information and advice received from Occupational Health.

At this meeting consideration should be given to the timescales of the employee's likely return to work, their ability to undertake the full range of their duties on return and the impact of the employee's absence on the service. Based on this it will be necessary to consider options including:-

- a/ The employee being expected to be fully fit and return to work in the short-term. This may need to be facilitated by appropriate support as advised by Occupational Health. A further date will need to be set to review the progress of this option

b/The employee not being expected to be fully fit and returning to work in the short-term and needing a further review by Occupational Health or external medical intervention/review/support. A further date will need to be set to review any further information received or the expected date of receipt of that information (no later than 10 weeks following the current meeting)

Actions arising from the above review meetings will be confirmed, in writing. Based on the employee's absence up until this point and the circumstances of the case it may be necessary to advise the employee that there is a concern about their absence and its impact on service delivery. The employee should be advised that the absence will be reviewed at the next meeting and the outcome of any agreed interventions or support mechanisms.

3rd Review Meeting: Not later than 20 weeks of continuous absence

A further meeting will be necessary to review the employee's absence following the actions agreed at the 2nd review meeting. The meeting will be conducted by an appropriate manager.

At this meeting consideration should be given to the effect of the interventions progressed since the last meeting, any additional medical information received, the timescales of the employee's likely return to work and/or their ability to undertake the full range of their duties on return. Specific consideration will need to be given to the impact of the employee's absence on the service.

Based on the above it will be necessary to consider options including:-

- a/ The employee being expected to be fully fit and return to work in the short-term. This may need to be supported / confirmed by appropriate advice from Occupational Health and any supportive interventions.
- b/ No indication or evidence of the employee being fit enough to return to work in the foreseeable future.

Actions arising from this meeting will be confirmed, in writing. Whilst acknowledging the health concerns for the employee it will be necessary to advise him/her that there is also an increasing concern about the number of days lost and the inevitable impact of such on service delivery.

Additionally, in the circumstances of a/ above the employee will be advised that their absence will be monitored and reviewed in the context of the actions agreed at the meeting. The employee should be advised that their continued employment may need to be reviewed in accordance with section 14 of the procedure and if there is not a return to work within a reasonable timeframe.

In the circumstances of b/ it may be necessary for the matter to be progressed to a final meeting to consider continued employment chaired by a Head of Service or Director (details in section 14).

Prior to any referral to any final meeting (as above) the employee should be advised that their continued employment will be considered including the possibility of their dismissal. It will also be important to ensure that any updated medical information from Occupational Health is available for the final meeting. In the event that the employee does not attend or provide permission for the information to be released a decision will be made on the information that is available.

Final Meeting to review continued employment: **Not later than 30 weeks of continuous absence**

A final review meeting will be held in accordance with section 14 to consider the updated information from Occupational Health or the status of the employee's absence if they have not returned to work as expected. The meeting will be chaired by a Head of Service or Director..

Where an employee returns to work and within a short period of time commences another period of potentially long term sickness absence the procedure may resume as if the employee had not returned to work

Where a period of long term sickness itself triggers an advisory notice (as a result of the 4 spells in a rolling 12 month trigger or the combined absence process) that notice will be effective from the date of the employee's return to work.

13. MANAGEMENT OF AN OVERALL RECORD OF UNACCEPTABLE ABSENCE

- 13.1 There will be occasions where an employee's absence record becomes of concern as a result of the combination of both short and long term sickness. In such circumstances the manager will have the discretion to take a rounded view of the sickness record and escalate as appropriate through the stages of the management of attendance policy.
- 13.2 For combined periods of absence, consideration should be given to the significance of such absence as measured via the weighting calculation (spells of absence times spells of absence times days lost).
- 13.3 As a general guide, attendance reviews would be triggered where an employee's absence score exceeds 400 in a rolling 12 month period and where the employee has had 3 or more spells of absence in that period.
- 13.4 For part time staff the absence score will be determined on a pro-rata basis (i.e. for an employee working three days a week the score will be 240).
- 13.5 Concerns about combined periods of absence should be dealt with through the advisory notice sequence as set out in section 10 (i.e. in the same way as short term intermittent absence).
- 13.6 Where a period of long term sickness itself triggers an advisory notice (as a result of the 4 spells in a rolling 12 month trigger or the combined absence process) that notice will be effective from the date of the employee's return to work.
- 13.4 In considering any employment decision at the final meeting of either the long or short-term procedure consideration will also be given to an employee's overall record of absence (e.g. over a 2 - 5 year period).

14. FINAL REVIEW MEETING TO CONSIDER FUTURE EMPLOYMENT

- 14.1 The Council will take all practical, possible and reasonable measures to avoid dismissing employees for sickness absence. However there will be occasions where the intermittent or continuing absence of an employee undermines the viability of the employment contract.
- 14.2 In such circumstances the employee will be required to attend a final review meeting with a Director or Head of Service/Operational Manager. The employee

should be given 5 working days' written notice of the meeting stating clearly its purpose and potential outcome (see 14.5 and 14.6 below)

14.3 As part of this meeting the Director/Head of Service will need to consider:-

- the continued reasons for the sickness absence
- the latest (i.e. most up to date) advice from Occupational Health
- the effectiveness of any remedial actions and interventions taken
- the possible need for any further support measures
- the likelihood of an improvement in a pattern of intermittent absence
- the likelihood of a return from long term absence in a reasonable period.
- the employee's overall employment/sickness record
- the employee's overall yearly historical absence record

14.4 As always it will be necessary to take into account the nature and cause of the absence particularly in cases of an Industrial Injury sustained whilst an employee was carrying out their role.

14.5 If as a result of the above it is felt that there is a likelihood of an improvement in the employee's overall absence record or a return from long term sickness in a reasonable period then the arrangements should be made for a further review period and if necessary a reconvened final review meeting. In the case of short-term absence it may be necessary to re-issue the final advisory notice.

14.5 If as a result of the above there is no likelihood of an improvement in the employee's overall absence record or a return from long term sickness in a reasonable period then the following options should be considered:-

a/ Where the employee's inability to attend work on a regular basis has an impact on service delivery

If an employee's attendance at work has not reached a satisfactory level following consideration under section 10 of this procedure and there is no likelihood of improvement then the contract of the employee may be terminated on the grounds of incapability with appropriate notice.

b/ Where an employee has been on long term absence and there is no prospect of a return to work in a reasonable period

Following consideration under section 11 of this procedure it is considered that the employee is unlikely to return to work in the foreseeable future then consideration will be given to:-

- i) Pursuing a case for ill health retirement (if appropriate) with access to pension and appropriate notice
- ii) Terminating the employee's contract with appropriate notice
- iii) Pursuing arrangements for consensual termination
- iv) Consideration of a career break

c/ Where the overall level of absence (long and short term) is unacceptable

Where it becomes evident that an employee's overall sickness record is unacceptable and having a negative impact on the service then the employee's contract may be terminated on the grounds of incapability with appropriate notice. This may be the case as a result of the gradual review of an employee's sickness absence record as set out in section 11 or as a result of considering the overall absence pattern over a 2 to 5 year period.

15. APPEALS

- 15.1 For dismissals under this policy, employees have the right of Appeal to the Councils Appeals Panel. The Appeal must be made in writing to the Head of Human Resources within 10 working days of receiving the letter of dismissal

16. SUPPORT AND INTERVENTIONS

- 16.1 The Council believes in doing all that is practicably and reasonably possible to assist employees to return to work following any sickness absence. In accordance with this there are a range of supportive interventions that should be considered in conjunction with advice taken from Occupational Health.

Adaptations

- 16.2 All reasonable adaptations and adjustments will be considered to help an employee remain in work or return to work. This can be organised with support and advice from the Council's Occupational Health and Safety Unit and following appropriate risk assessments taking place.

Reasonable Adjustments

- 16.3 The Council is committed to the rehabilitation of those employees who become disabled during the course of their working life and where necessary the reasonable retraining of those employees who may require redeployment. The Council will make all reasonable adjustments that may be necessary including any reasonable modifications to the employee's job role.

Phased Return to Work

- 16.4 A return to work following an extended period of sick leave can be facilitated by a graduated build up to normal contracted hours. This should be subject to advice from Occupational Health and the employee providing a fit note from their GP confirming they are fit to return to work.

Each case must be considered in the light of individual circumstances but it would be unlikely for a phased return to extend beyond 4 weeks. To assist the phased return to work the employee will be required to work a minimum of 50% of their normal working hours. The balance of hours will be made up of a maximum of 10 additional supported leave days (pro-rata for part time staff) and if necessary annual leave.

Re-assignment on limited duties

- 16.5 If a return to full duties is not anticipated, the Line Manager must consider whether it is possible for the employee to carry out limited duties on a permanent basis with appropriate adjustments to salary. This should only be considered if it

can be accommodated within the needs of the service and is supported by advice from the Occupational Health Unit.

Redeployment

- 16.6 Where an employee has been absent in excess of three months and where there is medical evidence to suggest that they may not be able to return to their substantive position, they may be placed on the redeployment list for a period up to six months and prior consideration will be given to other positions.

Maintained Sick Leave

- 16.7 This is an option for employees with potentially terminal medical conditions or those recovering from treatment emanating from such conditions. As part of a case management approach it will allow a Line Manager to manage the employee in a sensitive way and to set aside the normal “staged” requirements of the Management of Attendance Policy. Such an arrangement will need to be approved by the relevant Head of Service.

Occupational Health Facilities

- 16.8 The services of the Council’s Occupational Health Unit have been retained and reviewed in order to support managers in the management of sickness, the provision of support to help ensure employees stay in work and the promotion of wider and positive health promotion.

Employee Counselling and Assistance Programme (CARE FIRST)

- 16.9 CARE FIRST is an Employee Assistance Programme which provides a confidential telephone counselling, support and advice to all employees. The service is free for employees to access on a 24 hour a day basis and for 365 days each year. To find out more about this service (and the range of associated services) employees are invited to ring 0800174319 or go online at www.carefirst-lifestyle.co.uk.

17. OTHER ISSUES

Disability related absence

- 17.1 It is important to ensure that employees with a disability (i.e. those within the scope of the Equalities Act) are not unfairly discriminated against through the application of this policy. Advice should be sought from both the Human Resources Casework Team and Occupational Health about this and in particular all appropriate interventions as set out in Section 16 are considered.

Stress related absence

- 17.2 Employees who report stress related absence must be referred as soon as possible for an Occupational Health review in accordance with the Council’s Management of Stress at Work Policy and a stress risk assessment carried out.

Pregnancy related absence

- 17.3 Where an illness is attributable to pregnancy it will be important that all supportive measures are taken and adjustments to the role and application of the policy considered. It will not be counted towards the triggers in the management of attendance policy. Written risk assessment should be undertaken as part of

the Health and Safety at Work Regulations 1999 and advice sought from the Human Resources and Health, Safety and Wellbeing Teams.

Industrial Injury or Accident at Work

- 17.4 Where an employee is absent as a result of a reported industrial injury, incident or accident at work (which has been reported to the manager at the time it occurred and where an accident form has been completed) these periods of absence should be recorded and payment made in accordance with the specific provisions of the national collective agreements. Any decision at stage 3 of the procedure should be taken in the context of the particular details of the case.

Sickness and annual leave

- 17.5 In circumstances where sickness is immediately prior to or following annual leave, a doctor's Fit note will be required to support the absence.
- 17.6 Annual leave may be reimbursed where sickness occurs during a period of booked annual leave providing the absence reporting procedures have been followed. This will be dependent on the production of a doctor's FIT note to support the absence and compliance with the sickness reporting procedure as set out in section 7.
- 17.7 Employees who have been absent through sickness and have holidays remaining at the end of their leave year (and have been prevented from taking this leave due to sickness) may carry forward a maximum of 20 days statutory leave entitlement including bank holidays (less any leave already taken and pro-rata to the length of absence period). Carried over annual leave must be used within 18 months of the end of the leave year.
- 17.8 Employees who do not report for work on a Bank Holiday because of sickness absence will not attract substitute leave in lieu.
- 17.9 Staff who are absent and have/or wish to book a holiday should seek approval from their manager and Occupational Health to ensure that this will not be detrimental to their recovery.

Abuse of the Management of Attendance Policy

- 17.9 If an employee abuses the Management of Attendance Policy for any of the following reasons then sick pay may be suspended and, in addition the matter may be referred through the disciplinary procedure. Examples of such abuse are set out below:-
- Absence on account of sickness due or attributable to the employee's own misconduct or conduct prejudicial to recovery
 - Absence on account of sickness due to an injury while working for private gain or for another employer or resulting from participation in professional sport.
 - Failure to comply (without good reason) with the reporting procedures set out in this Policy
 - Failure to attend (without good reason) absence review meetings as required by the Policy
 - Absence levels where the reasons appear to be fraudulent or exaggerated

Part day absence

17.10 Part day absences (i.e. for less than 50% of an employee's working day or shift) will not be recorded for the purposes of counting absence days/periods in section 10 (1 and 2) but will be considered when looking at the general and overall pattern of an employee's attendance record (i.e. section 10 (3 and 5)).

Medical suspension

17.11 In circumstances where an employee is not considered fit enough to be at work they should be encouraged to seek medical advice through their own GP or through Occupational Health. Where this advice is not taken it may be necessary to suspend the employee on medical grounds. Advice should be sought from the Human Resources Casework team.

18. RELATED POLICIES

18.1 The Management of Attendance Policy is part of a suite of policies to support positive health and good levels of attendance at work. It should be operated in conjunction with other related policies as set out below:-

- Corporate Occupational Health and Safety
- Mental Health and Well-being
- Control of Alcohol at Work
- Drugs and Substance Misuse
- Control of Violence at Work
- Maternity Scheme
- Equalities Scheme
- Domestic Abuse Policy

19. REVIEWING THE POLICY

19.1 The Management of Attendance Policy will be reviewed on a two yearly basis and on the basis of experience and best practice.

Agreed with trade unions on 4-5-16 subject to review over the next 18 months

Jess Turner	UNISON	Glen Pappas	UNISON
Kelly Andrews	GMB	Chris Jordan	GMB
Bryan Godsell	UNITE	Steve Robertson	UNITE
Reuben Bergman	HR	Adrian Unsworth	HR
Caroline Mason	HR		

Review Undertaken - April 2018