



## PERSONNEL COMMITTEE REPORT

27 October 2016

Report of the Strategic Director of Governance  
and Monitoring Officer

# ITEM 8

## Attendance Management Policy

### SUMMARY

- 1.1 Following the approval of the Employee Health and Wellbeing Strategy for the Council and to support the strategy of “a business focused but employee centred” culture, it has been necessary to review and update the current Attendance Management Policy to ensure that it reflects a consistent approach to Health and Wellbeing which includes managing attendance.
- 1.2 The revised policy aims to promote early intervention strategies with an open culture fostered by managers, setting clear expectations balanced with a supportive and proactive approach.
- 1.3 The policy will remove any reference to warnings for poor attendance recognising this is not a conduct issue, but will focus on finding solutions to improve and support employees to attend work regularly. Although “Trigger” points will remain within the policy, Managers will be expected to consider patterns of absence and set targets for improvement.
- 1.4 Ultimately, if an employee is unable to return to work if they are long term absent, or their attendance will not improve in the short term, the Council may have to give them notice of dismissal. Before issuing notice of dismissal, the Council would explore whether redeploying the employee elsewhere within the Council, or if reasonable adjustments or changes in work pattern would address their attendance issues

### RECOMMENDATION

- 2.1 To agree the Attendance Management Policy
- 2.2 To agree the removal of sanctions from the Attendance Management Policy in recognition that sickness is not a disciplinary issue.
- 2.3 To agree the provision of training on attendance management for all managers.

### REASONS FOR RECOMMENDATION

- 3.1 Research shows that “organisations that genuinely promote and value the health and

well-being of employees will benefit from improved engagement and retention of employees with consequent gains for performance and productivity” (CIPD 2015 annual absence report). The policy purpose is to manage attendance “pro-actively” with early interventions to support employees to attend work on a regular basis.

- 3.2 To re-align the policy away from disciplinary sanctions to managing capability in line with best practice.
- 3.3 To promote the Health and Wellbeing of employees in line with agreed strategy by applying a robust joined up policy with clear expectations and line management responsibilities.
- 3.4 The revised policy aims to provide a standard process and consistent approach to managing sickness. To support managers in applying the revised policy in a consistent way, training and briefing sessions will be required.

<b>SUPPORTING INFORMATION</b>
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- 4.1 The current Managing Attendance Policy sets out stages of formal warnings for “short and intermittent absences” before a dismissal takes place and for long term absence, formal review periods are set at prescriptive times. The policy aims to remove any reference to “disciplinary” sanctions for poor attendance and to refocus the need to manage attendance in a more supportive focused manner.
- 4.2 Managers will be expected to apply early interventions in line with the strategy which includes earlier referrals to Occupational Health particularly in relation to mental health, and provide clear expectation and targets to support an employee’s regular attendance at work.
- 4.3 The policy allows for managers to be more flexible in their approach dependent upon the nature of the absence case concerned, and although formal meetings can be held, the timescales for these are not prescriptive allowing managers to tailor their approach according to individual circumstances.
- 4.4 By setting clear expectations, it is anticipated that employees will fully understand their own responsibility in relation to their health and the importance of attending work on a regular basis, and in line with their contract of employment.
- 4.5 The emphasis on return to work interviews as standard is to ensure that early intervention strategies can be applied and any patterns of absence identified.
- 4.6 The policy also includes reference to:
  - Occupational Sick pay and the need to comply with the policy and other contractual arrangements
- 4.7 Prior to any dismissal for capability taking place, exploration into alternatives such as re-deployment and reasonable adjustments will be considered.

<b>OTHER OPTIONS CONSIDERED</b>
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- 5.1 Maintaining the existing Attendance Management Policy will not support the current Employee Health and Wellbeing Strategy due to the warning stages in the policy.
- 5.2 By removing formal sanctions and adopting a policy where it becomes employee focused rather than sanction driven, will support both the employee and managers in managing attendance on a case by case basis and in a much more robust manner by applying early interventions and by adopting a culture of open communications.
- 5.3 By applying the new policy robustly and consistently, and considering relevant options before a dismissal on the grounds of medical capability takes place should help to protect the authority from potentially costly Employment Tribunal claims.

**This report has been approved by the following officers:**

<b>Legal officer</b> <b>Financial officer</b> <b>Human Resources officer</b> <b>Estates/Property officer</b> <b>Service Director(s)</b> <b>Other(s)</b>	Liz Moore, Strategic HR Manager
<b>For more information contact:</b> <b>Background papers:</b> <b>List of appendices:</b>	Claire Benjamin 01332 643666 <a href="mailto:claire.benjamin@derby.gov.uk">claire.benjamin@derby.gov.uk</a> None Appendix 1 – Implications Appendix 2 - Attendance Management Policy

<b>IMPLICATIONS</b>
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**Financial and Value for Money**

- 1.1 There is potential for significant savings in sickness absence payments by applying early intervention mechanisms and by changing the focus to employee centred when managing attendance.
- 1.2 Improved attendance equals increased productivity efficiency and engagement.
- 1.3 There is also the potential for reduction in legal costs for both unfair dismissal and disability related Employment tribunal claims.

**Legal**

- 2.1 Employment tribunal claims can be more easily be defended when the authority can evidence its supportive culture when managing attendance and that it has followed a fair and consistent process, whilst balancing the needs of the business.

**Personnel**

- 3.1 Employees who are employed in a supportive and open culture are more likely to be healthy, motivated and productive. By applying early intervention strategies allows for an improvement in both the attendance and wellbeing of our employees.

**IT**

- 4.1 Sickness absence will continue to be reported electronically, trigger reports will continue to be sent to managers using the MiPeople system.

**Equalities Impact**

- 5.1 Work has already begun on carrying out an EIA on the revised policy, and this will be finished before consultation and the ratification process for the policy is completed.
- 5.2 Managers will be expected to consider all requests for reasonable adjustments as before, together with other any other suggestions that may support an employee to attend work on a regular basis. There may also be a requirement to rely on other council policies and procedures e.g. flexible working to support an employee's regular attendance at work. Derby City Council has a commitment to ensure its employees' Health and Wellbeing and must comply with the Equality Act 2010

**Health and Safety**

- 6.1 Research shows that being at work can be beneficial to employees and improve their health and wellbeing.

**Environmental Sustainability**

- 7.1 None

**Property and Asset Management**

- 8.1 None

**Risk Management**

- 9.1 Implications for not adopting a supportive culture and using formal sanctions as a mechanism to improve attendance.

**Corporate objectives and priorities for change**

- 10.1 Supports the Employee Health and Wellbeing strategy