

---

**Report To: Policy and Resources Committee**

**Date: 20 June 2017**

**Report By: Head of Organisational Development,  
Human Resources & Communications**

**Contact Officer: Allan Wilson**

**Report No: HR/07/17/AW**

**Contact No: 2022**

**Subject: Supporting Employee Attendance Policy**

---

## **1.0 PURPOSE**

- 1.1 The purpose of this report is to seek the approval of the Policy and Resources Committee on the refreshed Supporting Employee Attendance Policy. The policy has been updated to reflect legislative changes, best practice and full consultation with the trade unions has taken place.

## **2.0 SUMMARY**

- 2.1 The existing Managing Attendance policy was introduced in 2008, and been subject to improvements over recent years. An Occupational Health Service was introduced in 2010 and incremental improvements made in 2011 and 2014. These improvements were introduced separately and now require to be fully imbedded in the policy.
- 2.2 The refreshed policy (Appendix 1) has been discussed in detail with our trade union representatives. It is recognised that the Council's approach to supporting employee attendance has resulted in improvements to attendance levels across the Council in recent years. The reason for the improvement can be attributed in part to the communication and application of our procedures and the issuing of this refreshed policy will in itself serve to keep attendance management a priority and a high profile issue.
- 2.3 Absence levels are reported nationally in the form of days lost per employee per year via the Society of Local Authority Chief Executives (Solace) for benchmarking purposes. The Council compares well for 2015/2016 against other Councils, sitting 6<sup>th</sup> best for teachers and 4<sup>th</sup> best for other council employees. Absence levels are also a Key Performance Indicator (KPI) for the Council and are reported regularly to the Corporate Management Team and Committee.

## **3.0 RECOMMENDATIONS**

- 3.1 It is recommended that the Policy and Resources Committee:
- a) agree the refreshed Supporting Employee Attendance Policy attached at Appendix 1,
  - b) note that procedural guidelines on the application of the policy will be available for employees and managers.

**Steven McNab**  
**Head of Organisational Development,**  
**Human Resources and Communications**

## 4.0 BACKGROUND

4.1 The Council's Managing Attendance Policy dates from 2008 and now requires to be updated primarily to reflect changes made to it since 2008. All changes which now require to be incorporated into the policy have been fully ratified by previous Policy and Resources Committee meetings. The time is good to bring all aspects of attendance management into a single source.

4.2 Changes agreed since 2008 which are now reflected in the refreshed policy and procedures attached are:

1) Occupational health service introduced from April 2010

2) *Policy and Resources Committee of 15 November 2011 agreed:*

- Letters of concern introduced
- Retrieval of occupational sick pay(osp) – potential for via Disciplinary Process
- Disciplinary process, attendance related dismissal appeals heard by Officers (agreed initially on a temporary basis)

Note: Policy and Resources Committee of 24 September 2013 – Revised Disciplinary Policy and Procedures – agreed *“appeals against dismissal are heard by Elected Members with the exception of all appeals in respect of dismissals on the grounds of attendance which will continue to be heard by Officers”*.

3) *Policy and Resources Committee of 25 March 2014:*

- Absence reporting method changed from a percentage figure to number of days lost to reflect Solace and Improvement Service changes to benchmarking data.

4.3 The Council's approach to attendance management reflects best practice and is underpinned by the clear establishment of a target number of days (9 days locally) and return to work interviews. These two elements are consistently found in the most effective managing attendance policies. Inverclyde has realised an improvement in the days lost per employee over the past few years as indicated below:

- 2013>2014: teachers 7.56 ; other council employees 11.89
- 2014>2015: teachers 6.42 ; other council employees 11.11
- 2015>2016: teachers 5.50 ; other council employees 9.48

The 2015/2016 figures place Inverclyde amongst the best performing Councils as presented in the latest Local Government Benchmarking data – 6<sup>th</sup> overall for teachers, and 4<sup>th</sup> overall for other local government employees.

4.4 It should be noted that recent relative success may also to some degree be associated with attendance being connected to other policies and procedures and to improved communication including better management information. Making such connections supplements the attendance policy and procedures and helps to ensure employees are supported to improve attendance levels.

4.5 It is considered that the undernoted policies and procedures together with the refreshed supporting attendance policy will have a positive impact on employee attendance at work:

- Cycle to work scheme
- Buy and bank annual leave scheme
- Work life balance Policy
- Performance Appraisal
- Family Friendly Policy
- Occupational Health
- Attendance Matters Employee Booklet - will be refreshed and issued 2017

- Workforce Information and Activity Report
- Monthly management reports & Managers' guide to supporting attendance
- Training - Lunch Time drop in service for employees and managers

## 5.0 PROPOSALS

5.1 It is proposed that the Policy and Resources Committee agree the refreshed Supporting Employee Attendance Policy outlined at Appendix 1.

## 6.0 IMPLICATIONS

### Finance

6.1 N/A

#### Financial Implications:

#### One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report £000	Virement From	Other Comments
N/A					

#### Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact £000	Virement From (If Applicable)	Other Comments
N/A					

### Legal

6.2 Legal Services have been party to development of this policy.

### Human Resources

6.3 All matters included in policy and procedures

### Equalities

6.4 Has an Equality Impact Assessment been carried out?

YES (see attached appendix)

NO - This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required.

### Repopulation

6.5 N/A

## 7.0 CONSULTATIONS

7.1 Trade Union colleagues have been fully consulted and support the approach with one specific exception. The potential for the retrieval of occupational sick pay (osp) is not accepted by

trade union colleagues as appropriate, in any circumstances. The revised managing attendance procedures take cognisance of this by further highlighting the checks and balances to be applied before such action is considered and by the introduction of another stage in the process. (Disciplinary) Chairpersons will continue to have the authority to issue a disciplinary sanction however can only recommend osp recovery. An osp recovery assessment panel will then convene to decide if osp recovery is appropriate, all things considered. This additional step helps the matter to be more palatable to trade union colleagues.

## **8.0 LIST OF BACKGROUND PAPERS**

### **8.1 Supporting Employee Attendance Policy (Appendix 1).**

Version 0.3  
Produced by:  
*Human Resources*  
Inverclyde Council  
Municipal Buildings  
GREENOCK  
PA15 1LX

# Inverclyde Council Supporting Employee Attendance Policy (Part 1)



**INVERCLYDE COUNCIL IS AN EQUAL OPPORTUNITIES EMPLOYER  
THIS POLICY BOOKLET IS AVAILABLE ON REQUEST, IN LARGE PRINT,  
BRAILLE, ON AUDIOTAPE, OR CD.**

## Document Control

Document Responsibility		
Name	Title	Service
		OD, HR and Communications

Change History		
Version	Date	Comments
0.1		
0.2	March 2008	Change to reflect new layout. No change to content
	November 2011	Updated to reflect Policy and Strategy outcomes on 15 <sup>th</sup> November 2011
	April 2014	Updated to reflect change in absence measures to days lost per employee
0.3	March 2017	Updated to reflect Policy & Resources outcomes on <DATE>

Distribution		
		Comments
Corporate Directors, Heads of Service, Trade Unions, ICON		

*Distribution may be made to others on request*

Policy Review		
Review Date	Responsible Team	Service
	OD & HR	OD, HR & Communications

DOCUMENT CONTROL .....	2
1 INTRODUCTION.....	4
2 EQUAL OPPORTUNITIES COMMITMENT .....	4
3 AIMS & PRINCIPLES .....	4
3.1 <i>Aims</i> .....	4
3.2 <i>Principles</i> .....	5
4 APPLICATION & SCOPE.....	5
5 RESPONSIBILITIES .....	5
6 NON MEDICAL ABSENCE .....	6
7 CATEGORISATION OF ABSENCE.....	6
7.1 <i>Short Term Absence</i> .....	6
7.2 <i>Long Term Absence</i> .....	6
8 ATTENDANCE TARGETS AND TRIGGER POINTS .....	6
8.1 <i>Attendance Targets</i> .....	6
8.2 <i>Trigger Points for Managers</i> .....	7
9 FIT NOTES AND REASONABLE ASJUSTMENTS .....	7
10 OCCUPATIONAL HEALTH APPOINTMENTS AND REVIEWS.....	7
11 ABSENCE REVIEW AND RETURN TO WORK INTERVIEWS .....	7
12 TERMINATION OF EMPLOYMENT .....	8
13 CONFIDENTIALITY .....	8
14 CONTRACT OF EMPLOYMENT .....	8
15 ACCESS TO OCCUPATIONAL SICK PAY.....	8
16 DISCIPLINARY ACTION .....	8
17 ACCIDENTS AND CRIMES OF VIOLENCE AT WORK .....	9
18 CONTACT WITH INFECTIOUS DISEASE .....	9
19 PREGNANCY RELATED ILLNESS .....	9
20 TRAINING AND REVIEW .....	9

## **PART 1 – SUPPORTING EMPLOYEE ATTENDANCE POLICY**

### **1. INTRODUCTION**

- 1.1. The Council believes that employees are its most valuable resource and recognises the important contribution made by regular attendance at work in maintaining high levels of service delivery.
- 1.2 Supporting Employee Attendance is important to ensure that all absences from work are appropriately managed and those who are absent are supported accordingly. The Council's Supporting Employee Attendance procedures will also promote and encourage employee wellbeing at work. Inverclyde strives to be one of the best Councils in Scotland and this cannot be achieved if there is a high level of unmanaged absence from work.
- 1.3 Sickness absence is one of the Council's Statutory and Key Performance Indicator's. Information in this area is recorded and provided to the Local Government Benchmarking Framework.
- 1.4 Application of this Policy and associated Procedures (Part 2) ensures a fair, consistent and compassionate approach to supporting employee attendance, whilst ensuring compliance with all associated legislation.

### **2. EQUAL OPPORTUNITIES COMMITMENT**

- 2.1 Under this policy, the Council will ensure that everyone receives equal consideration and that the needs of all are taken into account as per The Equality Act 2010, irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, and sexual orientation.
- 2.2 The Equality Act 2010 defines disability as a physical or mental impairment that has a substantial and long term adverse effect on someone's ability to carry out normal daily activities. The definition includes people with hidden disabilities (such as diabetes, epilepsy, and mental health issues). In accordance with the Act, the Council will consider and make reasonable adjustments to enable a person with a disability to work or continue to work.

### **3. AIMS AND PRINCIPLES**

#### **3.1 Aims**

- To ensure that all services are delivered efficiently and effectively. As an employer, Inverclyde Council has a duty to respond to actual and potential problems arising from absence levels particularly in relation to service delivery and staff wellbeing
- To ensure that Inverclyde Council recognises its responsibility for the health, safety and wellbeing of its employees and, in conjunction with other policies of the Council, aims to place emphasis on the comprehensive range of services and agencies established to provide assistance to employees
- To ensure that all employees are treated fairly and consistently, and are encouraged to seek help with any problems they might have which are resulting in non-attendance at work
- To ensure that Managers are aware of their responsibilities under this policy and associated procedures



- To ensure that employees are aware of the terms of this policy and associated procedures and of their responsibilities to comply with the terms of these procedures.

### **3.2 Principles**

- Managers will adopt a supportive and consistent approach to supporting employee attendance, taking into account individual circumstances
- Attendance issues will be dealt with promptly, confidentially, consistently and effectively, demonstrating clear outcomes at all stages
- All appropriate efforts will be made to support and assist an employee absent due to sickness and steps will be taken to help facilitate their return to work at the earliest opportunity
- Each employee will understand that regular attendance at work is of vital importance and that attendance management procedures must be adhered to
- Employees may seek advice/support from a trade union representative at any stage of the Supporting Employee Attendance procedure where appropriate, and may be accompanied by a colleague or trade union representative at absence review meetings
- Advice and guidance will be provided by the Council's Occupational Health Provider where deemed appropriate.

## **4. APPLICATION AND SCOPE**

- 4.1 This policy and associated procedures are applicable to all Local Government, Teacher and Chief Officer employees. That is, to those employed under the:
- Scottish Joint Council for Local Government Employees;
  - Scottish Negotiating Committee for Teachers (SNCT);
  - Scheme for Salaries and Conditions of Service laid down by the Joint Negotiating Committee (JNC) for Chief Officials of Local Authorities (Scotland)

4.2 This policy and associated procedures are applicable to all Council employees.

## **5. RESPONSIBILITIES**

- 5.1 The Head of Organisational Development, Human Resources & Communications is responsible for the formulation of Supporting Employee Attendance rules and procedures and ensuring they reflect best practice.
- 5.2 The Chief Executive, Corporate Directors, Heads of Service are responsible for ensuring that the policy and associated procedures are made known to all Council employees.
- 5.3 All supervisors/managers are responsible for applying the policy and procedures ensuring consistency and fairness.
- 5.4 Employees are required to familiarise themselves with the terms of the policy and procedures during the course of their employment and to abide by them.

- 5.5 Trade Union representatives will work together with managers and employees to promote a positive work environment to ensure the policy and procedures support a culture of high levels of attendance at work.
- 5.6 Organisational Development and Human Resources will provide advice to support managers and employees in the application of this policy and associated procedures.

## **6. NON-MEDICAL ABSENCE**

- 6.1 The Council support special leave, paid or unpaid, for necessary absences not caused by or categorised as sickness. Matters such as single day family or home emergencies, time off for close friend or relative funerals may be awarded on a compassionate basis and need not be recorded as sickness absence. Conditions surrounding these matters can be found in the supporting procedures, Family Friendly and Work Life Balance policy and the Conditions of Service document.
- 6.2 Short term periods of authorised leave may also be granted to care for ill relatives to allow employees to adjust to their personal circumstances and make other arrangements. Conditions surrounding these matters can be found in the supporting procedures document.

## **7. CATEGORISATION OF ABSENCE**

### **7.1 *Short Term Absence***

- Short term absence is defined as a period of absence lasting for less than 4 weeks. It can take the form of minor one-off absences or minor absences that occur more frequently. The focus for managing short term absence is on reducing the number of incidences

### **7.2 *Long Term Absence***

- Long Term absence is defined as a period of absence lasting longer than 4 weeks. The focus for managing long term absence is on reducing the length of the absence period and supporting employee wellbeing
- Guidelines for managing both long and short term absence in practice are outlined in the Supporting Employee Attendance Procedures (Part 2)

## **8. ATTENDANCE TARGETS AND TRIGGER POINTS**

### **8.1 *Attendance Targets***

- The Council has an average non-attendance target, adjusted from time to time, which all employees are expected to satisfy and to be aware of. This target is clearly communicated at all times. It is available on ICON, in employee information booklets, through managers, and at Return to Work Interviews. Details of Return to work Interviews can be found under section 5 of the supporting procedures.
- As at January 2015 the attendance target level is 9 days Full Time Equivalent (FTE). That is any absence level around or above this figure must be fully reviewed and any

underlying matters addressed. 9 days FTE is the maximum trigger for managers, all attendance issues should be addressed prior to reaching 9 days.

## **8.2 *Trigger Points for Managers***

- Trigger points are a method of ensuring that absences are fully supported and reviewed. This is both to ensure effective management of attendance, and to ensure the Council fulfils its Health & Safety obligations as a reasonable employer
- There are 5 distinct categories of trigger points listed below. These are designed to allow early intervention and support and to minimise the duration of any absence where possible and within reason;
  - Mental Ill Health
  - Musculoskeletal
  - 4 separate episodes of absence or more in a 12 month period
  - 6 days of absence or more in a 12 month period
  - 4 weeks of absence or more

Trigger points are designed as a tool to raise managers' awareness, ensure discussion and early intervention with employees in relation to potential absence concerns which may require support and in some cases further action. The 6 day target is an indicator that an employee's absence is approaching the Council's overall 9 day target and may require further support/action and not necessarily that an occupational health referral is required or a letter of concern issued. Further guidance is provided within the supporting procedures document.

## **9.0 FIT NOTES AND REASONABLE ADJUSTMENTS**

- 9.1 The Council will consider advice given by an employee's GP on the 'Statement of Fitness to Work'. Should the GP advise that an employee 'may be fit for work' all reasonable adjustments will be explored in conjunction with advice from Occupational Health.

## **10.0 OCCUPATIONAL HEALTH APPOINTMENTS AND REVIEWS**

- 10.1 It is a condition of employment that an employee may be required, where it is considered necessary or advisable, to attend an appointment with the Council's Occupational Health Advisor.
- 10.2 Employees are expected to comply with this condition of employment particularly when they are being paid occupational sickness allowance.
- 10.3 The Council will ensure consideration of all information presented to them and professional judgement, Service needs and risk assessment will be applied when making any decisions in relation to information presented in medical reports.

## **11.0 ABSENCE REVIEW AND RETURN TO WORK INTERVIEWS**

- 11.1 Supervisors/managers should meet with absent employees regularly to gather facts and discuss their absence from work. Employees are obliged to attend return to work and absence review meetings in accordance with the Supporting Employee Attendance procedures and relevant conditions of service.

## **12.0 TERMINATION OF EMPLOYMENT**

- 12.1 Dismissal on the grounds of incapability through ill-health may be considered where all other reasonable options including support mechanisms, reasonable job adjustments redeployment, retraining and where appropriate ill-health retirement have been exhausted. The Council may consider terminating employment on the grounds of the employee being unfit to perform the duties of the post due to ill-health or absence. Further guidance is provided within the Supporting Employee Attendance Procedures. Any appeal against dismissal on the grounds of incapability through ill-health will be heard by a Human Resources Appeal Panel (Officers).

## **13.0 CONFIDENTIALITY**

- 13.1 All matters relating to employee attendance at work are confidential. The Council will ensure confidentiality of information through all relevant parties.

## **14.0 CONTRACT OF EMPLOYMENT**

- 14.1 The requirement for all employees to maintain a satisfactory level of attendance is included in an employee's Contract of Employment and Conditions of Service.

## **15.0 ACCESS TO OCCUPATIONAL SICK PAY**

- 15.1 Details of Sick Pay schemes are available within the relevant conditions of service. These can be accessed on ICON or on request from Organisational Development and Human Resources. To receive Occupational Sick Pay employees are required to follow certain notification and certification procedures as detailed within each respective conditions of service and in accordance with the Supporting Employee Attendance Procedures. These requirements are clearly defined and managers and employees are equally responsible for ensuring that they are adhered to.
- 15.2 Failure to comply with reporting procedures for sickness absences will normally exclude an employee from accessing occupational sick pay, and the absence from work may be deemed as unauthorised therefore warranting consideration under the Disciplinary Procedures.

## **16.0 DISCIPLINARY ACTION**

- 16.1 In accordance with section 10.2.2 of the National Agreement on Pay and Conditions of Service (*the 'Red Book'*) sick pay may be suspended if an employee abuses the sickness scheme. Therefore, if a disciplinary hearing results in a formal warning this may be considered abuse of the scheme and the Occupational Sick Pay element of the last incident of absence which led to the hearing may be recovered from an employee's next pay normally up to a maximum of 5 days. Further guidance can be found within the Supporting Employee Attendance procedures. Should disciplinary action ultimately lead to termination of employment on the grounds of a poor attendance record, appeal hearings will be heard by a Human Resources Appeal Panel (Officers).

## **17.0 ACCIDENTS AND CRIMES OF VIOLENCE AT WORK**

- 17.1 Details of all accidents and incidents of violence at work must be entered in the Accident Book and an Internal Accident/Incident Report Form completed (available on ICON). Please refer to the Council's Violence and Lone Working Policy. When confirmed as an incident under this policy the absence will not be reckoned against the Council's absence target.

## **18.0 CONTACT WITH INFECTIOUS DISEASE**

- 18.1 Any employee who in accordance with the National Insurance Acts is prevented from attending their place of employment because of contact with notifiable infectious diseases shall advise his or her supervisor immediately and shall be entitled to full pay during the absence, subject to the deduction from that full pay of any benefit payable under the National Insurance Acts. A period of absence on this account will be classed as medical suspension, shall not be reckoned against the employee's entitlement to sickness allowance nor will it be recognised against the Council's absence target.

## **19.0 PREGNANCY RELATED ILLNESS**

- 19.1 If an illness is connected with pregnancy then the period of maternity leave will automatically begin if the illness commences or continues into the four week period before the expected week of confinement. Please refer to the Council's Family Friendly and Work Life Balance Policy for further details. Where the absence is unconnected to the pregnancy absence management procedures will apply.

## **20.0 TRAINING AND REVIEW**

- 20.1 Appropriate training will be provided for managers in the effective implementation and operation of the Supporting Employee Attendance Policy and Procedure to ensure consistency and full understanding. Elements of this training are mandatory for supervisors/managers please refer to the Council's [training matrix](#) for further information.
- 20.2 The policy, procedure and associated training materials may be changed, in consultation, periodically to reflect best practice and relevant legislation.

**(End)**