

MAXIMISING ATTENDANCE

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1. POLICY STATEMENT

Perth and Kinross Council is committed to creating a positive attendance culture through early intervention, supporting employees through periods of ill health and managing sickness absence.

The desired outcome from the application of this policy and procedure is maximising attendance levels of all employees within a supportive, consistent and fair working environment.

This policy and procedure applies to all employees of Perth & Kinross Council, with the exception of Teachers and who are covered by similar procedures.

1.1 Principles

Perth and Kinross Council will:

- Promote a working environment which enhances the health, safety and wellbeing of employees and encourages employees to adopt a healthy lifestyle.
- Ensure that all managers take an active role in maximising attendance thereby reducing the incidence and costs of sickness absence.
- Ensure that every employee is aware of and fulfils their responsibilities for their own health, safety and wellbeing and that of others.
- Ensure employees are treated in a fair, consistent and sensitive manner and encourage transparent communication between manager and employee.
- Use the [Occupational Health Service](#) to provide advice, enabling managers to decide upon the appropriate action.
- Ensure managers and employees are aware of and use the support mechanisms available within the Council.
- Ensure that sickness, complaints, etc will not prevent the progression of this or other procedures. Where relevant, Occupational Health advice will be sought.

- Treat information concerning the medical condition of an employee in the strictest confidence. No confidential information relating to an employee's health will be disclosed to a third party other than the [Occupational Health Service](#) without the prior consent of the employee.
- Seek to retain, make reasonable adjustments and if necessary, redeploy employees with disabilities to be part of a high performing workforce.

2. [MAXIMISING ATTENDANCE PROCEDURE](#) *(back to contents)*

2.1 Prevention of Absence

The most effective way of maximising attendance at work requires employees and managers to demonstrate a proactive approach as part of day-to-day operations, wherever possible. Early recognition, discussion and intervention can help to identify any underlying problems which may result in an employee being absent.

Every employee has a responsibility for their own health safety and wellbeing and must discuss with their manager any health related issues which may affect their performance or attendance at work. Reasonable adjustments and/or support must be put in place, where applicable, to prevent or minimise the likelihood of an absence occurring in the first place. Advice can be sought from the [Occupational Health Service](#) and/or other advisory sources at any stage.

2.2 Managing Employees who are Absent due to Sickness

Good attendance is vital to providing high quality services. From time to time employees may suffer from ill health and be unable to attend for work. The Maximising Attendance Procedure recognises the operational need of Services to keep absences to a minimum whilst ensuring fair and sympathetic treatment of employees.

2.2.1 Reporting sickness absence

All employees must report sickness absence in accordance with the **Sickness Absence Reporting and Communication Procedure ([Appendix 1](#))**. Unexplained Absence is when an employee fails to report for work and fails to report their absence. This is likely to be a conduct rather than a capability matter and will be considered under the [Achieving and Maintaining Standards Policy and Procedure](#).

2.2.2 Short term sickness absence

Key actions for managers to undertake when managing short term (less than four weeks) periods of absence are:

- ✓ Maintaining communication during absence
- ✓ Offering support, as appropriate
- ✓ Undertaking a **Welcome Back Discussion**
- ✓ If **Triggers** are met, arranging an [Attendance Meeting \(see page 4\)](#)
- ✓ Obtaining Occupational Health advice as appropriate.

2.2.3 Long term sickness absence

Key actions for managers to undertake when managing a continuous period of absence which is likely to last or lasts for four weeks or more, are:

- ✓ Maintaining communication during absence
- ✓ Offering support, as appropriate
- ✓ Holding a formal **Long Term Sickness Absence** Meeting with the employee as soon as reasonably practicable, but no later than five weeks into the absence (depending upon the length of the absence, more than one meeting may be required)
- ✓ Obtaining Occupational Health advice where appropriate.

An employee will either return to work or will have no reasonable prospect of returning to work following a period of long term sickness absence. The circumstances will determine the action to be undertaken next.

Where an employee is fit to return to work:

- ✓ Developing a **Return to Work Plan** and considering reasonable adjustment options
- ✓ Undertaking a **Welcome Back Discussion**
- ✓ As **Triggers** will be met, arranging an Attendance Meeting.

Where there is no reasonable prospect of a return to work:

- ✓ Where there is no reasonable prospect of the employee returning to work in the foreseeable future, the manager will continue to support the employee and will hold additional **Long Term Sickness Absence Meeting(s)**. Action taken as a result will be:

Either

⇒ Health Capability Transfer (only if recommended by Occupational Health)

Or

⇒ Ill health retirement (if the employee meets the criteria of the relevant pension scheme)

Or

- ⇒ Dismissal on the grounds of capability with notice. This will be regarded as a last resort, particularly where prolonged absence cannot be sustained by the Service.

For all the above, Occupational Health advice must be obtained.

2.3 Arranging formal Attendance Meetings

An employee will be given five days' notice in writing of any formal meeting (i.e. Long Term Sickness Absence, Attendance Meetings or Capability Hearing) and will be informed of their right to be accompanied by a trade union representative or work colleague.

Where a representative or work colleague is not available for an arranged meeting/hearing, the employee must make alternative arrangements for a companion and take all reasonable steps to ensure the hearing/meeting can proceed without unreasonable delay. An alternative date can be agreed by mutual consent, normally within 5 working days of the original proposed date.

If an employee is unable to attend a scheduled meeting/hearing, the manager must be informed in advance. If the employee fails to attend without reasonable explanation or, if they fail to attend a rescheduled hearing, this will result in the meeting/hearing proceeding in their absence.

The outcome of the meetings will be communicated to employees in writing without unreasonable delay.

2.4 Monitoring sickness absence levels ([Attendance Meetings](#) and [Capability Hearings](#))

Once an employee has returned to work following sickness absence, managers must monitor the duration, patterns and frequency of absences and will arrange an [Attendance Meeting](#) when an employee meets a trigger, which is:

- 3 or more separate occasions (amounting to 3 or more working days of sickness absence) over a 12 month period, **or**
- a total of 6 or more working days of sickness absence over a 12 month period.

The requirement to hold an Attendance Meeting is likely to be covered during a Welcome Back Discussion. It is emphasised that [Attendance Meetings](#) are supportive and must be handled in a constructive and sensitive manner, on a case by case basis.

At the conclusion of the meeting(s) the manager will decide whether to take no formal action or whether to set a formal, extended or final improvement period.

Timescales for improvement or final improvement periods must be determined by a range of factors, including the operational implications, employee continuous service and the nature and extent of previous sickness absence. Timescales will usually range from one to six months.

Reasonable adjustments (including Health Capability Transfer) can be undertaken at any point in the management and monitoring of sickness absence (if recommended by Occupational Health advice).

2.4.1 Attendance Meeting

This is the first formal meeting in the monitoring process. The objectives are to:

- Explore the reasons for absences (including any actions taken by the employee)
- Inform the employee that their absence levels are causing concern
- Offer support mechanisms
- If Occupational Health Advice has not already been obtained, consider requesting advice from the Occupational Health Service. (Adjourn meeting and reconvene on receipt of the Occupational Health advice.)

Action taken at the conclusion of the meeting will be:

Either

⇒ No formal action. Ongoing support and monitoring of absence levels (this may be all that is required for the majority of employees)

Or

⇒ In cases where sickness absence levels are a particular cause for concern, set a formal or in exceptional circumstances a final, improvement period during which a significant and sustained improvement is expected.

And in both

⇒ Explanation of the next steps if there is not a significant and sustained improvement in absence levels

OR

⇒ Reasonable adjustments, including Health Capability Transfer.

Towards the end of the improvement period the manager must convene an [Attendance Review Meeting](#) to recognise improvement or, where there is none, take further formal action.

If there has not been a sustained and satisfactory improvement following a final improvement period, the manager must arrange a [Capability Hearing](#).

2.4.2 Attendance Review Meeting(s)

The purpose of the meeting is to review attendance during an improvement period and to decide what action to take next.

Where attendance levels have improved to a satisfactory level, the manager must recognise this and inform the employee that no further formal action will be taken although absence levels will be monitored as they are for all employees.

Where the attendance levels have not improved and continue to cause concern, the manager will:

- Explore or review the reasons for ongoing or recurring absences (including actions taken by the employee)
- Inform the employee that their absence levels are causing concern
- Offer or review support mechanisms
- Consider requesting advice from the Occupational Health Service (adjourn meeting and reconvene on receipt of Occupational Health advice).

Action taken at the conclusion of the meeting will be to:

Either

⇒ Extend a formal improvement period, where appropriate

Or

⇒ Set a final improvement period

And in both

⇒ Explanation of the next steps if there is not a significant and sustained improvement in attendance

OR

⇒ Reasonable adjustments, including Health Capability Transfer.

Towards the end of the improvement period the manager must convene a further meeting to recognise improvement or, if there is none, take further formal action.

If there has not been a sustained and satisfactory improvement following a final improvement period, the manager must arrange a [Capability Hearing](#).

2.4.3 Capability Hearing

Where absence levels have not improved to a satisfactory level during a final improvement period a **Capability Hearing** will be held.

Action taken at the conclusion of the hearing will be:

Either

⇒ Extend a final improvement period. The employee will be advised that, if no improvement is forthcoming during the final improvement period, dismissal may be considered. A further Capability Hearing will be held in cases where a final improvement period is extended at a first Capability Hearing. If an extension to a final improvement period is set and attendance levels improve to a satisfactory level, the manager must recognise this and inform the employee that no further formal action will be taken although absence levels will be monitored as they are for all employees

Or

⇒ Dismissal on grounds of capability

Or

⇒ Ill health retirement (where the employee satisfies the criteria of the relevant Pension Scheme)

Or

⇒ Reasonable adjustments, including health capability transfer.

NB: Up to date Occupational Health advice must be obtained before dismissal (including ill-health retiral or Health Capability Transfer) can be considered.

3. [APPEALS](#) *(back to contents)*

An employee has the right of appeal against a decision to set any improvement period, Capability Redeployment or dismissal. An appeal must be lodged, in writing, to the relevant Executive Director outlining the grounds of appeal, within 10 working days of receipt of the letter confirming the decision. Appeals will take place without unreasonable delay. ([Appendix 2](#) details the arrangements for hearing appeals under this procedure).

4. REVIEW ([back to contents](#))

The Maximising Attendance Policy and Procedure will be monitored and reviewed on a regular basis to ensure it continues to meet the needs of the Council and to ensure compliance with relevant legislation.

SICKNESS ABSENCE REPORTING AND COMMUNICATION PROCEDURE

In the event of sickness absence, it is an employee's responsibility to report their inability to attend work in accordance with the following procedure:

Day	Who Contact	When Contact	What to report	Self Cert?
1	Manager	Within an hour of starting time **	Reason for absence; how long expect to be off; diary/work commitments.	√
2, 3	Manager or Colleague in Workbase	As above	Any change in reason for absence or how long expect to be off Diary/work commitments	√
4	Manager	As above	How long expect to be off; diary/work commitments; action taken (e.g. planned visit to GP)	√
7	Manager	During the day	Diary/work commitments; action taken (e.g. visit to GP)	√
7+	Manager	During the day	Diary/work commitments; action taken (e.g. outcome of visit to GP) and likely duration of absence.	Fit Note

**** for front line staff**, contact must be made before the normal starting time, in compliance with local service or office arrangements.

1. REPORTING METHODS

Whilst notification by text, e-mail or colleague is acceptable for advance warning of absence, it is no substitute for verbal contact with a manager. This must take place within an hour of normal starting time (or by the end of the first day if the manager is not available). Where an employee is physically unable to make contact (e.g. hospitalised) a relative, partner or friend can make contact on their behalf.

All managers must make known to employees the specific reporting arrangements in their absence.

2. SICKNESS ON A NON-WORKING DAY

Notify the manager as soon as practicable. Notification must take place by the next working day, following the above procedure. **Note:** all days are counted for SSP/OSP (statutory/occupational sick pay) purposes, including weekend or non-working days. Only working days are counted for the management of sickness absence.

3. SICKNESS FOR MORE THAN SEVEN CALENDAR DAYS (INCLUDING WEEKENDS/NONWORKING DAYS)

If absence extends beyond seven days employees must submit a Fit Note signed by a General Practitioner or a hospital to cover the period of absence.

An employee and their manager must **maintain regular contact** during a period of absence. The process of 'keeping in touch' will be carried out sensitively, tactfully and in conjunction with the employee on a case by case basis. An employee who is absent must also maintain regular contact with their manager. Recommended intervals are no more than seven days. An employee must submit any further medical certificates to their manager.

Fit notes/self certificates must run concurrently and have no gaps between dates for a continuous period of sickness and must last until the day before the return to work date.

4. SICKNESS DURING ANNUAL LEAVE OR PUBLIC HOLIDAYS

An employee must submit a medical certificate to their manager by the earliest practicable date for the period of sickness absence to be treated as sick leave and not as annual leave. If an employee is absent through sickness on a public holiday, they will receive sickness allowance on that day but no day off in lieu will be granted at a later date.

5. INDUSTRIAL INJURY

In addition to the above procedure, if an employee is absent from work as a result of an industrial injury, they must report this to their manager who will take action in line with the ***Accident/Incident Reporting Procedure***.

6. BREACHES OF PROCEDURE

Where an employee fails to comply with the above requirements, their sickness allowance may cease and result in action under the ***Achieving and Maintaining Standards Policy and Procedure***.

APPEALS - MAXIMISING ATTENDANCE

For employees engaged under single status and craft terms and conditions of employment, appeals under this procedure will normally be heard at the following levels:

Formal Action – Maximising Attendance	Responsibility
Formal Improvement Period	Independent review by other manager
Final Improvement Period	Appeal heard by Head of Service or other nominated officer
Dismissal	Appeal heard by Appeals Sub Committee

There are no further rights of Appeal.

For employees engaged under Chief Officer terms and conditions of employment, appeals under this procedure will normally be heard at the following levels:

Formal Action – Maximising Attendance

Role of Chief Official	Formal action (performance) can be taken by:	Formal Action	Responsibility
Head of Service or Depute Executive Director	Depute Executive Director or Executive Director	Improvement Period	Independent review by other Depute or Executive Director
		Final Improvement Period	Appeal heard by Depute Chief Executive or Chief Executive
		Dismissal	Appeal heard by Appeals Sub Committee
Executive Director or Depute Chief Executive	Depute Chief Executive or Chief Executive	Improvement Period/Final Improvement Period	Appeal heard by Chief Executive or Appeals Sub Committee
		Dismissal	Appeal heard by Appeals Sub Committee

There are no further rights of Appeal.

Appeals against Improvement Periods will be heard by way of an independent review of the decision by a manager who has had no prior involvement. All other Appeals will be conducted as an Appeal Hearing.