



Section 5 – Attendance Management Policy

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Calderdale MBC

Attendance Management Policy

1. This policy relates to all non school based employees. Governors/schools may choose to adopt the policy.
2. Calderdale MBC values the contribution of its employees in the delivery and maintenance of quality services to the community. While recognising that employees may be prevented from attending work through ill health, the Council has a duty to maintain service delivery, minimise service delivery disruption and maximise the use of human and financial resources.
3. The Council is, therefore, committed to managing attendance and sickness absence and believes that it is the responsibility of the Council's managers to promote the effective management of sickness absence and ill health.
4. The management of attendance is an essential and central part of the management function without which quality and cost effective services cannot be provided. Managers will be supported where necessary by Occupational Health and Human Resources. Each manager is required to monitor attendance levels within their team and take further action as necessary when trigger points are reached and/or where there are concerns about an employee's or a team's attendance level. Where relevant the Council's Performance Development Plan will be used to support and monitor managers in this function.
5. The Council will deal with attendance management in a way that is non-discriminatory and in accordance with the Council's equal opportunities policies.
6. Employees will be dealt with consistently and the attendance procedure will be applied fairly across the Council.
7. Reasonable adjustments will be adopted as appropriate to take account of any disabled employee in accordance with Equality Act legislation.
8. Employees are expected to attend work unless unfit to do so, raise concerns with their manager if they believe that their job is contributing to their ill health, report absence in line with stipulated requirements and produce appropriate certification as required. Failure to do so may result in management action.
9. The employee is expected to inform the manager of the reason for their sickness absence, their anticipated length of absence, any medical advice/treatment or medical appointments they have sought/intend to obtain (where appropriate) and any work commitments that may need rearranging.
10. Employees are expected to attend management meetings and Occupational Health appointments in order to enable management to support the employee and manage attendance. Any employee who unreasonably refuses to cooperate with a management meeting or Occupational Health appointment while they are off

sick may have their occupational sick pay stopped and may be considered for disciplinary action.

11. Triggers for management review in relation to absence will be:
 - 3 separate occasions irrespective of total length of absence in any 3 calendar month period. [\(short term absence\)](#)
 - 100 points on the Bradford Score model on a rolling six month period. [\(short term absence\)](#)
 - Any other recurring, recognisable patterns, such as frequent absence on a Friday or Monday, before or after public holidays or during school holidays. [\(short term absence\)](#)
 - Any absence in excess of two weeks [\(long-term absence\)](#)
12. Action following any absence of **any duration** will always include a Return to Work Interview. This meeting will normally take place privately between the employee and the manager only. It will be used to welcome the employee back, ensure that there is an adequate record of the absence and appropriate certification, update the employee on work issues and identify any action which is required to support future attendance.
13. When trigger points have been reached in relation to frequent, short term absence there will be a Trigger Point Interview conducted by the manager. This is a formal process where the employee can bring a representative and in that meeting actions to address and improve attendance will be developed, recorded and implemented.
14. Where preventative or earlier management actions do not secure satisfactory attendance on a longer term basis, there will be a Case Review Hearing chaired by the Head of Service (or nominated representative), supported by an HR Advisor. For that meeting the employee can bring a representative and the purpose of the meeting is to consider whether there are any further actions that the council can take to assist the employee in continuing in employment or whether employment should be terminated. Employees are reminded that this meeting is an important, formal process which ultimately has the power to terminate their employment.
15. Occupational Health services to Council employees will be provided by the Council's Occupational Health Team. Managers will not be at liberty to purchase OH services elsewhere without the agreement of the Corporate Lead for HR, and any such engagement of external services will only relate to OH functions which cannot be delivered in-house.
16. All absences of two weeks or more must result in the manager considering a referral to the Occupational Health team. On occasion it may be relevant to submit a referral prior to sickness absence where there are significant concerns about an employee's health and the potential impact on work. An absence from work resulting from a work related accident must be reported by phone to the Corporate Health and Safety Team (see accident reporting guidance in Council Safety Policy).

17. Ill health retirements or ill health dismissals will be pursued where medical conditions and resulting attendance issues prevent a timely return to work.
18. The Council will adopt a number of pre-employment screening methods to assess candidate's suitability for job roles and will also use probationary periods for new Local Authority employees to deal with new starters who are unable with support to achieve the required level of attendance. An employee subject to such a probationary period who hits a trigger point during the probationary period will have their health issue assessed to ascertain if their employment is to be confirmed.
19. The Council will seek to promote good health in the workforce, by means of providing health information to the workforce, providing specific health events and initiatives and the Occupational Health team will actively contribute to achieving the Council's health related targets.
20. The above document constitutes the Council's Attendance Management Policy. The council has also produced an Attendance Management Guidance document for managers and employees. This will be published on the Intranet. The nature of the guidance document is such that it will be subject to periodic amendments to ensure that it remains a well developed and effective employee and management tool. Amendments to the Guidance will not need to be the subject of Cabinet approval.

This procedure/policy does not form part of any employee's contract of employment and it may be amended at any time. The Council may also vary any parts of this procedure/policy, including any time limits, as appropriate in any case.

Employee and Manager Guide to Attendance Management



Human

Resources

November 2012

Foreword

Welcome to the Calderdale 'Employee and Manager Guide to Attendance Management'.

We aim to provide you with an overview of the CMBC attendance management approach so that both employees and managers are clear what their responsibilities are.

Calderdale MBC values the contribution of its employees in the delivery and maintenance of quality services to the community. While recognising that employees may be prevented from attending work through ill health, we have a duty to maintain service delivery, minimise service delivery disruption and maximise the use of our resources. We are therefore committed to managing attendance and sickness absence and it is the responsibility of every council manager, trade union representative and employee to work together to promote the effective management of sickness absence and ill health.

The management of attendance is an essential and central part of the management function without which quality and cost effective service cannot be provided.

The content of this guidance document is underwritten by the CMBC policy on attendance management, which has been agreed by Cabinet. ([Attendance Management Policy](#))

Should you have any questions relating to this guide please speak to your designated HR Advisor who will be happy to help you.

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Responsibilities

Employee responsibility

- ▼ Employees must attend work unless medically unfit to do so. Minor ailments such as common cold, minor muscular discomfort, low mood and fatigue may not necessarily require employees to refrain from work.
- ▼ Employees and the managers must maintain contact during any period of non-attendance as required. ([Sickness Reporting](#))
- ▼ Employees are expected to attend appropriate management and Occupational Health appointments in order to enable management to support the employee and correctly manage attendance. Refusal to cooperate with appropriate management meetings can result in the suspension of occupational sick pay or disciplinary action.
- ▼ Where the employee chooses to have a support representative accompanying them, Occupational Health appointments will not be rescheduled for the convenience of that representative. It is the employee's responsibility to identify an alternative representative. The line manager is not a suitable support representative.
- ▼ Every absence has to be self or doctor certified to ensure prompt and correct payment of contractual and statutory sick pay and to ensure that accurate records are maintained. Failure to comply with the certification procedures may result in suspension of pay. Misleading or false statements will be dealt with under the Council's disciplinary procedure. ([Attendance Monitoring form](#))
- ▼ Any employee subject to a probationary period who hits a trigger point during the probationary period will have their health issue assessed to ascertain if their employment is to be confirmed. In such circumstances consideration may also be given to extending the probationary period.

Manager Responsibility

- ▼ Managers have a responsibility towards employees within their area of service and to the Council as a whole. This responsibility takes the form of ensuring both the employees' welfare and the wider best interest of service users of the Council.
- ▼ Each manager is required to monitor attendance within their team and take further action as necessary when trigger points are reached and/or where there are concerns about an employee's attendance level.

- ▼ Where an employee becomes ill with stress (whether work related or personal), workplace accidents or musculo-skeletal problems, advice must be sought from Occupational Health. The manager must make contact with Occupational Health prior to making a referral to determine the best route forward in terms of supporting the employee and making the necessary adjustments in the workplace. Where the employee states that stress is primarily work related, an individual stress risk assessment must be carried out. [\(Stress Policy\)](#)
- ▼ Please see Emotional Trauma and De-Briefing guidance which gives advice to managers if an employee is showing signs of emotional distress due to a traumatic event. Advice must be sought from Occupational Health or the HR Adviser for your area. [\(Emotional Trauma and De-Briefing\)](#)
- ▼ Managers must ensure that employees adhere to the Attendance Management Policy.
- ▼ Managers must conduct Return to Work Interviews after **every** sickness absence, irrespective of length. [\(Attendance Monitoring Form\)](#)
- ▼ Managers must ensure that they have arrangements in place to record attendance as required on Vision and ensure that all relevant documentation is promptly forwarded to HR.
- ▼ Managers must deal with short term and long term absence in line with Calderdale MBC requirements. Failure to do so may result in disciplinary action being taken against them. [\(Dealing with frequent short term absence\)](#) and [\(Dealing with long term absence\)](#)
- ▼ Managers must make arrangements to refer employees to Occupational Health and to consult the designated HR Advisor as required. [\(Occupational Health\)](#)
- ▼ Managers must in conjunction with their designated HR Advisor deal with Ill Health Retirement where a Certificate of Permanent Incapacity (CPI) has been issued. [\(CPI / Ill Health Retirement\)](#)
- ▼ Managers must hold a Trigger Point Interview when triggers have been reached. [\(Dealing with frequent short term absence\)](#) and [\(Dealing with long term absence\)](#)
- ▼ When dealing with short-term absences managers must follow the disciplinary process where significant improvement has not been achieved i.e. no absence. [Disciplinary policy](#)

Prevention

- ▼ Employees are encouraged to take care of their own health.
- ▼ Employees who smoke, drink alcohol to excess or misuse substances are strongly encouraged to seek support. ([Drugs and Alcohol Policy and Procedure](#))
- ▼ Employees should not assume that being unwell necessarily requires them to abstain from work. There is often no need to refrain from work if suffering from a common cold, minor muscular discomfort, low mood, fatigue or other minor ailments. However it is recognised that on occasion underlying medical conditions can for some be exacerbated by minor conditions. Similarly employees working with service users in very vulnerable physical health should be mindful of infection risks.
- ▼ Calderdale MBC and partner agencies provide a wide range of facilities and activities designed to promote good health, suitable for all levels of fitness, age and activity experience. Employees are strongly encouraged to participate in any such activities.
- ▼ Employees and managers are encouraged to look out for health issues as they emerge and not wait until the problem is acute before action is taken. This is particularly important where the job role and activity may affect health. Intervention in the developing stages is generally easier to put into place and is also more effective.
- ▼ All new entrants to CMBC and existing employees who change job role will be subject to pre-employment screening. ([Declaration of Health](#))

Notifying Non-Attendance

- ▼ CMBC employees are required to report sickness absence as follows (irrespective of when they should have been working):

Day one, day four and day eight (when a Fit Note is required).

and **any other** date specified by management.

For absences in excess of two weeks there is a shared responsibility for the manager and the employee to maintain weekly contact. ([Sickness Reporting](#))

- ▼ **Failure to report as required can lead to loss of pay**

- ▼ Sick Pay Provisions (NJC Terms)

If you are unable to attend work due to sickness the following sick pay provisions will apply:

During first year of service one month full pay* and (after four months' service), two months' half pay.

During second year of service two months' full pay* and two months' half pay.

During third year of service four months' full pay* and four months' half pay.

During fourth and fifth years of service five months' full pay* and six months' half pay.

After completing fifth year of service six months' full pay* and six months' half pay.

NB: *In accordance with the Scheme – certain benefits, allowances and payments shall be offset against your sickness allowance as appropriate.

- ▼ When an employee reports that they are sick, the manager receiving the report must ensure that the details are recorded on Vision and the return to work meeting is conducted on their return. Fit notes must be forwarded to the HR Administration team. Where Fit Notes indicate that the employee may be fit for part of their duties, advice should be sought from the designated HR Advisor. Where an employee is assessed by the GP as being fit to return to work, with possible adjustments, but the service is concerned about the safety of this assessment, HR and Occupational Health advice must be sought and a risk assessment undertaken. The employer will follow the clinical Occupational Health advice, which will supersede that of the GP.
- ▼ Please note that pay is affected by absence, so reporting promptly and accurately on Vision is critical in ensuring that employees are correctly paid.
- ▼ Where employees hold more than one job (paid or voluntary) and exceptionally consider themselves fit to attend one job, but not another it is critically important that they discuss this with their Calderdale MBC Manager(s). Failure to do so may lead to disciplinary action. A Fit Note will be required.

- ▼ Where employees become ill whilst on leave the normal reporting procedures must be followed. A Fit Note must be provided from the first day of illness if the employee expects to be credited with the annual leave. If an employee is off ill and is considering going away on holiday they should in all circumstances consult their manager, who in turn should take advice from HR and/or Occupational Health.
- ▼ Each manager is required to monitor attendance levels within their team and take further action as necessary when trigger points are reached and/or where there are any other concerns about an employee's attendance level.

Return to Work Interview

- ▼ Upon return to work following **any** sickness absence the line manager must arrange to meet privately with the employee during the first day back at work. This process should be recorded on the Attendance Monitoring Form. ([Attendance Monitoring Form](#))
- ▼ The purpose of the meeting will be to welcome the employee back to work, ensure that there is an accurate record of the absence and appropriate certification. Furthermore it is to update the employee on work matters and agree any action required on the part of the employee or the manager to support future attendance. Representatives are not permitted in the Return to Work Interview.

Absence Triggers

- ▼ Where an individual's short term absence level meets one of the following trigger points, the manager will review the attendance level with the employee in a Trigger Point Interview. ([Dealing with frequent short term absence](#))
 - ✓ Three or more instances of sickness absence in any three-month period
 - ✓ 100 points over a rolling 6 month period in accordance with Bradford Score Formula. ([Dealing with frequent short term absence](#))
 - ✓ Any other recurring, recognisable pattern, such as frequent absence on a Friday or Monday, before or after public holidays or during school holidays.
- ▼ Long-term absence is deemed any absence in excess of 2 weeks.
- ▼ For more detailed guidance in dealing with short term and long term absence please follow link:
 - ([Dealing with frequent short term absence](#))
 - ([Dealing with long term absence](#))

Occupational Health Team

- ▼ The Occupational Health Team is the in-house, nurse led service which supports the employer and employees in relation to health and attendance. For more details about that team please follow link: ([Occupational Health](#))
- ▼ The Occupational Health team undertakes the pre-employment screening ([Declaration of Health](#)). The Occupational Health Manager / Nurse also deals with referrals from managers. There are three customised versions of the referral form. MR1 for general use; MR2 for School Crossing Patrols; and MR3 for confined spaces employees. Subject to manager discretion a referral ([MR1](#)) ([MR2](#)) ([MR3](#)) should be completed and submitted for any member of employee who meets the following criteria:
 - ▼ Has been off work for two weeks or has submitted a Fit Note indicating unlikely return within two weeks.
 - ▼ Has reported in sick with back pain, stress or work related accident when advice and possibly a referral must be made immediately.
 - ▼ Has hit one of the Council's short-term absence triggers and no significant improvement has been achieved.
 - ▼ Any genuine health and welfare concerns regarding an employee.
- ▼ The Occupational Health referral is a management referral and not employee led. ([MR1](#)). The questions posed in it are those which the employer requires an answer to. It is important that the relevant questions are included in the referral as the Occupational Health clinician can only address the questions which have been asked. The employee will be asked to sign the form, however refusal to sign will not prevent a referral being made. It is critical that in all circumstances the Occupational Health referral is discussed between the manager and the employee before it is submitted.
- ▼ For Occupational Health advice for handling mental health issues please follow the link: [Advice for Handling Mental Health Issues](#)
- ▼ For information regarding Insight Healthcare Counselling Services, please follow the link: [Insight Healthcare Counselling Services](#)

Insight's policy is to ensure that no person receives less favourable treatment on the grounds of gender, race, colour, nationality, ethnic or national origins, marital status, disability, sexual orientation, age, offending background, political or religious beliefs.

Formal Processes to Address Attendance Issues

- ▼ Where an employee hits any of the short term triggers or fails to return as anticipated after longer term, certified absences, the manager should conduct a Trigger Point Interview exploring the reason for absence and agreeing remedies to secure satisfactory attendance. ([Dealing with frequent short term absence](#))
- ▼ Where preventive or earlier management actions do not secure satisfactory attendance on a longer term basis, the manager should consider disciplinary action. ([Short term absence](#))
- ▼ A Case Hearing Review should be considered whereby an employee is unable to undertake the requirements of the post. A Head of Service will chair this hearing and will be supported by an HR Advisor. The employee is reminded that this meeting is an important formal process and the employee can bring a representative to support him/her. This hearing seeks to determine if further efforts to support the employee in improving attendance are required or whether the employee should be dismissed. ([Case Review Hearing](#))
- ▼ Trigger Point Interviews or Case Review Hearings do not need to wait for an employee to return to work. If an employee's levels attendance is unacceptable/unsustainable they can legitimately be dismissed while absent. The employee, along with any representative, must be invited to the Case Review Hearing. If the employee is reluctant to attend for perceived health reasons, the Occupational Health Manager / Nurse can provide an assessment as to the employee's fitness to attend whilst off ill. If an employee fails to without good reason or refuses to attend a Case Review Hearing the hearing should go ahead in their absence and a decision should be taken based on the evidence available to the Head of Service.

Medical Redeployment and Ill Health Retirement

- ▼ When it becomes apparent that an employee is not fit for their role, the Occupational Health team will consider whether the employee **would be** fit for work if reasonable adjustments are applied to the role. Where reasonable adjustments cannot be applied to the role (or where they have already been applied but have failed to help the employee fulfil the role requirements) medical redeployment will be considered by the Occupational Health team. This option is only considered where the employee is **not** permanently unfit for work and has some transferable skills that could be offered in other roles within the Council. It should be noted that there are **no guarantees** that medical redeployment will be successful and this will be re-iterated to the employee at the time of the Occupational Health assessment.
- ▼ The option of medical redeployment essentially provides a strictly time limited attempt to secure work in a role which can accommodate the health issues. Where this is not realistic or where no employment opportunities arise during the specified time period, the employee's employment will be terminated. ([Ill Health Redeployment](#))
- ▼ Where an employee encounters serious and enduring health issues it may be possible for them to be retired on health grounds. To meet the criteria for ill health retirement, the health issue must be permanent and the individual should not be able to undertake any gainful employment for three years plus, after leaving his/her employment. This requires the issue of a Certificate of Permanent Incapacity. ([CPI/ Ill Health Retirement](#))
- ▼ Depending on the prognosis, the CPI may be awarded at one of three tiers of ill health retirement. This in essence means the end of the individual's employment with them (LGPS Membership rules and Teachers Pension Fund rules dependent) being granted access to a pension based on contributions into the Pension Fund.
- ▼ The assessment for a CPI is made by an Occupational Health qualified doctor. The Occupational Health Manager will refer relevant cases to the Occupational Health doctor for this assessment. ([CPI / Ill Health Retirement](#))