

Attendance Management

Having the right people in the right place at the right time is vital in ensuring we deliver excellent customer service every time. This is why managing attendance is so important.

A culture of joint cooperation and openness is to be encouraged and where all parties, managers and employees, all work to achieve a highly motivated workforce committed to attaining high attendance levels, minimising absence levels and maximising opportunities. All employees are entitled to expect fair treatment in the same way managers are entitled to expect fair treatment. Equally so, managers are entitled to take appropriate action in respect of unacceptable levels of absence and to be firm in dealing with any potential misuse of the system.

Any Company's overall objective is to ensure that all employees are fit and healthy enough to be able to carry out their work on a regular and consistent basis to the required standard.

Company's Commitment to Attendance Management

- To ensure that the policy is applied consistently across the Company.
- To ensure that all line managers are fully trained in the management of sickness absence.
- To ensure that all employees are dealt with sensitively and respectfully in all matters of ill health.
- To explore all possibilities to enable an individual to return to work from sick leave.
- To carry out a return to work meeting following each occasion of sickness absence and be aware of any ongoing health issues.
- To consistently monitor the sick records of their employees and consider taking appropriate action if the trigger point that indicates an unsatisfactory level of sick absence has been reached or exceeded.
- To maintain regular contact with any individual on long-term sick leave, this should be at least once a month.
- To seek advice and guidance as required on general sick absence issues and on individual cases requiring a medical referral.
- To carry out well-being meetings if and when appropriate.

Individual Commitment

- To take due care of their health and to take all reasonable steps to remain fit to carry out their role on a regular basis to the standards required.
- To report their sick absence and to keep their line manager regularly informed of their progress.
- To keep their manager informed regarding any medical appointments during normal working hours.
- To provide the required medical certification before any entitlement to sick pay is

authorised.

- To discuss with their line manager any adjustments required to their working environment due to a temporary or chronic medical condition.
- To co-operate with the Company over supplying additional information required to enable the Company to better understand a medical condition/period of absence.
- To attend any appointment with an appointed medical practitioner for a medical examination.

Definition of Absence Types

Short Term Absence - Any period of up to 4 weeks of absence from work due to sickness.

Long Term Absence - Any period of absence from work due to sickness that lasts for more than 4 weeks.

Unauthorised Absence - Any period of absence where reporting (i.e. notifying line manager of absence) or certifying guidelines (i.e. not providing a doctor's certificate when required) have not been followed.

Lateness - Instances where an employee does not arrive at work to start at their agreed time. Lateness and poor time-keeping can be as disruptive as other forms of absence, particularly when work cannot begin until arrangements are made to provide cover.

Reporting Sick Absence

Any absence must be reported to a line manager or another manager if the line manager is not available, sending a text message is never acceptable. This should be no later than one hour prior to the normal time of starting work if the employee is unable to attend work. Only in exceptional circumstance should an absence be reported by anyone other than the employee.

On receiving a call from an employee the line manager should use **ST2 Line Managers - RECORD OF CONVERSATION WHEN AN EMPLOYEE RINGS IN SICK**. During the call the line manager will establish an expected return to work date or agree the date that the employee should provide an update on their progress. The employee is informed that they must maintain contact on a daily basis to keep the Company updated on the circumstances and likely return to work date.

If an absence is not reported on the first day, the absence may be regarded as unauthorised and sick pay could be withheld.

Failure to adhere to the absence reporting procedure and/or unauthorised absence may also be dealt with as a disciplinary issue.

Medical Documentation

A **ST3** self-certification of sickness absence must be completed by the employee for all absences.

A doctor's fit note signed by a GP must be produced for absence that is 8 calendar days or more, this needs to be submitted to the line manager immediately. The employee must continue to submit medical certificates as and when issued by the GP to cover all dates of absence, including non-work days for a continuing period of absence. Failure to produce the appropriate medical documentation may lead to sick pay being withheld.

In the event of an overpayment, deductions will be made from the next appropriate monthly earnings.

Recording and Monitoring of Absence

All periods of absence will be recorded and monitored.

An all-day hospital appointment should be recorded as a day's sickness absence and a self-certification form and evidence of the appointment submitted.

The Company monitors absence as it is a costly expense to the Company. We will support an employee during periods of absence but we also have an expectation that they will maintain regular and consistent attendance at work.

There are two benchmarks used to define level of sick absence - frequency and duration. No more than 4 periods of short-term absence or no more than 10 days short-term sick absence during a rolling 12-month period. The frequency and pattern of all absences is regularly reviewed and unacceptably high levels of absence, or failure to correctly report absence, may lead to disciplinary action.

If an employee has been absent due to sickness and are found not to have been genuinely ill, the employee may be subject to disciplinary action, which could include dismissal.

Statutory Sick Pay

Statutory Sick Pay (SSP) is paid for a maximum of 28 weeks in any period of sickness absence. It is not paid for the first 3 days of any absence and is paid for days normally worked. SSP is subject to Tax and National Insurance deductions as normal.

SSP cannot be paid for the first three days of sickness, these are called waiting days. Therefore, payment usually starts on the 4th day of absence, and continues for as long as the employee is absent, up to a maximum of 28 weeks in any one period of sickness.

SSP is paid in exactly the same way as normal earnings.

SSP is not payable in certain circumstances, the principle ones being:

- if the average weekly earnings are less than the figure set by the Government for the payment of National Insurance Contributions

- for absence of less than four days
- if the employment has terminated
- where Statutory Maternity, Paternity, or Adoption Pay is being paid to you
- for days on which you do not normally work (e.g. if they work Monday to Friday and not at weekends, SSP will normally apply to those five days only)
- if you are over 65 years of age or under the age of 16.

Management of Short Term Sick Absence

On return to work following each period of sick absence a 'Back to Work' meeting will be held with the employee and the line manager. The purpose of the meeting is to welcome the employee back to work, make sure they are fully recovered and to update you on what's been happening whilst they have been absent. During the meeting the reason for the absence will be discussed and also a review of the employee's overall sick record.

Tips on Conducting a Back to Work Meeting

As a matter of course 'Back to Work' meetings should be conducted by line managers with all employees after any period of absence using the back to work form **ST4**. The meeting should be structured to determine the reasons for any absence, if the employee is fit to return to work, and what support might be necessary.

These meetings can also be used to raise management concerns with the employee if appropriate – i.e. if there appears to be a higher than desired frequency of absence, or if there appears to be a pattern of absence.

Preparation for a 'Back to Work' Meeting

Check the employee's attendance record, and any previous objectives set or action taken. Identify any areas of concern or patterns of absence and establish if the employee has an acceptable attendance level. Have the attendance record available at the meeting.

Guidance on points to be covered in a Back to Work meeting:

Welcome the individual back

- Discuss the reason for absence
- Does the individual feel fit to resume work?
- Ask the individual if there is anything we can do as a Company to help?
- Discuss the individual's absence in the past 6 and 12 months
- Have the Company standards been exceeded?
- Is a work improvement plan required?
- Would an occupational health referral be of value?
- Update the individual on anything they may have missed when they were absent
- Check that the individual feels genuinely welcomed back into the workplace

If the level of sickness absence is causing concern and may reach or has reached an

unacceptable level, the employee must be informed that if the absence levels continue at the same rate, disciplinary action could be taken. Any remedial action taken concerning sickness will clearly set out the improvement in attendance required and the period over which the improvement is required.

When reviewing a sickness absence, the nature of the sickness and other relevant circumstances will be taken into account. In the event of a single absence exceeding 10 days caused by one illness or injury, the meeting would normally be restricted to confirming whether the individual was now fit and receiving any on-going treatment.

Unacceptable Absence Levels

'Back to work' meetings are the first stage in reducing overall short term absence throughout the workforce. Thereafter, it will highlight those particular individuals who will need to be dealt with further because of genuine ill-health etc. Each case will, of course, depend on its own facts and will need to be handled appropriately.

In circumstances where it is decided that there is an unacceptable level of absence then it is essential that the following staged warning procedure is implemented in a fair manner before any decision to dismiss takes place. You should ensure that the employee is treated with empathy, understanding and compassion throughout.

- Improvement Action Plan **ST5**
- First Stage Warning
- Second Stage Warning
- Termination
- Appeal

Generally, the first intervention consists of an informal recorded discussion to try and establish what the problem is and what can be done about it. The expectation to be set following the discussion is that they show an improvement in their attendance levels. If following the discussion with the employee, attendance levels are still unsatisfactory, then the next step is usually a formal hearing. During this process the employee may be asked to visit Occupation Health for a full medical examination. This would be arranged through the HR department.

To support the informal stage you should record the conversation and agreement of actions on the Improvement Action Plan form **ST5**, for guidance see **ST6** a completed example. Remember that the objective that is set must be realistic and have a time frame in which the improvement is to be made.

Following any warnings and/or discussions, it is important to allow the employee time for improvement. How long depends on what is a reasonable time in the particular case.

Management of Long Term Sick Absence

The Company will support an employee if they suffer a long term illness or injury. A long-term sick case management record **LT2** should be used to record any data regarding the employee and the period of incapacity. The employee must keep their line manager informed about their progress and anticipated return to work date. It is accepted that the illness or injury is beyond the control of the employee and it is not a disciplinary matter.

The employee is expected to maintain regular contact with their line manager during the period of absence and once they have been absent for 4 weeks continuously the Company may arrange a **well-being meeting LT4** with the employee. The meeting will normally take place in the workplace with the line manager and the following will be reviewed. Please use the wellbeing check list LT4 as guidance for the meeting.

- The current prognosis
- A likely return to work date
- Advice and guidance issued by the Doctor or Specialist or other medical advisors
- Any support the Company can offer the employee
- Update on the work place if this is required
- Any other concerns the employee may have

What if the individual won't attend?

If an employee refuses an invitation to undergo a medical examination, the employer is entitled to base his decision on the relevant facts available, even if those facts are insufficient to show the full medical position.

What if the individual just doesn't attend?

If an appointment has been made and the individual does not attend you should attempt to find out why they have not attended. If the individual agrees to attend a further arranged appointment and fails to attend the cost for the missed appointment will be passed on to the individual. This needs to be explained to the individual and confirmed in writing prior to arranging the second appointment.

Referral to Occupational Health

The Company reserves the right to seek medical opinion or request an examination to establish the likelihood of the return to work and being fit to carry out their role, (the individual will be asked to give written consent **LT3** under the Access to Medical Reports Act 1988). The more details that you can provide to Occupational Health will enable them to provide you with a more detailed report. For example if there is something specific you want to know like 'can the individual work nights' you need to ask it.

Any information will be relating to the current illness and be held confidentially, the information will be discussed and reviewed between the line manager and the employee. By gaining such information we hope to gain a better understanding of the period of incapacity, when the medical opinion is that the employee will be able to return to work and any support that the Company can put in place to support such a return.

On the employee's return to work the Company recognises the difficulties that may be faced. The line manager will discuss arrangements to support the return and this may include a phased return to work. A phased return to work will be considered where it is in the best

interests of securing a return to work and with supporting medical recommendation. During any phased return to work the employee will be paid for the days they actually work only.

Where an absence has continued for a considerable period of time the Company will review and consider a course of action to establish whether it is likely that the individual will be able to fulfil their contract of employment. If the employee is no longer capable of performing his/her contractual role due to ill health the Company will seek to make reasonable adjustments to change the role or move the employee to a suitable alternative role if there is one available. In some circumstances it may not be possible for the employee to return to the workplace and the Company may have no alternative but to consider terminating the employment on the ground of capability - ill health.

Managing Unauthorised Absence

Unauthorised absence is any periods of absence where reporting or certifying guidelines have not been followed. This means that you were expecting an employee to attend work and they have not arrived and you have not received any notification of why they are not at work. The full process for managing situations like this is shown on the unauthorised absence flow chart (UA1).

Our first concern is the safety and wellbeing of the individual so you should attempt to make contact with the employee on the phone number that we have held on file. You should attempt to contact the individual only. You should NOT contact the next of kin as this could cause unnecessary concern to next of kin who may not be local.

Throughout this process you should keep HR updated as they will provide letters as required. Unauthorised absence is unpaid.

If the employee returns to work, the fact that they have been off work due to unauthorised absence needs to be addressed; seek advice from HR on the approach to be taken as this will be based on the individual situation.

Should an employee not return to work and fail to make contact despite phone and written communication from the Company, their employment will be terminated.

Management of Lateness

Lateness occurs where an employee fails to be available at work to start his or her shift/working day on time.

Persistent lateness can often be resolved informally and the employee should be given an opportunity to improve. This is often a more effective way of resolving such an issue at an early stage. It can highlight any problems that could easily be resolved and negate the need for an investigation and disciplinary meeting.

If lateness persists despite this informal action, it may become a disciplinary matter and a formal disciplinary procedure will be necessary. Be aware that in cases of genuine sickness, particularly if the sickness is pregnancy related, you should not take disciplinary action.

Even where there has been a full disciplinary process and the employee's time keeping has not improved, the employer would usually have to give the employee notice (or pay in lieu) if they wish to dismiss them.

We can only dismiss employees without notice in cases of gross misconduct. Lateness itself is almost certainly not serious enough to be gross misconduct, although lying about the reasons could be.

We need to be realistic and understanding about occasional unavoidable problems with getting to work. It is important to always listen to the employee's reason for lateness. It could actually indicate problems concerning management, working relationships and hours. Where employees are finding it difficult to manage home and work responsibilities, consider introducing flexible working arrangements.

The HR Toolkit is provided to enable manager to understand how to manage HR situations and should be used alongside guidance from the HR team and any HR Training
