# PERTON PARISH COUNCIL

# ATTENDANCE & ABSENCE POLICY

## INTRODUCTION

1.1 Perton Parish Council aims to ensure that all employees are committed to maintaining maximum levels of attendance to ensure effective delivery of services to the Parish of Perton.

1.2 Perton Parish Council’s key policy principles relating to managing attendance and sickness absence are to:

1. Promote the health, safety and wellbeing of all employees
2. Allow for the exercise of managerial judgement
3. Ensure all employees are treated fairly and equitably and in accordance with relevant legislation

1.3 This procedure applies to all Perton Parish Council employees, except those employees who are in their probationary period (as the issue of attendance will be addressed within the probation monitoring period).

1.4 All employees are covered by our policy for reporting and managing absences and sick pay as stated in the employment contract.

1.5 Attendance will be in accordance with the Contract of Employment.

## ROLES AND RESPONSIBILITIES

2.1 Perton Parish Council expects all employees to work together during periods of sickness and during phased returns to work to support all employees to return to work as soon as possible.

2.2 The line manager is expected to:

1. Encourage regular attendance at work
2. Monitor all sickness absence
3. Recognise sickness and promote early intervention
4. Track and record absences and identify when an absence meets a trigger point
5. Set attendance target levels
6. Maintain appropriate contact with employees during any sickness absence
7. Seek advice from the HR provider for additional advice and support as needed, completing appropriate referral paperwork for Occupational Health
8. Provide support during sickness absence and rehabilitation, contacting the employee at regular intervals and undertaking home visits as appropriate
9. Identify and deal with abuse of the managing attendance policy
10. Undertake all formal reviews with employees at the appropriate time addressing any concerns about an employee’s attendance
11. Undertake all return-to-work interviews as soon as practicably possible and complete all appropriate paperwork and retain on the employee’s personal file (in the Parish Office)
12. Keep accurate records of all contact with the employee and retain on the employee’s personal file
13. Ensure all employees are treated fairly and equitably ensuring that issues of gender, sexual orientation, age, disability, ethnicity and religion or belief do not affect any decisions made
14. Review and consider reasonable adjustments to enable an employee to undertake the full range of his/her duties or to enable regular attendance at work

2.3 All employees are expected to:

1. Attend work unless they are not well enough to do so
2. Comply with the reporting sickness absence procedure
3. Safeguard their health and take appropriate action to facilitate their return to work
4. Maintain appropriate contact with their line manager whilst on sickness absence
5. Participate in return-to-work meetings and appointments with occupational health if required
6. Attend informal and formal sickness review meetings
7. Inform their line manager if they have a disability should this disability affect their ability to fulfil their role or maintain regular attendance
8. Advise their line manager if they are taking any medication which may impair their ability to undertake their duties

## REPORTING SICKNESS

## See Staff Handbook (page 7) for further details.

3.2 If the Line Manager is not available to take the employee’s call the employee a message should be left with another member of staff and when available the Clerk will make contact with the employee, preferably on the first day of absence. Should an employee fail to comply with these reporting arrangements the absence may be determined to be unauthorised and pay may be stopped.

3.3 Email and/or text message communication is permitted. However, the employee must make telephone contact as soon as reasonably practicable. Notification should be made by the employee personally unless impossible due to the nature of the illness where they should arrange for someone else to call on their behalf.

## MEDICAL APPOINTMENTS

4.1 Doctors’ appointments are not treated as sickness absence unless treatment is administered or referral for further medical advice. Wherever possible these appointments should be taken within the employee’s own time or time made up if necessary.

4.2 Medical appointments which are beyond the employee’s control will be approved and the employee will not be required to make this time up. Medical appointments such as this, should be evidenced by an appointment card and shown to their line manager, eg. Hospital appointment.

4.3 Antenatal appointments are treated as paid leave and the employee does not need to make this time up. However, the appointment should be evidenced by an appointment card.

## SICKNESS ABSENCE REVIEW TRIGGER POINTS

5.1 Trigger points identify when an employee has reached a certain level or patterns of sickness absence that may need intervention by the line manager.

* 1. Short term absence triggers

1. A total of five working days or more over three separate occurrences in a rolling 12-month period
2. Five separate absences in any 12-month rolling period
3. A pattern of absence which causes concern
4. Persistent short-term absence is where an employee is frequently absent from work for relatively short periods due to sickness. We understand most employees will have some short-term sickness absence from time to time. However, if you are frequently and persistently absent from work, this can damage efficiency and productivity, and place an additional burden of work on your colleagues and councillors.
   1. Long term sickness Absence triggers
5. Four weeks continuous absence
6. Where an employee is likely to be absent for such a period due not illness, operation or post-operative recovery
7. An underlying medical condition which causes persistent short-term absences.
   1. Exceptions are as follows;
8. Pregnancy related sickness – any pregnancy related sickness is not taken into account as a sickness absence trigger.
9. Accident at work - absence caused by an accident at work should be discussed with the HR Committee to determine the appropriate application of this policy.
10. Disability related sickness absence – the managing Attendance & Absence Policy will still apply to employees whose absence is related to disability. However, guidance from a third-party HR provider should be sought, and Occupational Therapy advice may be helpful to determine if reasonable adjustments should be made

## RETURN TO WORK MEETING

6.1 On the first day back at work after a period of sickness absence your Line manager may want to meet informally. If this is not possible on your first day back, the meeting may take place later. The return-to-work meeting should take place in a private place, and all discussions should be private and confidential. The meeting would normally include;

1. a welcome back to work
2. outline the purpose of the return-to-work meeting, which is to manage and monitor absence and attendance to identify any problem areas and offer support where appropriate
3. a discussion about the reasons for absence, in a supportive way and to understand whether the council can take any steps to help the employee’s attendance
4. explain that the absence will be recorded
5. establish if medical advice has been sought (if appropriate)
6. ensure the self-certification form has been completed or a fit note from the doctor has been provided
7. a discussion on absence over the last 52 weeks, the impact on pay and any next steps
8. a handover of work where appropriate
   1. Perton Parish Council expects all employees to work together under the supervision of the Line manager during periods of sickness and during phased returns to work to support all employee to return to work as soon as possible

## MONITORING

7.1 The application of the policy will be monitored by the Clerk reporting to HR Committee in the first instance or by the Chairman of HR Committee in the case of the clerk.

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| **Stage** | **Action** | **Responsibility** |
| **Informal** | Issue of absence raised with the employee as part of the normal supervisory process.  The line manager will deal with any issues at this stage and keep notes of their discussion on file. Attendance targets will be agreed. **See section 9** | Line Manager |
| **Formal** | Employee invited to **Stage One** formal review meeting  Attendance targets will be agreed and monitored.  **See section 10 & 11** | Line Manager |
| Employee invited to **Stage Two** formal review meeting  Attendance targets will be agreed and monitored **See section 10 & 11** | Line Manager |
| Employee invited to Formal **Stage Three** Meeting (Contractual review meeting) | 3 Members of the HR Committee |
| **Appeal** | Employee has right of appeal to a different set of 3 HR Committee Members against outcome of the Stage Three meeting | 3 Different members of the HR Committee |

7.2 There will be progression through these two stages if targets are not met. The following are examples of issues which will be dealt with under the disciplinary policy procedure:

1. Failure to attend work when medically fit to do so and not on authorised leave
2. Failure to follow the sickness absence reporting procedure without good reason
3. Failure to provide fit notes when required
4. Undertaking paid or unpaid employment while absent on sick leave
5. Deliberate falsification of self-certification or fit notes
6. Incapability at work whilst being under the influence of alcohol or non-prescribed drugs or other harmful substances
7. Failure to attend occupational health appointments or informal/formal meetings without good reason
8. Issues raised during the monitoring of absence.

***Important note****: if there is a disciplinary issue unrelated to the absence of the employee, both processes will be run simultaneously unless it is considered appropriate to suspend one of the procedures.*

## INFORMAL SICKNESS ABSENCE – SHORT TERM

8.1 Informal stage

a) If any concerns about the employee’s sickness absence have not been addressed during the return-to-work discussion, an informal managing attendance meeting can be held. The purpose of the meeting is to enable the Line manager and the employee to agree ways of improving attendance, support health improvement and to establish or review attendance targets.

b) informal discussions will be placed on the employee’s personnel file and a copy will be provided to the employee and will remain in force for 6 months.

c) The employee should be given one day’s notice of the meeting and, as this is not part of the formal managing attendance procedure, there is no right for the employee to be accompanied.

d) if there is a need, the line manager may move to the formal managing attendance procedure at any time during this informal procedure.

8.2 If frequent absence is due to an underlying long-term health condition, then we will also request, with consent, a medical report either from an Occupational Health Physician or your G.P. or consultant to establish further information about your health and how the council can support your attendance.

8.3 When considering the reasons for absence, and deciding on whether a formal meeting is appropriate, the council will not consider any pregnancy related absence. The council will also make adjustments where absences are related to a disability by allowing a higher level of absence before considering whether disciplinary action is appropriate.

8.4 The council will consider any alternative employment options before making any decision about ending employment. You will have the right to be accompanied by a work colleague or trade union representative at formal meetings and a right of appeal against a formal warning or dismissal sanction. The monitoring of absence operates on a rolling 52-week period.

8.5 Where it appears that there is no acceptable reason for an absence or if they have not followed the correct absence notification procedure, the matter should be treated as a conduct issue and dealt with under the disciplinary procedure.

8.6 Personal circumstances and health issues – see Capability Policy 6.1 & 6.2

## FORMAL SICKNESS ABSENCE – Stage one

## 9.1 Where further absences have occurred or there are concerns re attendance, the employee will be asked to attend a formal managing attendance meeting to discuss the continuing concerns about their sickness absence. The employee should be given 5 working days’ notice of the meeting and the opportunity to bring a union representative or work colleague.

1. Signal that the employee’s time of is a cause for concern
2. Advise the employee about implications of their absence
3. Review the attendance target
4. Allow the employee an opportunity to explain any other reasons for sickness e.g. home commitments, stress or an alcohol or drug related problem.
5. Offer support to the employee of there are underlying reasons for the persistent absence
6. Agree steps for improvement in the form of an improvement plan which should be signed by both parties.
   1. The outcome of the meeting and the improvement plan will be held on the employees personnel file with a copy provided to the employee as soon as possible after the meeting.

## FORMAL SICKNESS ABSENCE – Stage two

10.1 Should there not be the appropriate improvement in the employee’s attendance following the Stage One meeting, a Stage Two formal meeting should be arranged. The employee should be given five working days’ notice of the meeting and be advised of their right to be accompanied at the meeting by a trade union representative or work colleague.

10.2 The aims of this meeting are to:

1. Continue to discuss the sickness absence and the reasons for it
2. Identify any reason for the lack of improvement
3. Review the attendance target
4. Consider a referral to occupational health
5. Advise the employee of the service implications of their absence
6. To consider the appropriateness of redeployment as an option\*
7. Warn the employee that their employment may be at risk if there is not an improvement in their attendance
8. Confirm a further improvement plan to be signed off by both parties

*\* Redeployment will not attract any salary protection.*

10.3 The outcome letter will be held on the employees personnel file with a copy provided to the employee as soon as possible after the meeting.

10.4 Where a sustained improvement in attendance has been evidenced by the employee, a contractual review (Stage Three meeting) will not be needed.

## FORMAL SICKNESS ABSENCE - Stage three

11.1 If there has not been the required improvement in the level of attendance, then a Stage Three meeting should be arranged. This meeting will be to consider whether the employee’s contract should be terminated because of the inability of the employee to meet their contractual obligation to attend work.

11.2 The employee should be given 10 working days’ notice of the meeting and be advised of their right to be accompanied at the meeting by a trade union representative or work colleague.

11.3 The Council’s Human Resources provider will provide advice at this meeting where necessary.

11.4 aims of this meeting are to:

1. Review the sickness absence record of the employee
2. Consider the level of improvement achieved as appropriate
3. Consider the support offered to the employee to improve
4. Consider any reasonable adjustments put in place if appropriate
5. Review occupational health guidance as appropriate
6. Consider redeployment options\*
7. Consider the impact of the employee’s absence on the service

*\* Redeployment will not attract any salary protection.*

11.5 The Clerk with 2 Members of the HR Committee, Full Council Chairman and/or Charman of Management will make a decision regarding the outcome of the meeting. These outcomes may include one of the following:

1. Dismissal with appropriate notice on the basis that the employee is not able to meet their obligation to work due to sickness absence
2. Give a further time period for improvement and a deferral of the decision to terminate the contract
3. No further action
4. A letter confirming the decision should be sent to the employee within five working days of the meeting

## FORMAL SICKNESS ABSENCE – Appeals

12.1 The employee can appeal against the decision to terminate their employment by writing to the Chairman of the HR Committee within 10 working days of receiving the decision in writing. The employee will be required to state the ground for their appeal. The appeal will be heard by 3 different Members of the HR Committee or Full Council.

## FORMAL SICKNESS ABSENCE – long-term

* 1. The same procedure should apply for managing long-term absence as for short-term absence

1. Stage One Meeting
2. Stage Two Meeting
3. Stage Three Meeting (Contractual Review)
4. Appeal
   1. However, the following should be taken into account:

a) the line manager should keep in regular contact with the employee either by phone or home visit as appropriate from the first date of absence unless there are circumstances where this contact is not appropriate.

13.3 The Line manager should in addition:

## discuss with the Council’s Human Resources provider or Occupational Health any adjustment(s) needed to the formal review process taking into account the employee’s reason for absence and their likely return to work

## consider the appropriateness of a referral to Occupational Health or other support mechanisms

## consider the need for temporary additional staffing to cover employee’s role

13.4 The following adjustments may need to be made to the usual formal review process:

## the location of the review meetings

## whether the employee is fit enough to attend a review meeting and if this may need to be held in their absence with a representative attending

## whether a case conference would be appropriate to discuss the case in more detail

## whether ill health retirement (for members of the Local Government Pension Scheme) should be considered by Occupational Health

## OCCUPATIONAL HEALTH SERVICE

14.1 One of the key functions of an Occupational Health service is to interview and/or examine employees who are, or have been, absent from work due to sickness or injury and provide advice to the employer on their fitness to work.

14.2 The advice of the Occupational Health Service should be sought where the advice of an occupational medical specialist can provide additional guidance and information in dealing with cases of absence at the formal stage.

## ILL HEALTH RETIREMENT (Local Government Pension Scheme Members)

15.1 Where it is considered that the employee on long-term sickness absence may be eligible for ill health early retirement, occupational health can be asked to consider the case against the scheme’s criteria.

## REVIEW

16.1 This policy to be reviewed every four year term, or earlier if there are any material changes.