

Beyond Limits Dumfries & Galloway provides policies and procedures to promote safe and consistent practice across the Organisation. The framework laid down within our policies and procedures lets everyone know how we work and reflects our values and mission statement. Our policies and procedures are written to help us, employees of Beyond Limits Dumfries & Galloway, to make good, safe decisions.

Beyond Limits Dumfries & Galloway expects all employees to be familiar with the contents of all policies and procedures relevant to their role and to understand how to apply them within their daily work.

None of these documents stand alone, all fit within the larger framework of the way we work and any associated policies which are particularly relevant will be directly referenced.

# Attendance Management

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To be read in association with the Capability Procedure, Disciplinary Policy and Procedure and the Equality and Diversity Policy.

## Attendance Management Policy – what this means to Beyond Limits Dumfries & Galloway

Beyond Limits Dumfries & Galloway are committed to maintaining and promoting the health and well-being of all employees. Regular attendance at work is vital to the success of the organisation and everyone is expected to make every effort to attend. Poor attendance can have a major impact on the quality of service we provide to the people we support and places additional pressure on colleagues.

### Principles of the policy

This policy aims to ensure that all employees are treated fairly and in doing so ensure that there is no discrimination on the grounds of gender, gender reassignment, race, disability, age, religious or political belief, sexual orientation, pregnancy and maternity or marital status. The principles of the policy are to:

- Promote the health and safety and wellbeing of employees

- Promote high levels of attendance at work
- Ensure that all employees recognise that their attendance is vital to the success of the organisation and that their contribution is valued
- All employees understand their responsibilities and follow sickness reporting arrangements
- Ensure line managers adopt a fair and consistent approach when dealing with absence, taking into account individual circumstances, while seeking to achieve and maintain acceptable standards of attendance
- Encourage employees to seek help and support with any problems which result in them not attending work
- Managers will implement reasonable adjustments for employees, where applicable to encourage attendance at work
- Ensure employees are made aware of the support mechanisms available within the organisation
- Ensure managers are trained to be able to monitor and manage attendance effectively, fairly and consistently.

## Definition of Absence

For the purpose of this policy, absence is defined as non-attendance at work whether this is authorised/unauthorised or certified by a doctor.

Authorised absence is when an employee has provided a self-certificate or medical certificate/fit note (Statement of Fitness for Work) from a General Practitioner or a hospital and when the dates on their medical certificate/fit note are current and continuous or when their Manager has authorised them to be absent for a reason not related to sickness e.g. family illness.

Unauthorised absence is a period of absence for whatever reason has not been authorised. Reasons for this may be that the employee has not turned up for work and has not contacted their line manager to report their absence.

## Absence Reporting

### Notification

Employees are required to notify the organisation as soon as possible of their sickness absence, and the reasons for it. Notification should be made personally wherever possible, at the earliest

opportunity to the employee's immediate line manager and by no later than two hours prior to the employee's agreed start time, on the first day of absence.

Email and text message contact is unacceptable, as is contact through social media websites or using online or mobile phone instant messaging facilities.

Employees must follow the Absence Reporting Procedure outlined below:

- All absences excluding holidays must be reported as soon as possible
- If the employee calls at a time when their line manager is off duty, they should follow the arrangements specifically for the team they are working in. This might be, phoning the person in the team who is on duty or any other such arrangements. Should this be the case, the employee should contact their line manager when he/she is next on duty to outline the reason for the absence and to advise when they anticipate they will be fit to return to work.
- It is essential that employees keep the organisation updated on the circumstance of the absence and its estimated duration.
- Employees must inform their line manager as soon as possible of any change in the date of their anticipated return to work. For an absence of seven consecutive calendar days or less, employees are required to telephone their line manager on a daily basis.
- Where an absence is in excess of seven calendar days, employees are required, as an absolute minimum, to contact their line manager on a weekly basis in order to provide an update on the illness.
- If an employee is ill whilst on annual leave and does not think they will be fit to return to work at the end of their leave period, they should contact their line manager whilst they are on leave to enable the line manager to make arrangements to cover the role.

### **Certification**

A medical certificate (statement of fitness for work) is required for all periods of absence in excess of seven days and must be posted or delivered to the organisation as soon as it has been issued. All medical certificates must run consecutively ie. every calendar day must be covered.

Any uncertified periods of absence will be unpaid and may be treated as unauthorised absence or absence without leave (AWOL).

Statements of Fitness for Work certificate otherwise known as a 'Fit Note' which GP's issue may advise if an employee would be fit for some work or to work with some adjustment. Any workplace adjustments should be agreed in consultation with the Service Leader. Where the adjustment cannot be made, the employee will remain on sick leave (paid where appropriate).

On return to work from sickness absence, an employee must also complete a self-certificate for all periods of absence up to and including seven days regardless of the length. Self-Certificate forms can be obtained from the office or emailed out to employees.

### **Monitoring Absence**

All absences will be recorded and monitored by line managers.

### **Medical/Dental Appointments**

As far as practicably possible, employees are expected to attend Medical or Dental appointments out-with their normal working hours, or at the start or end of the day/shift to minimise disruption. If this is not possible, time off may be granted at management discretion and will normally be unpaid. Pregnant employees are entitled to reasonable time off to attend hospital and antenatal appointments and are expected to arrange these at the start or end of the day / shift or return to work after the appointment where possible.

### **Hospital Admission**

If an employee is admitted to hospital or similar, they should forward the medical certificate issued to them, by the hospital staff, to Beyond Limits Dumfries & Galloway for the attention of the Senior Service Leader.

### **Sickness whilst on Holiday**

If an employee becomes unwell during a period of annual leave and submits a medical certificate to their Line Manager at the earliest practicable opportunity, the period of sickness absence shall be treated as sick leave and not annual leave. Please note that a self-certificate is not acceptable for this purpose – employees are required to submit a medical certificate supplied by their General Practitioner or a hospital.

If an employee is absent from work due to illness either immediately before or immediately after annual leave, they will be required to submit a medical certificate. Please note that, regardless of the length of absence, a self-certificate form is not acceptable for this purpose. The employee is required to submit a medical certificate supplied by their General Practitioner or a hospital. Where an employee is sick on a public holiday, no substitute holiday will be given.

## Employee Responsibilities

### Employees are responsible for:

- Ensuring they maintain an acceptable level of attendance at work
- Looking after their general health and wellbeing and seeking medical attention or other support where necessary
- Ensuring their lifestyle does not impact on their ability to attend work
- Attending work unless unfit to do so
- Reporting sickness absence promptly to their line manager in line with the reporting procedures and ensuring that the appropriate certification is provided in accordance with procedure
- Attending return to work meetings and other attendance review meetings
- Maintaining contact with their line manager during periods of sickness absence and communicating effectively the reason for their sickness absence
- Advising their line manager of any illness which affects their ability to attend work or to undertake the duties of their post to a satisfactory level
- Raising concerns at an early stage with their line manager if they consider their sickness absence to be connected to their job
- Attending any appointments and co-operating fully with the occupational health service and other organisations that provide support to Beyond Limits Dumfries & Galloway and its employees
- Ensuring that any medical advice and treatment received is followed as quickly as possible in order to facilitate a return to work
- Not participating in any external activity which may be detrimental to their recovery
- Not abusing the sickness absence procedures or sick pay scheme



## Return to Work

The policy requires line managers to monitor the attendance of employees, to support employee wellbeing and improve attendance. Beyond Limits Dumfries & Galloway will support line managers in this process through training, and support from Senior Managers.

Research indicates that the single most effective action to reduce absence is to consistently conduct return to work meetings for all staff who have been absent, irrespective of the length of absence period and without exception.

Upon return to work following **ANY** period of sickness absence, the employee's line manager must undertake a Return to Work Meeting with them. This is an informal meeting; however, it must be recorded on the appropriate Return to Work Form, which can be found on the organisation's shared drive. This must be on the employee's first day back, or if that is not practicable, at the soonest opportunity. In the instance where an employee is returning to work on a Saturday or Sunday it may be appropriate to carry out the Return to Work on the Friday, if the employee is stating they are fit for work.

### **The purpose of the return to work meeting is to:**

- Welcome the employee back to work
- Update them on how their work has been managed in their absence and any other relevant information on changes that have taken place within the organisation during their absence
- Ensure they are fit to return to work
- Explore the reasons for absence
- Establish if the absence was work-related and if so what Beyond Limits Dumfries & Galloway or the line manager can do to resolve any work-related matters
- Establish if there are any underlying medical problems that the line manager should be aware of
- Determine what precautions can be taken to reduce the likelihood of a recurrence

## Types of Absence

If a line manager becomes concerned about an employee's health or level of attendance, the matter should be raised with the employee in the first instance. Absence can be categorised into three distinct types:



### Short-Term Absence

Short-term absences are in most cases due to unconnected ailments.

Any absence of up to seven calendar days would be considered a short-term absence and must be supported by a self-certificate/return to work meeting form.

### Frequent Absence

Frequent absence is a series of frequent or regular absences which can be related or unrelated.

Categories of frequent absence are as follows:

- 3 occasions of sickness absence in a 12-week period irrespective of length of absence
- 6 occasions of sickness absence in a rolling year irrespective of length of absence
- 4 occasions of sickness absence totalling 12 or more calendar days in a rolling year
- 1 occasion of sickness absence totalling more than 28 calendar days
- Regular patterns or specific days off attributed to sickness (for example, after public or school holidays, regular Fridays or Mondays or of over a couple of years, the employee has taken the same period of time off)

Where there has been frequent absence and the employee has met one of the absence trigger points detailed above, their line manager will arrange a Frequent Absence Review Meeting. The line manager will normally have another colleague in attendance. The purpose of this meeting is not only to explore the reasons for the employee's frequent absences and highlight that triggers have been reached, but for their line manager to offer support and put in place any reasonable adjustments enabling them to attend work and achieve a sustainable level of attendance.

This is a formal meeting because the employee's attendance record is now causing concern although the style of the meeting should be positive and constructive. They will be advised that their attendance will be monitored on an ongoing basis with clear expectations agreed. A note of the meeting will be documented and both parties should sign this before a copy is retained in the employee's personal file.

If the level of attendance still causes concern, a decision will be taken to either proceed to disciplinary or invoke the Capability Procedure (see below for further information)

### Long-Term Absence

Long-term absence is any one period of absence which exceeds 4 weeks. Research indicates the best support for employees with long-term absence is through early intervention techniques including the implementation of an agreed communication framework.

A Long-Term Absence Review Meeting should be held when an employee has been absent for more than 4 weeks. This is an important part of maintaining contact with the employee so that any reasonable support can be offered by the organisation. This meeting can be held in the office or a mutually agreed location – for example, the employee's home if that is where they feel most comfortable. Their line manager will normally have another colleague with them.

To ensure that regular contact is maintained, the employee must remain contactable during periods of absence, provide medical certification timeously, and respond to letters and phone messages.

The employee also has a responsibility to maintain regular contact with their line manager via the telephone particularly on receipt of medical certificates. In cases of prolonged long-term absence, further review meetings will be arranged as appropriate. In cases of long-term absence, it is important for the organisation to gather medical information in order to establish a prognosis, indicative return to work date and guidance on whether adjustments are necessary to support a return to work etc.

### **Capability or Disciplinary?**

#### **Underlying Medical Condition**

If medical certification or Occupational Health Information shows an underlying medical condition, a view should be taken on whether continued or increased support will help an employee attend more consistently or return to work completely.

Each case should be considered on an individual basis taking into consideration the length of the current absence, the nature of the absence, the likelihood of recovery and the potential to attend work consistently or return to work. Through discussion with Senior Managers, consideration should be given to whether it is appropriate to follow the Capability Policy. This procedure will guide managers through the process to support employees whilst also highlighting future actions.

#### **No Underlying Medical Condition**

Where there is no underlying medical condition detrimentally affecting the employee's overall capability and there is little or no evidence of improvement, this type of case will be dealt with in accordance with Beyond Limits Dumfries & Galloway Disciplinary Procedure.



## Medical Reports

Requests for medical reports are dependent on individual circumstances and the following is a summary guidance to assist:

- Where an employee is or has been absent due to work related stress, Senior Managers will request a medical report from Occupational Health
- Where an employee has indicated that they are having particular problems affecting their job, Senior Managers may request a medical report from the employee's doctor and if considered necessary a report from Occupational Health. An employee does not need to be absent from work in order to be referred
- If an employee is absent from work due to long-term sickness, a senior manager will normally obtain a medical report from Occupational Health, depending on the circumstances and reason for absence
- In the case of frequent short-term absence, to determine if an underlying medical problem is a contributory, the employee may be required to attend Occupational Health

Please note Beyond Limits Dumfries & Galloway reserve the right to reclaim the cost of failure to attend Occupational Health Meetings, without a valid reason, as a deduction from monthly pay. The cost of this may vary depending on the type of appointment but is in the region of £100.00

## Failure to comply with procedures and employee responsibilities

Should the employee fail to comply with these arrangements, Beyond Limits Dumfries & Galloway reserves the right to withhold Sick Pay. In addition, the reasons for failure to adhere to the Policy will require to be explained at the Return to Work Meeting with the line manager.

In the event that an employee repeatedly fails to follow the correct absence reporting procedures and/or fails to fulfil their Employee Responsibilities, e.g. not sustaining an acceptable level of attendance, formal disciplinary action will be taken against them, in line with the organisation's Disciplinary Procedure.

## Payment Arrangements

### Statutory Sick Pay

Employees who are absent because of sickness will normally be entitled to receive Statutory Sick Pay (SSP) from the organisation provided they meet the relevant criteria.

The main features of the scheme are:

- The first three days of incapacity are unpaid (referred to as 'waiting days')
- Further sickness is paid at the weekly rate published by Her Majesty's Revenue and Customs (revised annually in April) for up to 28 weeks
- Once SSP is exhausted, an employee may transfer onto benefits, paid directly by the Department of Work and Pensions
- If two periods of sickness are separated by less than eight weeks (56 days) then they are linked and the employee need not serve the waiting days again.

### Organisation Sick Pay

The organisation operates a sick pay scheme, which provides for payment in addition to SSP in some cases. Whether you qualify for organisation sick pay will have been advised in your Statement of Particulars of Employment.

The following provisions set out in the employees' contractual sick pay entitlement. Employees should clearly understand, however, that when payment of contractual sick pay is made this is inclusive of any SSP entitlement i.e. employees are not entitled to both.

Employees must have six months continuous service and have successfully completed their probationary period to qualify for organisation sick pay.

Employees' entitlement to organisation sick pay in any rolling twelve-month period is as follows:

- The first four weeks = Full Pay
- Following four weeks = Half Pay
- Thereafter = SSP

The calculation of organisation sick pay will take into account any previous payments of organisation sick pay made in the twelve months immediately prior to the first day of the current sickness absence.

Payment of organisation sick pay will not be made unless the procedure relating to notification and certification of absence have been fully complied with.

Organisation sick pay will not be paid where the sickness is self-induced or where sickness or injury arises from misconduct at work. Any abuse of the system will be dealt with in accordance with the terms of the Disciplinary Process and will result in organisational sick pay being withheld.

The rules of the organisation sick pay scheme do not imply that termination of employment may not take place prior to the payment of organisation sick pay being exhausted.

## **Monitoring and Measurement of Absence**

It is the responsibility of line managers to review attendance for each employee in their team on a regular and consistent basis and to take appropriate action in line with policy and procedure where necessary.