



ATTENDANCE MANAGEMENT POLICY

This policy is designed to achieve an improvement in overall employee attendance levels and ensure employee health safety and wellbeing issues are addressed in an appropriate and timely manner.

Nottingham City Council recognises that its workforce is its greatest asset. The Council intends to transform the working environment and practices so that the workforce becomes healthier by promoting employee health, wellbeing and safety, as well as organisational effectiveness.

This Attendance Management Policy links directly to the Health and Wellbeing for Work Strategy in addition to a host of other policies that offer support to employees. These are listed in the attached appendix.

Sickness absence is a significant cost for the Council. In the year to 1 June 2009 80,044 working days were lost to sickness absence which is equivalent to more than 316 employees. This does not include the cost of providing agency cover which in 2009/10 was £331,100.

It is inevitable that employees will sometimes be unfit to attend work. However, there are limits to what can be accepted by way of sickness absence. Where these limits are exceeded it may be necessary for the Council to dismiss the employee.

This policy sets out the steps which should be followed in cases where the level of an employee's attendance level due to sickness absence is unacceptable.

This policy applies to all employees except those based in schools and those undergoing a period of probationary service. Concerns about sickness absence of probationary employees will be considered as a factor in the review of the probationary period.

1. Section 1: Roles and Responsibilities

- 1.1 Managers are responsible for managing attendance and are expected to intervene early to secure attendance. Managers are required to prioritise the management of individual cases and will be held accountable for attendance management within their teams with targets to reduce sickness absence included in service plans and individual managers' PDR objectives.
- 1.2 Managing attendance is about managing employees on a one to one basis. Managers are expected to keep in touch with absent employees to ensure that contact with work is maintained and so that they can do all they can to help absent employees to return to work.
- 1.3 All managers who are responsible for absence management will be expected to attend training in the management of absence including awareness of disability issues relating to sickness. Managers are expected to address any issues relating to disability at the earliest opportunity e.g. when an employee

with a disability commences employment or where they first become aware that an employee has a disability.

- 1.4 Managers are responsible for conducting risk assessments where necessary and reviewing them, to reduce the level of risk and to maintain health and wellbeing at work.
- 1.5 Whilst the management of absence is the responsibility of managers, the Employee Service Desk (ESC) is available to advise managers on the management of absence cases including advice on any employment law and disability issues. Trades Unions can also be helpful when managing sickness.
- 1.6 The Employee Wellbeing Team offers a range of services to assist managers to take a pro-active approach to attendance including Occupational Health, physiotherapy and counselling. Recent medical research has shown that early referrals to these services can help facilitate a return to work, therefore early intervention is essential.
- 1.7 Managers are responsible for ensuring sickness absence is accurately recorded on the Oracle absence system and are accountable for keeping it up to date in accordance with corporate deadlines.
- 1.8 Employees are required to attend work unless not fit to do so, comply with sickness reporting procedures, supply medical certificates and co-operate with managers over the management of their absence by attending meetings and Employee Wellbeing appointments. Abuses of the sickness scheme and failure to comply with reporting procedures are potentially regarded as disciplinary issues and should be dealt with using the City Council's Disciplinary Procedure.
- 1.9 Regular performance monitoring data on sickness will be scrutinised by Councillors, Corporate Leadership Team, Departmental Management Teams, Joint Corporate and Departmental Health, Safety and Welfare meetings to identify areas for improvement.
- 1.10 Regular updates of the Council's attendance performance will be published and cascaded to all employees.

2. Section 2: Return to Work meetings

- 2.1 Line Managers will hold a return to work meeting with each employee when they return from any period of sickness absence. These meetings will occur as soon as the employee returns to work, ideally within 48 hours but no longer than five working days. There is no right to be accompanied by a trade union representative or a work colleague at return to work meetings.
- 2.2 Return to work meetings should not be used to issue a notification of concern to employees about their attendance records formally but are an opportunity

for discussion about the reasons for absence and any issues that may help to improve attendance e.g. reasonable adjustments.

3. Section 3: Attendance Management Meetings

The following process applies where an employee returns to work following either short-term or long-term sickness absence and they have reached the trigger level.

- 3.1 An employee will trigger the following process where they have had ten days (74 hours) (pro-rata for part-time employees) sickness, or three occasions of sickness in a year. The employee will be required to attend an Attendance Management Meeting with their manager within two weeks of their return to work. The employee must be given reasonable written notice of an Attendance Management Meeting. Employees may be accompanied at this meeting by their trade union representative or a work colleague but this should not unduly delay the meeting taking place.
- 3.2 The purpose of the meeting is to establish the facts, examine the employee's record, identify any causes or patterns of absence, try to resolve any problems and for the manager to consider what, if any, action is appropriate.
- 3.3 At the Attendance Management Meeting the manager will, in the light of all the available information, consider why they should not issue a formal notification of concern. The notification of concern will be confirmed in writing (normally within three working days of the meeting) and make clear that if attendance levels do not improve then this may lead to dismissal from the City Council's employment.
- 3.4 In taking a decision to issue a notification of concern managers will take into account any disability or pregnancy related issues that may have led to the level of absence and, in the case of disability-related absence, will action and/or revisit any agreed reasonable adjustments. Notifications of concern will not be issued for pregnancy related illness.
- 3.5 A first notification of concern will remain live for six months from the date of the meeting. The employee's attendance will be reviewed periodically by the manager and if the employee has not taken any more sickness absence during this time then the notification of concern will lapse at the end of the six months.
- 3.6 If absence continues to remain above the trigger level and there has been further absence while the first notification of concern is live then the employee will be required to attend a further Attendance Management Meeting by their manager.
- 3.7 The meeting will have the same purpose as the first meeting and once the manager has established all the facts they may then decide to issue a second notification of concern.

- 3.8 A second notification of concern will remain live for 12 months from the date of the meeting. During this time the manager will review the employee's attendance periodically. If the employee's absence reduces below the trigger level after six months the notification of concern will reduce to the level of a first notification of concern. If the absence remains below the trigger level after 12 months then it will have lapsed.
- 3.9 When managers are considering the appropriate action to take under this policy they will be expected to take into account the employee's overall attendance record and patterns of absence through the course of their employment.
- 3.10 Employees may appeal against the issuing of either a first or second notification of concern by writing to their manager within ten working days of receipt of the written decision. Their manager will arrange for the appeal to be heard by a more senior manager wherever reasonably practicable.
- 3.11 If, after a second notification of concern, an employee's sickness absence remains above the trigger level and there has been further absence since the second notification of concern then the manager will need to consider whether dismissal is appropriate. In doing so the manager will prepare a management report to a more senior officer with HR advice. The report will include details of up to date medical advice (either from Employee Wellbeing or GP/consultant) and any disability issues that need to be considered. (See checklist for managers in the guidance notes.)
- 3.12 A more senior manager will consider the report and decide whether to hold a dismissal hearing. The employee will be required to attend this dismissal hearing and may be accompanied by a trades union representative or work colleague. The manager conducting the hearing will consider all the evidence before them including any up to date medical advice (either from Employee Wellbeing or GP/consultant), any disability issues and any points the employee or their representative has made before deciding whether dismissal is appropriate. (See checklist for managers in the guidance notes.)
- 3.13 An employee who has been dismissed will be able to appeal against the decision by writing to the manager who dismissed them within ten working days of the letter confirming their dismissal. The appeal will be heard by a more senior manager wherever reasonably practicable. The employee will have the right to be accompanied by a trade union representative or work colleague.

4. Section 4: Long-term sickness absence

- 4.1 After more than 20 consecutive working days' absence the manager will arrange to meet with the employee to discuss their health and prospects for return to work. This meeting can take place at the employee's home depending on the circumstances. However, a meeting of this kind must be handled sensitively and consideration given to a neutral venue if this would be

more appropriate. A meeting may not be needed if a return to work date is imminent. Employees may be accompanied at the meeting by a trade union representative or work colleague, but this will not unduly delay the meeting taking place. The formal contact at 20 days is the minimum level of contact expected and managers are encouraged to ensure that appropriate contact takes place between them and the absent employee both before and after the 20 day threshold.

- 4.2 The manager will consider a referral to the City Council's Employee Wellbeing Service unless recovery appears to be imminent and this will be discussed with the employee. Employees should be referred to Employee Wellbeing at the earliest appropriate time. Any report from Employee Wellbeing should be discussed with the employee.
- 4.3 The manager, with appropriate advice from HR, will need to form a view as to whether the employee is disabled within the meaning of the Equality Act 2010 and consider any reasonable adjustments that may enable a return to work.
- 4.4 If it seems unlikely that the employee will be able to return to work in the foreseeable future then the manager will prepare a management report to a more senior officer with HR advice. The report will include details of up to date medical advice (either from Employee Wellbeing or GP/consultant) and any disability issues that need to be considered. Consideration of ill-health retirement will also need to be made at this stage.
- 4.5 A more senior manager will consider the report and decide whether to hold a dismissal hearing. The employee will then be required to attend the hearing and will be able to be accompanied by a trades union representative or work colleague. The manager will consider all the evidence before them including any up to date medical advice (either from Employee Wellbeing or GP/consultant) and any disability issues before deciding whether dismissal is appropriate. In cases where employees are terminally ill the need to hold a hearing may be waived with the agreement of the employee.
- 4.6 An employee who has been dismissed will be able to appeal against the decision by writing to the manager who dismissed them within ten working days of the letter confirming their dismissal. The appeal will be heard by another senior manager designated by the Council.

Appendix 1

The Council has a number of human resources (HR) related policies and services in place that together with the Attendance Management Policy provide support for its employees:

- Reasonable Adjustment Guidance
- Employee Assistance Programme
- Occupational Health Service
- Critical Incident Management
- Mentoring
- Mediation Service
- Equality and Diversity Policy
- Corporate Violence Policy
- Works Perks Employee Benefit Scheme
- Health and Safety Guidance and Information
- Stress Policy and Guidance
- Domestic Violence Policy Guidance
- Smoke free Workplace Policy
- Teleworking Policy
- Alcohol, Drugs and Substance Misuse Policy
- Annual Holidays
- Flexible Working Hours Scheme
- Voluntary reduction in working hours
- Variable working hours
- Compressed working hours
- Right to request flexible working
- Job sharing scheme
- Flexible retirement scheme
- Maternity and Adoption Scheme
- Parental leave Scheme
- Maternity support leave and Paternity leave
- Foster care provisions
- Works Perks Holiday Purchase Scheme