

Attendance Management Policy

Policy purpose

We are fully committed to promoting the health, safety, and wellbeing of all colleagues. This policy is designed to provide a supportive framework to assist you in maintaining good health and attendance at work. This includes effective and timely management of sickness absence when it occurs. This policy provides a framework for managing attendance using a consistent approach. Whilst the desired outcome of the attendance management process is for all colleagues to maintain good health and attendance at work, the attendance management capability stage outlined in this policy acknowledges that sometimes poor health and attendance mean that a colleague can no longer continue to effectively fulfil their role.

Document Control

Implementation date	
Author	Amy Stevens
Equality impact assessment date	May 2022
Revised/updated	May 2022
Version Control	3.0
Review required	Three years

1. Overview

- 1.1 This policy applies to all Council employees, except for Chief Officers and those employed under the delegated powers of governing bodies of community and voluntary controlled schools.
- 1.2 Please refer to Appendix 1 for definitions of roles and Appendix 2 for a Glossary of terminology used in this policy.

2. Roles and responsibilities

All colleagues

- 2.1 Regular, punctual attendance at work is an implied term in your contract of employment. You are expected to take personal responsibility for your own health, wellbeing and attendance so that you can perform at your best at work. This includes accessing provisions put in place to support you and your good attendance at work, such as the [Employee Assistance Programme \(EAP\)](#), [Mental Health Champions](#), [Stress risk assessments](#) and [Wellbeing support plans](#). Details for these provisions and additional wellbeing information can be accessed via MiDerby, your manager or your Trade Union representative, if you have one.
- 2.2 You are expected to attend and engage in any informal or formal discussions related to your attendance and any medical appointments with Occupational Health as requested by your manager or Occupational Health during or after periods of sickness absence.

Line managers

- 2.3 Managers are expected to help and support you to achieve good health, wellbeing and attendance. Managers should foster a supportive and open culture about attendance management; communicate this policy, along with expectations for attendance levels in your service area and signpost you to access support provisions available. Managers are expected to approach sickness absence sensitively and confidentially.
- 2.4 Managers are expected to complete return to work discussions promptly upon your returning to work after an absence. Managers are expected to keep accurate sickness absence records on [GoodShape](#) and MiPeople, including return to work records, fit notes, any correspondence and meeting notes. Managers should monitor absence levels within their teams and address any concerns they may have promptly.

3. If you know you will be absent

- 3.1 If you know you need time off work, for example for a medical appointment, you should request the time off by informing your manager as soon as possible to get their approval. Where possible you should try to make medical appointments outside of work time or use flexi-time if applicable. For disability leave refer to the [Disability equality at work guidelines](#) on MiDerby and the associated [disability leave application form](#).

4. If you are sick or injured

- 4.1 If you are sick or have suffered an injury and are unable to attend work, you should call the Council's absence triage service, currently provided by GoodShape, to report and to close any sickness absence as soon as you can, and at the latest 60 minutes before your usual start time. Your manager will inform you if the nature of your duties requires you to report in any earlier than this. You should always call GoodShape yourself, unless you are unfit to do so, for example, you are in hospital. GoodShape will notify your manager of your absence, you may also wish to contact your manager directly.
- 4.2 GoodShape have a 24/7 dedicated sickness absence telephone line: 0333 321 8129 (this is a low-cost number). If you are a Deaf colleague, you can use the Relay UK service by dialling 18001 0333 321 8129. For instructions on how to use the Relay UK service please refer to the [Relay UK website](#).
- 4.3 Your manager will attempt to contact you if you are due to attend work but have not reported any sickness absence via GoodShape or directly to them.
- 4.4 If you are injured at work, you should notify your line manager as soon as possible in line with the [Accidents, Diseases, and Dangerous Occurrences Policy](#).
- 4.5 The absence triage service does not replace the role of your manager during your absence from work. It is important that both you and your manager maintain contact with each other during any absence, to ensure appropriate support is offered and up-to-date medical information is received. If you do not keep in contact with your manager, they will make every effort to contact you. In some situations, you and your manager may agree a communication plan, specifying the method of communication, frequency of contact and who you should contact.

5. Evidence of sickness or injury

- 5.1 It is your responsibility to make sure fit notes are supplied for all periods of absence that last over seven calendar days. A fit note should be sent to your manager within three days of you receiving it. It is acceptable to send a copy of your fit note electronically. Original fit notes should be copied by your manager and returned to you.
- 5.2 Additional fit notes will be required if you remain absent beyond the expiry date of a previous fit note.
- 5.3 In some circumstances, for example where there is a concern about the reason for absence, you might need to provide fit notes for an absence of less than eight calendar days. If this is the case your manager will discuss this with you and confirm this in writing. Any charge for such fit notes will be paid for by the Council.

- 5.4 Your manager will refer to any medical advice provided on fit notes that say you may be fit for work, discuss any suggested temporary arrangements with you, and attempt to accommodate changes where possible to facilitate your return to work. Advice can be sought from Occupational Health when considering and putting in place temporary arrangements because of medical advice on a fit note.

6. Payment for sickness or injury

- 6.1 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.
- 6.2 You qualify for organisational sick pay immediately. You will be paid as long as you comply with this policy and your other contractual obligations.
- 6.3 You will find details of sick pay entitlements on MiDerby, or alternatively in your contract of employment.
- 6.4 If you do not report your absence and/or do not provide required evidence as detailed in paragraphs 4.1 to 5.4 your absence will be treated as unauthorised. Unauthorised absence will not be paid. Non-compliance with this policy will be addressed through the [Disciplinary Policy](#).
- 6.5 Any abuse of the Attendance Management process will be addressed under the [Disciplinary Policy](#).

7. Returning to work

- 7.1 Your manager will hold a return to work discussion with you when you return to work after being absent due to sickness or injury. The return to work discussion should be held promptly and no later than three days following your return to work. During the discussion your manager will talk with you about why you were off work, make sure you are fit to be back at work and discuss any support that you might need.

Phased returns

- 7.2 Phased returns can be used to help you get back to work after periods of long-term absence. Phased returns are designed to ease you back to work, usually over a period of no more than 6 weeks. Your manager will agree on a plan with you for how long the phased return will last and support you to gradually return to your regular work and working pattern. A phased return could include temporarily reorganising or reducing your working hours or pattern of work and/or temporarily removing some duties attached to the job.

7.3 Periods when you are not at work during a phased return can be covered by:

- sick leave – with appropriate fit notes
- annual leave
- flexi-leave
- temporary reduction in hours – this will result in a temporary reduction in your pay
- disability leave – in some instances, if you are a disabled colleague

7.4 Sick pay entitlement, during a phased return, will be calculated from the start date of each period of absence during the phased return plan.

8. Disabled colleagues

8.1 Your manager will consider reasonable adjustments to your role, workspace and/or working arrangements if you are a disabled colleague. 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 absence triggers and/or any absence targets set. Refer to the [Disability equality at work guidelines](#) for more information on considering reasonable adjustments.

8.2 If your absence is disability related you should inform your manager, so it is recorded accurately. All absences, including disability related absence, must be recorded and monitored under this policy.

8.3 Disabled colleagues who need time off for treatment, rehabilitation or assessment concerned with their impairment may take paid disability leave. This type of leave is not sickness absence and should not be treated as such. This leave will generally be for one-off or short-term absences. Refer to the [Disability equality at work guidelines](#) and the associated [disability leave application form](#) on MiDerby for more information.

9. Pregnant colleagues

9.1 Pregnancy-related sickness absences will be disregarded for the purpose of absence triggers.

9.2 If you are off work for a pregnancy-related illness in the four weeks before your due date, your maternity/birthing leave will automatically start on the first day of the pregnancy-related sickness absence.

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

10.1 You will find details of attendance triggers on MiDerby, which indicate the points at which absence becomes a cause for concern.

- 10.2 You may find this process difficult and upsetting. The aim of the attendance management process is to support you and to help you in maintaining good health and good attendance at work. However, no organisation can continue employing people indefinitely if they are not able to work or meet acceptable attendance standards.

Informal Stage

- 10.3 For instances of long-term absence and persistent short-term absences, the first stage of the attendance management process is an informal discussion with you.
- 10.4 As well as using trigger alerts to prompt an informal discussion about attendance, your manager will be mindful of other areas for concern with your attendance, for example, patterns of absence. Managers do not need to wait for a trigger alert to discuss your attendance with you if they have a concern. Managers should also consider whether any reasonable adjustments to triggers may apply for disabled colleagues as per paragraph 8.1.
- 10.5 During the informal discussion your manager will talk with you about your attendance record, the reasons you are absent and review any medical evidence available. Your manager may explore whether requesting further medical information would be helpful. Your manager will discuss with you if there is anything the Council can do to help improve your health and/or make it easier for you to attend work.
- 10.6 For instances of short-term absence, you will be set a zero-absence target and a monitoring period, unless the absences are disability related and paragraph 8.1 applies.
- 10.7 For instances of long-term absence, you will be set a review period based on the current information about your sickness absence.
- 10.8 At the end of the monitoring/review period, your manager will meet with you to discuss whether you have met your target or returned to work.

Formal Stage

- 10.9 If, following an informal discussion and monitoring/review period, you have not met the target set or if, in the case of long-term absence, there is no return to work date or likelihood of your imminent return to work, you will move to a formal meeting with your manager about your attendance.
- 10.10 You will be invited in writing to a formal meeting. You may be accompanied at the meeting by a companion if you choose to.
- 10.11 During the meeting your manager will talk with you about your attendance record, the reason(s) for your absence and review any medical evidence available.

- 10.12 During this stage you and your manager may discuss making a referral to Occupational Health for an Occupational Health report, if a referral has not already been made. Your consent is not required for your manager to make a referral for an Occupational Health report, but any referral will always be discussed with you in advance. Reports from Occupational Health or other medical specialists can help your manager to better understand your situation and explore whether reasonable adjustments (if you are a disabled colleague) or temporary arrangements are needed to help you either return to work, improve your attendance, or make it easier for you to do your job. The confidentiality of your privacy, wellbeing and dignity is paramount. All Occupational Health records will be maintained securely in the Occupation Health Service in accordance with data protection legislation.
- 10.13 Your consent will be sought for your manager to have full access to any medical reports. You do not have to give your consent. However, if you do not give your consent, any decisions made will be based on the information the Council has available at that time.
- 10.14 Your manager will discuss with you if there is anything the Council can do to help improve your health and/or make it easier for you to attend work, with reference to any advice from Occupational Health or other specialist medical reports. For example, temporary arrangements, reasonable adjustments, or medical redeployment could be recommended and discussed with you.
- 10.15 For instances of short-term absence, you will be set a zero-absence target and a monitoring period, unless the absences are disability related and paragraph 8.1 applies.
- 10.16 For instances of long-term absence, you will be set a review period based on the current information about your sickness absence.
- 10.17 You will be advised that the next stage of the process is an attendance management capability hearing. If at the end of the monitoring/review period, you do not meet the attendance targets set, or if, in the case of long-term absence, there is no return to work date or likelihood of your imminent return to work you will move to this stage. Your manager will advise you that dismissal is a potential outcome of the attendance management capability hearing.
- 10.18 If you or your manager are considering Ill-health retirement as an option, to be eligible for consideration you must have been a member of the Local Government Pension Scheme (LGPS) for 2 years or more. Any Ill-health retirement application should be passed on to the Occupational Health Service, and they will arrange a consultation with an Independently Registered Medical Practitioner registered with Derbyshire Pensions. More information on Ill-health retirement can be found on the [LGPS website](#).

- 10.19 If you are diagnosed with a terminal illness, we are committed to supporting you and have demonstrated this commitment by signing the Dying to Work charter. The charter sets out an agreed way in which you will be supported, protected, and guided throughout your employment, following a terminal diagnosis.
- 10.20 At the end of the monitoring/review period, your manager will meet with you to discuss whether you have met your target or returned to work.
- 10.21 For instances of short-term absence, if you have met your target, you will be removed from the attendance management process. If you reach an attendance trigger point again your manager may manage your attendance from the stage at which you were previously removed.
- 10.22 For instances of long-term absence, upon your return to work your manager will monitor your attendance in line with this policy.

Attendance management capability hearing

- 10.23 If, following a formal meeting and monitoring/review period, you have not met the target set or if, in the case of long-term absence, there is no return to work date or likelihood of your imminent return to work, you will be invited to an attendance management capability hearing.
- 10.24 You will be invited to the capability hearing in writing. You may be accompanied at the hearing by a companion if you choose to.
- 10.25 If you choose to be accompanied at the hearing by a companion, they can, if you wish, explain the key points of your case. You can also confer with them during the meeting. However, they must not answer questions put directly to you or try to prevent management asking questions or outlining their case.
- 10.26 The Chair will provide an outcome after hearing the case. Possible outcomes of the capability hearing are a further target and monitoring period, a further review period or notice of your dismissal.
- 10.27 You have the right to appeal the outcome of an attendance management capability hearing. Use the appeal e-form available on MiDerby or the paper copy in your outcome letter. Further details on the appeals process can be found in the [Appeals Policy](#) and the [appeals pages](#) on MiDerby.
- 10.28 This is the end of the internal process; you do not have any further right to appeal.

11. Support and guidance

- 11.1 A full description of the process including guidance, supportive information and documentation can be found on MiDerby at:

[Attendance management \(derby.gov.uk\)](https://derby.gov.uk)

Other related guidance, policies, supportive provisions and websites mentioned in this policy can be found at:

[Health and wellbeing](#)

[Employee Assistance Programme \(EAP\)](#)

[Mental health champions](#)

[Stress management](#)

[Wellbeing support plan](#)

[Occupational health service](#)

[GoodShape - manager portal](#)

[Relay UK](#)

[Accidents, Diseases and Dangerous Occurrences Policy](#)

[Disability equality at work](#)

[Disability quality at work guidelines](#)

[Disciplinary Policy](#)

[Local Government Pension Scheme \(LGPS\)](#)

[Appeals](#)

Colleagues without access to this information can ask their manager for a printed copy.

Role definitions

In this policy, unless the context otherwise requires, the following expressions have the following meanings:

‘Chief Officer’ means an administrative and executive head of a department, function, or service. This includes Strategic Directors and Service Directors.

‘Manager’ or ‘Line manager’ means the person that you report to.

‘Companion’ means a work colleague, a trade union official, or a workplace trade union representative who’s certified or trained in acting as a companion.

‘Chair of Hearing’ or ‘the Chair’ means a suitable manager appointed to this process role.

Glossary

In this policy, unless the context otherwise requires, the following expressions have the following meanings:

‘Attendance trigger’ means a point at which absence(s) become a cause for concern. For example, a number of working hours lost or a number of occasions of sickness.

‘Fit note’ means the note issued by a doctor, usually your GP, which includes details of the advice you have been given about whether you are fit for work or not, and how your health affects what you can do at work.

‘Persistent short-term absence’ or ‘short-term absence’ means multiple absences of short duration (1 to 27 days) that have become a cause for concern.

‘Ill-health retirement’ means retiring due to ill health. The Local Government Pension Scheme (LGPS) can consider paying pension benefits on the grounds of ill-health to anyone at any age who has LGPS benefits and fits the eligibility criteria.

‘Long-term absence’ means an absence lasting 28 calendar days or more.

‘Reasonable adjustments’ means adaptations that can be put in place that might help disabled colleagues to remove barriers at work. For example, dedicated parking or equipment such as hearing loops or ramps.

‘Phased return’ means a period, of usually no more than 6 weeks, where changes are put in place temporarily that might help you return to work after a period of sickness absence. For example, reduced hours or amended duties.