

Attendance Management Policy

Policy Purpose

The Council recognises that the health and wellbeing of its employees is important and contributes to a productive workplace. We expect employees take personal responsibility for their own health, wellbeing and attendance **with** the help and support from their manager. A supportive, open culture fostered by managers will help employees to stay physically and psychologically well. Early intervention in a supportive manner has been shown to be most effective in reducing absence. This could include:

- being proactive and calling employees if they don't report in when expected and at regular intervals during any absence
- referring employees to Occupational Health (OH) as soon as possible, not just when trigger points are reached
- referring employees to OH as soon as stress is identified as a concern
- discussing and implementing adjustments to help an employee stay at work or return quickly
- holding return to work discussions promptly for all absences.

We aim to provide a standard process and consistent approach to managing sickness. Research shows that being at work can be beneficial to employees and improve their health and wellbeing.

Document Control

Implementation date	
Author	Tina Holmes
Equality impact assessment date	To be completed
Revised/updated	September 2016
Version Control	2
Review required	Three years

1. Overview

- 1.1 All employees except Chief Officers are covered by our policy for reporting and managing absences and sick pay. Self-employed contractors are not covered.
- 1.2 Regular, punctual attendance at work is an implied term in your contract. You will find details of attendance triggers on iDerby, which give guidance on unacceptable levels of absence.

2. If you know you will be absent

- 2.1 You should tell your manager as soon as possible if you know you need time off work — for a medical appointment, for example — and get their permission. Where possible we expect you to try and make your appointment outside of work time.

3. If you are sick or injured

- 3.1 If you are sick or have suffered an injury, you should phone your manager as soon as possible to let them know that you will be absent. This should be not more than 60 minutes after your usual start time. Your manager will inform you if the nature of your duties requires you to report in **before** your normal start time.
- 3.2 You should phone your manager if you are not able to return to work on the date you previously stated, unless you have a doctor's certificate, or have agreed a different process, such as a reasonable adjustment. You must speak to your manager, or an agreed substitute, yourself unless you are medically unfit to do so. In this case you can ask somebody else to make contact for you.
- 3.3 You are expected to keep in touch with your manager while you are absent and to let them know when you are likely to return to work.
- 3.4 If you do not keep in contact with your manager, they will make every effort to contact you. Different methods of communication may be agreed with your manager.

4. Evidence of sickness or injury

- 4.1 You must complete an employee sickness notification form as soon as you return to work if you are absent for less than a week.
- 4.2 You must give us a doctor's fit note confirming that you are unfit for work — and the reason why — if you are off work for more than a week. You must provide a copy of your fit note no later than 3 working days from the date of issue. We will need further fit notes if you remain absent beyond the expiry date of the first one. If your doctor's fit note does not cover the first seven calendar days you are off work, we will require a self-certification form when you return to work.

4.3 Where we are concerned about the reason for absence, or frequent short-term absence, we may require a medical certificate for each absence regardless of duration.

5. Payment for sickness or injury

5.1 Statutory Sick Pay (SSP) usually starts on the fourth day you are off work, and can be paid for up to 28 weeks. If you are entitled to SSP under the statutory requirements, it will be taxed and NI contributions will be deducted.

5.2 You qualify for organisational sick pay immediately. You will be paid as long as you comply with this policy and your other contractual obligations.

5.3 We will pay you sick pay as follows:

During first year of service	1 month full pay and after completing 4 months service, 2 months half pay
During second year of service	2 months full pay and 2 months half pay
During third year of service	4 months full pay and 4 months half pay
During fourth and fifth year of service	5 months full pay and 5 months half pay
After five years of service	6 months full pay and 6 months half pay

5.4 If you do not report your absence as detailed at paragraphs 3.1 to 4.3 we will treat your absence as unauthorised. Unauthorised absence will not be paid and will be dealt with through the Disciplinary and Dismissals Policy.

6. Returning to work

6.1 We will ask you to come to a return-to-work discussion after you have been off work due to sickness or injury. During the discussion we will look at why you were off work and make sure you are fit.

Phased Return

6.2 If you are off long term a phased return may be recommended. Phased returns are designed to ease you back to work, usually over a period of 6 weeks. Managers will support you to gradually return to your regular work and working pattern.

6.3 Periods when you are not at work can be covered by:

- sick leave – with appropriate fit notes
- annual leave – unused annual leave can be used to cover periods when you are not at work
- flexi-leave – where you have built up hours, these can be used to cover periods when you are not at work

- temporary reduction in hours - unpaid

7. Disabled employees

- 7.1 We will consider reasonable adjustments to your role and/or work space if you are a disabled employee. Reasonable adjustments may include adjustments to work equipment, hours, role or location. Where medical evidence supports it, consideration will be given to adjustments to either frequency or length of absences triggers.
- 7.2 If your absence is disability related inform your manager so it is recorded accurately. All absences, including disability related absence must be recorded and monitored as usual. For disability leave see the Disability Equality at Work Guidance.

8. If you are off work long-term, or persistently absent

- 8.1 We may have to take formal steps if you are off work sick long-term, or we are concerned about the number of days you take off for sickness or injury.
- 8.2 What we will do depends on why you are off work, if you have hit the attendance triggers and any potential pattern to your absences. We may want to talk informally with you about why you are, or have been, absent. We may get medical evidence so that we can better understand your situation. We may also want formal meetings to:-
- review your absence in more detail
 - explore whether reasonable adjustments are needed to help you either return to work or to work for longer periods.
- 8.3 If we want medical evidence, we will usually refer you to Occupational Health, or another specialist of our choice. We will pay for this and all reports will be kept confidential. We will ask for your consent for your line manager to have full access to any medical reports. We will also ask for your consent to discuss the contents with the relevant medical practitioner, Health and Safety or HR if this is appropriate. You do not have to give your consent, but if you don't we will make decisions based on existing medical and other information.
- 8.4 We understand that you may find this process difficult and upsetting. If you have a serious health condition you might feel as if you are being pressured into returning to work before you are ready, this is not the case. We want to support you and try to help your return to work. However, no business can continue employing people indefinitely if they are not able to work. We feel it is better to communicate with you fully, so you are aware of our processes. You also need to be aware that continued absences may lead to dismissal.
- 8.5 We will write to you before we hold a formal meeting and explain when, where, and why it is taking place. You must let us know as soon as possible if you can't attend and we will try to find a mutually acceptable alternative date.

- 8.6 At the meeting, we will want to discuss why you are off work, how long you expect to remain off work, and whether this is a reoccurring medical condition. We will review any medical evidence and explore whether further reports are needed. We will see if there is anything the Council can do to help improve your health and/or make it easier for you to attend work. If you are persistently absent, we may set you targets to improve your attendance against a deadline. You will be warned that you **may** face dismissal if you do not meet your attendance targets.
- 8.7 Should you be unable to return to work, or you don't to meet the deadline set for improved attendance, you will be asked to attend another meeting. Our aim at this meeting will be to find out if the situation is expected to change. If it is clear that you are unlikely to return to work or your attendance will not improve in the short term we may have to give you notice of dismissal. Before issuing notice of dismissal, we will explore whether redeploying you elsewhere within the Council, reasonable adjustments or changes in work pattern will address your attendance issues. We will also consider any other issues you want to discuss.
- 8.8 You may face action under the Council's disciplinary procedure if we conclude that you are not off work for a medical condition and you are unable to offer any other satisfactory explanation. This may lead to your dismissal for misconduct or gross misconduct.

Right to appeal against dismissal

- 8.9 You have the right to appeal if we dismiss you on the grounds of your absence. You need to appeal within a week of your dismissal. Use the appeal e-form ([link](#)) or the paper copy in your letter. Send your appeal to the person who led your dismissal meeting. Complete the form in full explaining why you are appealing.
- 8.10 The appeal hearing meeting will be led by Elected Members. The Council's final decision will be confirmed in writing and we will try to do this within one week of the appeal hearing. This is the end of the internal process; you do not have any further right to appeal.

Your right to be accompanied

- 8.11 You have the right to take a colleague or a trade union representative with you to any meeting called under this procedure, including the appeal meeting. You should tell us as soon as possible who will accompany you and it is your responsibility to arrange for them to attend.
- 8.12 Your colleague or union rep can, if you wish, explain the key points of your case to the meeting and can respond on your behalf. You can also confer with them during the meetings. They must not however answer questions put directly to you or try to prevent management asking questions or outlining its arguments.