

## Attendance and Absence Management Policy & Procedure

Prepared By	Anne Wilson, Corporate Services Director
Policy Created	February 2019
Date of Last Review	11 <sup>th</sup> February 2019
Date of Current Review	9 <sup>th</sup> May 2022
Date of Next Review	February 2025
Reviewed By	Audit & Business Sub-Committee

<b>CORPORATE FIT</b>	
Internal Management Plan	✓
Risk Register	✓
Business Plan	✓
Regulatory Standards	✓
Equalities Strategy	✓
Legislation	✓

On request, the Association can provide translations of all our documents, policies and procedures in various languages and other formats such as computer disc, tape, large print, Braille etc. and these can be obtained by contacting the Association's offices.

## 1. Introduction

Tollcross Housing Association recognises that on occasions it may be necessary for employees to be absent from work. However, we also have a duty to provide a reliable service to our customers and thus we need to ensure that we help you maintain the highest possible level of attendance.

This policy is designed to help all employees achieve good attendance, and to ensure that a consistent and fair approach in managing attendance is adopted throughout the organisation.

This policy and the guidelines it contains work in conjunction with but is not limited to other policies such as discipline & grievance, dignity at work, health & safety and managing stress.

## 2. Aims of the Policy

- To manage attendance in a way that reflects genuine concern for employees and to develop a positive attitude towards attendance.
- To set clear expectations for standards of attendance that we require from our employees.
- To separate two processes: attendance and absence management and provide guidelines for employees and Managers in how to manage these.
- To identify the causes of absence and, where possible, develop a programme of supportive and preventive measures.
- To ensure training and support is available to both Managers and employees.

## 3. Principles

The organisation requires good attendance from all employees to meet its objectives.

- If your level of attendance is unsatisfactory you will be informed what improvement is required and possible consequences of failure to do so (which may include disciplinary action, up to and including dismissal).
- The attendance management process is not concerned with reasons for absence but with number of periods of absence/ days absent (excluding underlying health conditions protected under the Equality Act 2010).
- If you have an underlying health condition causing absence(s), then we will consider reasonable adjustments.
- Managers will conduct "return to work" interviews for every period of sickness absence within the spirit of this policy.
- You need to adhere strictly to our absence reporting procedures. Failure to do so may result in disciplinary action and organisation sick pay being withheld.
- Managers will maintain accurate, up-to-date attendance records for all staff to manage absence effectively.

## **4. Equalities**

- 4.1 An Equality Impact Assessment (EIA) has been carried out when preparing this policy. In line with good practice the completed EIA will be published alongside this Policy.
- 4.2 Where there is a need for follow-up action, the tasks and timeframe for achieving them shall be noted in the Equality and Human Rights Action Plan to ensure they are addressed.
- 4.3 We do not see this policy as having any direct impact upon the protected characteristics contained within the Equality Act 2010.

## **5. Absence Monitoring**

A fundamental feature of good attendance management is the accurate and timely recording of all absences. This is essential for processing the requirements of statutory and occupational sick pay arrangements and the process of managing attendance and absence. Good information allows patterns to be identified and can be an early indication of underlying health conditions. The sooner these issues are identified and acted upon – the more likely a successful conclusion for both you and the organisation can be achieved.

Accurate recording is also an essential element in satisfying potential concerns over the fairness of any actions taken by Line Managers. Periods of sickness absence are recorded within the time management system, Kelio, which is updated by your Line Manager during your absence. Subsequent fit note statements are stored in your personnel file in the confidential folder on the server, as are your return to work interview records. This information is used by the Corporate Services Director for statistical reporting to the Management Committee on a quarterly basis. GP/OHP/Specialist consultant reports are also stored in your personnel file in line with our Data Protection and Data Retention Policies.

Having maintained attendance records, the Corporate Services Director provides feedback on the statistical data to staff during the departmental updates on a quarterly basis. Number of sick days' absence are calculated and compared against possible working days achievable and a global percentage of absence due to sick is provided. Additionally, a report outlining number of staff and number of days off is provided to the Finance Team in order to process your salary. Your individual case will not be discussed as it forms part of your confidential record.

## **6. Absence Reporting Procedures**

### **6.1 Reporting**

If you cannot come to work, either due to illness or for any other reason, you must phone your Line Manager (or if not available, the department Director or another Manager/Director) as soon as is reasonably possible. You should do this before you are due to start your shift and if not possible, within one hour of your starting time, i.e. 10.00 am. For an absence of seven consecutive days or less, that is not covered by a fit note, you must fill in a self-certification form (see Appendix 1), whether or not you are entitled to sickness allowances and whatever the length of or reason for absence.

## **6.2 Fit Notes**

If you are off due to illness or injury for more than seven consecutive calendar days, you must provide a fit note as soon as possible to your Line Manager.

If the Doctor ticks the 'may be fit for work...' box, your Line Manager will arrange a meeting with you to discuss any adjustments suggested. Although we are not obliged to follow the Doctor's advice, we will do our best to help you return to work and maintain a good attendance record. However, if we cannot agree reasonable adjustments you will remain off sick.

If we agree a phased return to work, the days you are still off sick within the agreed period will count as one period of absence.

You can come back to work at any time, even if this is before your fit note expires. You do not need to go back to your doctor first to be signed fit for work. If you come back to work before the expiry of your fit note, we may seek professional advice.

## **7. Keeping in Touch**

You are responsible for phoning your Line Manager to let them know the reasons for any absence and when you expect to return to work. We will not accept text messages or e-mails as your only method of contacting your Line Manager. If, in the event of an emergency you cannot get to a phone on day one of your absence, you should make sure that someone else calls on your behalf. After this, you should contact your Line Manager as soon as you can and maintain regular contact by calling daily during the first week of your absence (unless otherwise agreed with your Line Manager) and weekly thereafter.

If you fail to keep in contact as outlined above, we will initiate and maintain contact with you.

We expect that you let us know the following information:

- the reason for your absence
- predicted recovery and/or treatment
- when you expect to return to work and
- contact details which can be used to maintain contact during your absence. (If this information is not provided we will contact you to find out this information).

## **8. Failure to Comply**

Where you do not follow reporting, certification, or keeping-in-touch arrangements we may withhold company sick pay. Failure to comply with these requirements may also lead to disciplinary action against you in accordance with our Disciplinary Procedure. Similarly, if we suspect that you have falsified your absence or have deliberately misled us, we will take disciplinary action against you. In serious and/or repeated cases, it may lead to a dismissal.

## **9. Return to Work Procedure**

A thorough return to work meeting will be carried out after every period of unplanned sickness absence. The purpose of a return to work interview is to establish if you are fit to return to work. It also:

- Ensures you are aware that the Associations views sickness absence seriously and therefore is a strategic tool for reducing absenteeism.
- Assists in the process of monitoring absence and the identification of trends/patterns.
- Provides more accurate detail of the reason for absence.
- Provides the opportunity to discuss any underlying reason(s) for the absence, e.g. bullying, stress, etc.

This meeting will be carried out by your Line Manager (or another Manager if they are not available) on the first day of your return to work at the start of your shift. Please refer to Appendices 2 and 3 for a blank short and long-term absence return to work forms.

Should your absence be the 3<sup>rd</sup> in a 12-month rolling period, an Absence Support Meeting will be arranged and attended by your Line Manager and the Corporate Services Director. Please refer to Appendix 4 for a blank absence support meeting form.

It may be necessary for an Absence Hearing to be arranged and if so, this will be held with an appropriate member of the Leadership Team (i.e. department Director) and the Corporate Services Director.

The return to work interview forms contain confidential information and may only be viewed by authorised personnel, normally your Line Manager or any other Manager who deals with the case and the Corporate Services Director

who shall retain your form in your personnel file.

### **Prior to the meeting**

Managers should gather all relevant information regarding your absence record over the previous rolling 12-month period. Consideration to the following factors should be given:

- Is this a 3<sup>rd</sup> absence in a 12-month rolling period (therefore an absence support meeting required)?
- Are the absences regular or erratic?
- Does the absence precede or follow annual leave?
- In which part of the week does the absence(s) usually occur?
- What is the average length of the absence(s)?
- What is the reason given for the absence(s)?
- Are the reasons varied, or is there a pattern?
- How does the absence record compare with those of the other staff in the Association?

### **During the meeting**

Managers should:

- Ensure you have been given every opportunity to discuss any concerns you may have with regard to your absence.
- Not be judgemental, become over-involved, make assumptions about your absence, or attempt to give any advice, which they are not qualified to give.
- Record details of the discussion and, if applicable, include any information on further action or support offered to you (such as counselling, adjustments)
- Agree dates with you to implement support interventions and agree a further meeting to review whether the interventions are working or not.
- Consider whether an Absence Hearing is necessary.
- Make you aware, if applicable, that persistent absence could lead to formal disciplinary action being instigated.
- In all cases, summarise on the Association's Return to Work Form (or in the instance of an Absence Support Meeting, complete that form), what has been agreed with you and what action will take place and ask you to sign the form.

### **After the meeting**

- Managers should scan the signed Return to Work form to the Corporate Services Director for inclusion in your personnel file.
- The Corporate Services Director will arrange a monthly report to be prepared for the Finance Team in order to process salaries. This does not include the reason for any absence.

## 10. Statutory Sick Pay (SSP)

If eligible to SSP this is irrespective to your entitlement to company sick pay. The scale of entitlement to SSP is reviewed by the government, normally at the beginning of each tax year. It is not paid for the first three days of absence and runs for 28 weeks after that.

If you are no longer entitled to SSP, you may be entitled to an incapacity benefit. You can enquire about this at your local Department for Work and Pensions (DWP). We will tell you if you are not entitled to SSP and send you the appropriate government form but it is then your responsibility to claim any other State Benefit which you may be entitled to.

## 11. Company Sick Pay

In any one rolling period of 52 weeks, we will pay a sickness allowance in line with the following:

- Your allowance is worked out based on your current rate of basic pay. (See below.) We refer to this as your 'normal pay'.
- The full allowance, referred to above, equals your normal pay, and includes any Statutory Sick Pay (SSP) which you may be entitled to.
- The half allowance referred to above, equals half your normal pay plus SSP (if you have any left). However, you cannot receive more than your normal full pay.
- In working out the level and period of allowance still due, we will review the previous 52 weeks before the start of your current sick leave. We will add up all periods of sick leave. We will then take this from the full allowance entitlement first and then any balance from the half allowance entitlement. Anything left will be what you are still entitled to.
- We will pay you the sickness allowance according to your basic contractual hours (not including overtime).
- For the purposes of working out SSP, qualifying days are treated as Sunday to Saturday. Before paying SSP you must be unable to work for at least the first four days in a row of a spell of sickness.
- If you cannot come into work as a result of coming into contact with a notifiable infectious disease (that is reportable to RIDDOR in line with the Health and Safety at Work Act), you should tell us. You will then receive your full pay sickness allowance.
- We will not take the period of absence from your normal entitlement.
- If you return to work on a phased basis, we will only pay the salary for the hours and days actually worked. The days and hours that you are still off sick will entitle you to SSP and the occupational sick pay you are eligible to and this will be taken off your entitlement. Or, you can ask to take it from your annual leave, time off in lieu or unpaid leave instead.
- We work out your occupational sick pay using your basic pay. We will only consider overtime if this is stated in your employment contract.

## **12. Attendance Management**

This refers to dealing with unacceptable levels of attendance, with no reference to reasons for absence or medical condition.

We will aim to assist you in maintaining a good attendance record. This will involve maintaining good records, ensuring return to work meetings are completed and helping investigate and address any identified underlying causes of absence.

Where this fails to secure a required improvement, we will invoke the terms of the Disciplinary Procedure. Unsatisfactory attendance reviews can result in disciplinary action, up to and including dismissal.

If at any stage during this process it becomes apparent that an underlying health condition is involved, medical information will be sought, and further discussion will take place prior to deciding on any appropriate action, if any (see section 14 of this policy, Absence Management).

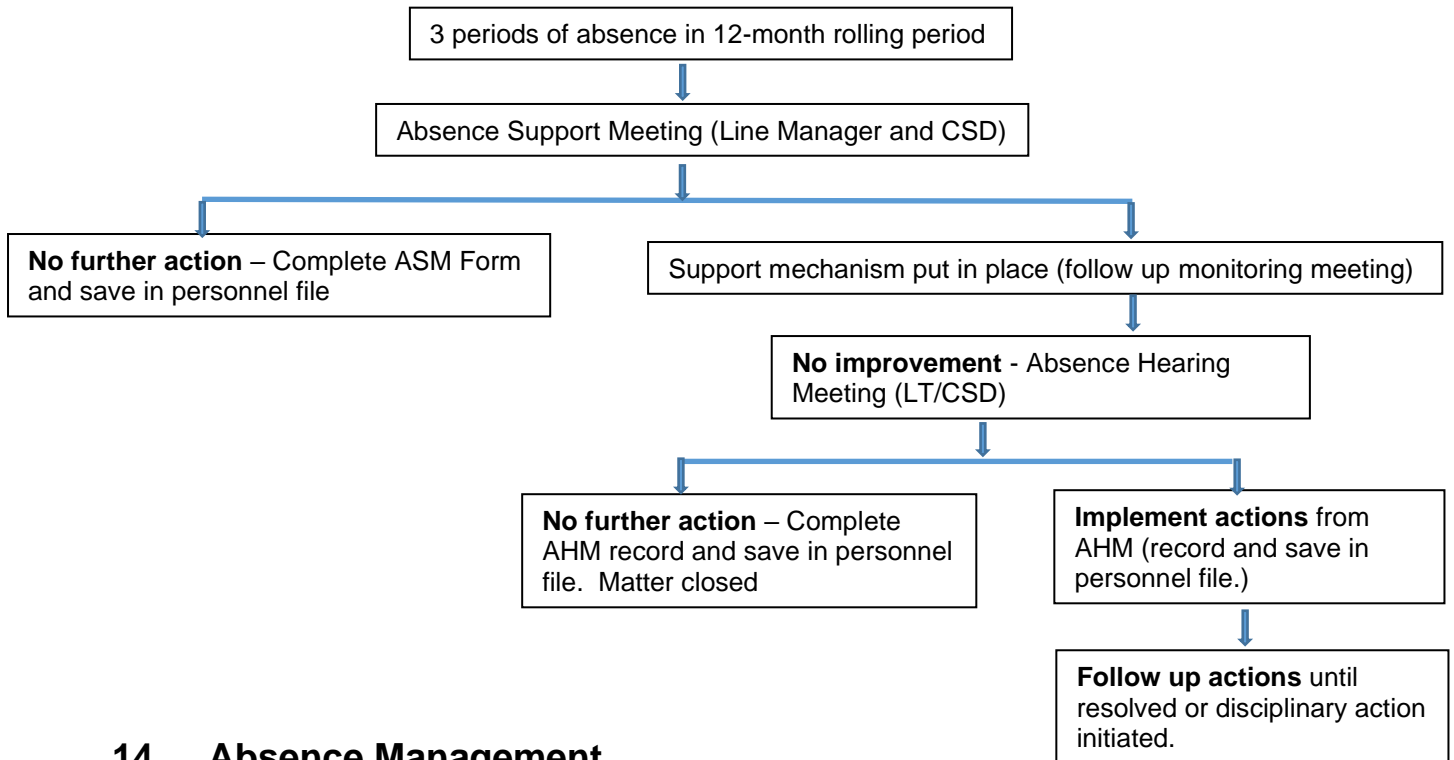
Absence periods related to pregnancy or underlying health conditions classed as a disability under the Equality Act 2010 will not be considered for the purpose of attendance management process.

## **13. Attendance Review Triggers**

The Association realizes and understands that sometimes employees can just be 'unlucky' in that they incur several separate periods of absence over a 12-month period, or they have a recurring illness, and you should not worry about this.

Should you have 3 instances of sickness absence in a rolling 12 month period, an Absence Support Meeting will be held. This meeting will be attended by you, your Line Manager and the Corporate Services Director. In the case of the Chief Executive or a Leadership Team member, this panel will involve a member of the Audit & Business Sub-Committee (Staffing).

Should it be decided that an Absence hearing is required, this will be attended by the appropriate member of the Leadership Team (i.e. department Director) and the Corporate Services Director.



## 14. Absence Management

Tollcross Housing Association will adopt a sympathetic approach to employees with a long-term and/or underlying health condition. If you find yourself in such a position you should be confident that your Manager will react in a supportive fashion when approached.

The following points will always be considered in relation to long-term absence:

- The nature of the illness and any contributing factors
- The likely duration and/or frequency of your absence(s)
- Any actions that can be taken by you
- Any reasonable adjustments that we could make
- Any possible redeployment opportunities
- The nature of the duties in relation to your health conditions
- Our business needs and the impact that your absence may have upon these
- Your entitlement to statutory and company sick pay

If you are off sick for more than four weeks, and you are not sure when you can return, we will ask your permission to contact your GP for a written report. If you are off for less than four weeks or you are not currently off sick but we feel there is a pattern to your short-term absences, or there is a concern of an

underlying medical condition, we may ask for this report (or refer you to an occupational health provider for an independent medical assessment). We will make you fully aware of your rights relating to giving us permission. In these cases, we will tell your doctor what our fitness requirements are for the job and ask for their medical opinion in relation to your job with us.

In certain circumstances, we may ask that you are seen by a registered medical practitioner we have chosen. We will pay any costs involved in this. This appointment will be concerned with whether you are fit to resume your duties. You will receive a copy of any resulting medical report. We will treat all medical records in the strictest confidence.

If a medical professional makes suggestions for any reasonable adjustments, these will be discussed prior to your return to work to determine if these can be accommodated, along with any suggestions you or we may also have made. Although we are not bound by the doctor's suggestions, we will make all possible efforts to accommodate your prompt return and good attendance. If we agree any reasonable adjustments, we will also set timescales and reviews to assess if they are still required and suitable.

During a period of long-term absence (generally 4 weeks or more), we may initiate welfare meetings with you. This is designed to allow face to face (where reasonable), discussion between you and your Line Manager. You will be given advance notice of the meeting and be encouraged to raise any matters you may wish to discuss. The meeting will be followed up in writing and a copy retained in your personnel files, in line with the Association's data retention schedule. The record will include the nature of the discussion and any outcomes agreed.

When managing a long-term absence, a termination of employment for the reason of ill health capability may be considered where all other options have been exhausted, and the organisation can no longer sustain the absence.

*N.B if this outcome is being considered we will seek professional advice.*

## **15. Dishonest Absence**

If you are found to falsify or exaggerate your absence, this will be treated as gross misconduct. An investigation will be carried out in accordance with our Disciplinary Procedure and disciplinary action may be instigated, including dismissal or future withdrawal of the company sick pay benefit.

## **16. Other Provisions**

### **16.1 Absence and holidays**

If during an authorized period of annual leave you fall ill, and you produce a self-certificate or fit note we may count the period as sick leave and not as annual leave. You must speak to your Line Manager

on the first day of your return to work or earlier if possible and provide them with the necessary certification. Please refer to Appendix 5 for the form to be completed and attached to your certification.

If there is a public or general holiday during your period of sickness, and you provide a self-certificate or fit note this will be counted as sick leave and you will receive the holiday at another time.

If your illness prevents you from taking your holiday entitlement, we will carry over the remainder to the next holiday year.

If you are on sick leave and go on holiday you should contact your Line Manager to seek authorisation and to let them know how long you will be away for and to ensure communication resumes upon your return.

## **16.2 Doctor/hospital/dental appointments**

Doctor, hospital and dental appointments should be arranged outwith working hours. If it is not possible, you should request time off from your Line Manager. Arrangements could include using annual leave, TOIL/flexi or unpaid leave. In some circumstances Managers could also use their discretion and consider giving paid time off (i.e. special leave).

## **16.3 Conduct whilst off sick**

When on sick leave, you are still bound by your contract of employment with us and all our policies including Code of Conduct and your duty of fidelity. We also expect that you do not participate in activities that would be at odds with the reason for your absence. Any breach in respect of this will be dealt with under the Disciplinary Procedure. This includes conduct on social networking sites and any other publicly made remarks regarding our customers, work colleagues, partners and anyone else who is connected with us.

## **16.4 Cosmetic procedures**

Absence due to cosmetic procedures (whether carried out in the UK or abroad) will not fall under the sick leave or pay unless it is recommended by health professionals. Employees should therefore request time off and agree with their Line Manager how the absence will be processed, e.g. annual leave or unpaid leave.

## **16.5 IVF treatment**

Absences relating to IVF treatment will not be processed as sick leave or pay. The same applies to a partner of a person that is undergoing such treatment. Instead, you should discuss with your Line Manager how time off for the treatment could be accommodated, e.g. annual

leave, flexi time or unpaid leave. Absences relating to IVF treatment will also not be treated as relating to pregnancy unless the employee actually falls pregnant.

#### **16.6 Stress management**

Stress is not an illness. It can result from an illness or lead to one but it is not an illness itself. The same relates to "nervous debility" or any other diagnosis of that type. If you go off sick with stress, your Manager will endeavour to find out the underlying cause so that an appropriate action can be taken (if any) and in particular to determine whether conditions at work cause or contribute to stress and whether something could be done to help the situation. We will follow procedures as outlined in the Stress Management Policy. If your absence is certified by a Doctor, your Manager may ask your Doctor to clarify the underlying cause for stress.

### **17. Data Protection**

The Association will treat your personal data in line with our obligations under the current data protection regulations and our own policy Data Protection and Data Retention Policies. Information regarding how your data will be used and the basis for processing your data is provided in Tollcross Housing Association's employee transparency statement.

### **18. Policy Review**

This policy will be reviewed every 4 years or sooner as determined by Management Committee or in line with legislative updates and changes to EVH Terms and Conditions.

## Self-Certification Form

## Appendix 1

Please fill this form in as soon as you return to work after all unplanned absences (whether for sickness or any other reason) which have not been planned and authorised (see Section A4 of your T&Cs). You must fill in sections A and C in all cases. You should also fill in section B if your absence is due to sickness or injury.

- A. Name .....** **Department .....**  
Hours of work..... Number of days absent.....  
Reason for absence:  
[ ] a. Own sickness or illness - fill in sections B and C below  
[ ] b. Other reason - give brief reason for absence then (tick box) fill in section C below.

Reason for absence

### B. Sickness

1. Day and date sickness started:.....day / / (date)  
First day of absence from work:.....day / / (date)  
Date you returned to work:.....day / / (date)  
2. Brief description of illness, sickness or reason for not being at work:

Did you visit the doctor or hospital? Yes / No If 'yes' when?

Was a medical certificate supplied? Yes / No

Name and address of doctor or hospital you visited:

3. Was the sickness the result of an injury at work? Yes / No

If 'yes' was the accident reported? (Give details of when and to whom.)

4. Did the sickness or injury arise out of, or in the course of doing another occupation or sport as a profession? Yes /No  
5. Were you carrying out any other paid work during your sickness? Yes / No

### C. Declaration

I declare that, as far as I know, the information on this form is accurate. I understand that providing false or misleading information will be treated as serious misconduct which could result in disciplinary action being taken against me.

Signed (employee) ..... Date.....

Signed (manager)..... Date.....

## Appendix 2 Return to Work Interview Form – Short Term Absence

Name		Designation	
Section		Date of Meeting	
Attendees			
First Day of Absence			
Last Day of Absence			
Total Number of Days Absent			
Who Did You Report Absence To			
On What Date Did You Notify Your Absence			
What Time Did You Notify Your Absence			
<b>Periods Of Sickness Absence In The Previous 12 Month Rolling Period</b>			
Absence Support Meeting Required	Yes		No
Is Absence Due to An Injury At Work?	Yes		No
<b>What Was The Nature of the Illness Which Caused Your Absence?</b>			
Have You Seen A Doctor?	Yes		No
If No, Why Not?			
Do You Consider Yourself Fit Enough To Return To Work?	Yes		No
<b>Do You Expect This Illness to Occur Again?</b>			
<b>If Yes, What Reason Do You Have For Saying This?</b>			
<b>Action Taken (please give a brief description of any action taken to date)</b>			

<b>Proposed Course of Action to Avoid Similar Occurrences</b>	
<b>Have you been updated on discussions/training topics covered during their absence? (if applicable)</b>	
<b>Summary of key points discussed:</b>	
<b>Any Other Comments – Line Manager</b>	
<b>Any Other Comments – Employee</b>	
Signed by Employee	
Signed by Line Manager/Interviewer	
Date	

### Appendix 3 Return to Work Interview Form – Long Term Absence

Name		Designation	
Section		Date of Meeting	
Attendees			
First Day of Absence			
Last Day of Absence			
Total Number of Days Absent			
Who Did You Report Absence To			
On What Date Did You Notify Your Absence			
What Time Did You Notify Your Absence			
<b>Periods Of Sickness Absence In The Previous 12 Month Rolling Period</b>			
Absence Support Meeting Required	Yes		No
Is Absence Due to An Injury At Work?	Yes		No
<b>What Was The Nature of the Illness Which Caused Your Absence?</b>			
Have You Seen A Doctor?	Yes		No
If No, Why Not?			
Do You Consider Yourself Fit Enough To Return To Work?	Yes		No
<b>Do You Expect This Illness to Occur Again?</b>			
<b>If Yes, What Reason Do You Have For Saying This?</b>			

Are there any special arrangements or conditions in place in relation to the employee's return to work (i.e. return on reduced hours/return to reduced or different duties/alteration to the way in which duties are to be carried out/provision of additional support or supervision)? Please insert details.

If arrangements are in place are they intended to be temporary or permanent?

If the arrangements or conditions are temporary, how long are they expected to last for?

On what date will a further meeting be held with the employee to review the operation of the arrangements or conditions?

Action Taken (please give a brief description of any action taken to date)

Proposed Course of Action to Avoid Similar Occurrences

Have you been updated on discussions/training topics covered during their absence? (if applicable)

<b>Summary of key points discussed:</b>	
<b>Any Other Comments – Line Manager</b>	
<b>Any Other Comments – Employee</b>	
Signed by Employee	
Signed by Line Manager/Interviewer	
Date	

## Appendix 4 Absence Support Meeting

Your Line Manager will outline the purpose of this meeting at the beginning. All information received will be treated in the strictest confidence.

Name		Designation	
Section		Date of Meeting	
Attendees			
Absence Periods (In The Previous 12 Month Rolling Period)			
Day	Date	Number of Days	Reason
<b>Total Number of Days</b>			
How Are You Feeling Today/Now?			
Can You Provide an Explanation/Further Information in Relation to your Absences?			
Have You Seen A Doctor?		Yes	No
What Support Have You Received from the Association to Date?			
What Steps Have You Taken to Date?			

<b>Can Any Other Support Be Put in Place at this Time?</b>	
<b>If arrangements agreed or already in place are they intended to be temporary or permanent?</b>	
<b>If the arrangements or conditions are temporary, how long are they expected to last for?</b>	
<b>On what date will a further meeting be held with the employee to review the operation of the arrangements or conditions?</b>	
<b>Absence Hearing Meeting Required</b>	
<b>Any Other Comments – Line Manager</b>	
<b>Any Other Comments – Employee</b>	
Signed by Employee	
Signed by Line Manager/Interviewer	
Date	

## Appendix 5 Tollcross Housing Association Request to change Annual leave / Public Holiday to Sick leave

Employee Name: \_\_\_\_\_

Line Manager Name: \_\_\_\_\_

- I, (insert name) \_\_\_\_\_, wish for the dates below to be credited back to my annual leave / public holiday balance

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**Total Number of Days** \_\_\_\_\_

- I declare that had I been scheduled to be at work and not on annual leave or a public holiday, I would have been unfit to attend work.
- I understand that the dates stated above will be recorded as sickness absence and the days will be deducted from my sick pay allowance.

### Declaration

I confirm that the information here is true to the best of my knowledge. I understand that giving false information regarding my absence from work may result in disciplinary action including dismissal.

Signed (employee) \_\_\_\_\_ Date \_\_\_\_\_

Signed (manager) \_\_\_\_\_ Date \_\_\_\_\_