

Attendance Management Policy

Human Resources

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1. Policy Purpose

- 1.1 This policy is intended to enable the Combined Authority to strike a reasonable balance between employees taking occasional periods of time off work because of ill health and the pursuit of its high level of service delivery to the people of West Yorkshire, the delivery of corporate priorities and its organisational needs.
- 1.2 The Combined Authority is committed to maintaining the health, safety, and welfare of its workforce, providing a positive and healthy working environment, and recognising the value of work/life balance. Regular attendance at work is part of every employee's contract of employment and it is the expectation of the Combined Authority that all employees maintain good attendance.
- 1.3 The Combined Authority is committed to creating an environment where employees want to come to work, together with a culture of good attendance and wellbeing. This policy and associated **Attendance Management Toolkit** provides practical guidance for Managers in promoting a positive culture of attendance in the workplace.
- 1.4 This policy provides procedures to be followed by employees and Managers in regard to sickness absence, including the reporting, recording and management of sickness absence in a fair and consistent way across the Combined Authority.
- 1.5 This policy provides a framework to support employees while they are absent and to help them to return to, and remain in, work wherever possible, including a framework for effective action to manage employees whose attendance levels are or remain unsatisfactory.
- 1.6 This policy applies to all employees at the Combined Authority, including fixed term appointments and employees on probation. This policy does not apply to agency workers or contractors.
- 1.7 This policy must be read in conjunction with the Attendance Management Toolkit which is available on the Intranet under Corporate Services/HR.

2. Related Policies and Strategies

- 2.1 Equality and Diversity Policy.
GDPR/Data Protection and Confidentiality Policy.
Leave Policy.
Maternity Adoption and Paternity Policy.

3. Roles and Responsibilities

3.1 The Combined Authority will achieve a positive attendance culture and effective attendance management through the combined efforts of the following:

3.2 Employee Responsibilities

- To attend work unless genuinely ill (this includes employees who work from home/work remotely).
- To comply with the Combined Authority's reporting procedure for notifying sickness absence.
- To self-certify the first 7 days of absence or less by completing the relevant section of the Return to Work Form on return to work.
- To obtain a statement of fitness for work (Fit Note) if absence is more than 7 calendar days (this includes non-working days).
- To maintain reasonable contact with their Manager and to attend meetings when required during any periods of absence.
- To make arrangements for another person, e.g., trade union representative or family member, to make and maintain contact on their behalf if it is not possible for them to make contact personally.
- To consent to and attend any appointments with Occupational Health should they be asked to do so.
- To follow the same reporting and certification procedure if become ill while abroad.

3.3 Manager Responsibilities

- To ensure employees are aware of the Attendance Management procedures including the conditions of the sick pay scheme.
- To keep and maintain accurate records of all sickness absence, including reasons for absence.
- To maintain reasonable contact with employees, including meeting with them, during their absence and on their return to work, regardless of the duration of the period of absence.
- To focus on early intervention and be proactive in addressing health issues which may affect attendance or performance, including effectively supporting employees who have a disability and where reasonable adjustment/s are required or in place.

- To regularly monitor and review sickness absence across their team/department.
- To determine the appropriate course of action with an employee when their sickness absence level has reached an unacceptable level.
- To seek advice from Human Resources on managing attendance and to apply this policy and the procedures outlined in the Attendance Management Toolkit consistently and fairly to all employees.

3.4 Human Resources Responsibilities

- Provide professional advice and guidance to Managers and individuals on the application of this policy and the procedures outlined in the Attendance Management Toolkit.
- To determine (in consultation with Occupational Health) whether a medical condition is likely to be regarded as a disability under the Equality Act 2010 and advise on potential reasonable adjustments.
- Intervening when management action may result in the Combined Authority failing to meet its statutory and legal obligations.

3.5 Heads of Service Responsibilities

- Responsible for the fair application and implementation of this policy and ensuring procedures are followed within their respective departments.
- Make Managers aware of their obligations to familiarise themselves with and follow this policy and the procedures outlined in the Attendance Management Toolkit.

4. Policy Statement

4.1 All employees should take personal responsibility for maximising their attendance at work in order to provide a high level of quality service to the people of West Yorkshire and to minimise the impact that absence has on their colleagues. Where an individual is absent from work due to sickness, the Combined Authority will, in line with our **Values** and Behaviours treat them with fairness and respect. Managers will, in line with our core objectives, work together with employees to explore support available to help individuals manage their illness and help them return to work. Managers will use this policy and the Attendance Management Toolkit to effectively manage attendance.

5. Attendance Standard

- 5.1 The Combined Authority has an attendance standard which applies to everyone. Employees will have breached the standard if the following trigger points are reached:
- 3 or more occurrences of sickness absence in any 6-month period; or
 - 7 or more working days in any 12-month period; or
 - If a particular pattern of absence seems to be developing, for example, repeated absences on the same day of the week or regularly falling sick before or after public holidays etc, or
 - 4 weeks continuous sickness absence (long term sickness absence)

NB: for part time staff this should be pro rata.

- 5.2 If an employee breaches the attendance standard and a trigger point is reached, the **Informal Procedures for Managing Sickness Absence** will be triggered in the first instance and Managers will set an **Informal Attendance Plan**.
- 5.3 If an employee fails to meet their Informal Attendance Plan and has not succeeded in improving attendance to an acceptable level, the **Formal Procedures for Managing Sickness Absence** will be instigated.
- 5.4 Formal action may be taken without first taking informal action in circumstances outlined in Section 12.4 and 12.5.
- 5.5 An absence will not count towards the attendance standard where the absence is pregnancy related. Pregnancy related sickness absence must be recorded but should not be taken into account when assessing whether the Formal Procedures for Managing Sickness Absence have been triggered.
- 5.6 In the case of absences directly resulting from a disability or medical condition covered by The Equality Act 2010, Managers may consider, following consultation with HR and Occupational Health, that the attendance standard shall be increased to an appropriate level as a reasonable adjustment to assist the employee to manage their disability/medical condition whilst at work and sustain regular attendance.

6. Absence Reporting

- 6.1 An employee who is unwell and cannot attend work must telephone their Manager within 1 hour of their usual start time on the first day of their sickness absence in line with the Combined Authority's sickness absence recording procedure. Refer to the Reporting Sickness Absence section of the Attendance Management Toolkit for detailed guidance.

- 6.2 When an employee knows in advance that they are likely to be absent e.g., for routine surgery and recovery, they should inform their Manager and provide any additional useful information such as anticipated length of their absence.
- 6.3 Employees who are absent for longer than 7 calendar days must provide Fit Notes to cover their absence from the 8th calendar day through to the last day of the absence. For Statutory Sick Pay (SSP) purposes, every day of the absence (from Day 8) must be covered by a Fit Note including weekends and bank holidays. Refer to the Certification of Sickness section of the Attendance Management Toolkit for guidance on procedure.
- 6.4 If an employee does not attend work and does not make contact, this could result in sick pay being withheld and/or the absence being treated as unauthorised which may result in management action being taken in accordance with the Combined Authority's AWOL procedure. Refer to the AWOL section of the Attendance Management Toolkit for further guidance and procedure.

7. Absence Recording

- 7.1 Managers must record and monitor all periods of sickness absence, including any part days.
- 7.2 Managers will ensure that all records are accurate and up to date, including cancellation of any pre-planned leave, return to work interview forms, case notes, and any absences that are agreed to be linked or excluded. Refer to the Attendance Management Toolkit for information on linked absences and absence that can be considered for exclusion. Managers will also ensure all records are accurate and up to date on the HR System.
- 7.3 Where the absence relates to an accident or injury at work, Managers must enter details on the incident reporting form which is available on the Intranet under Health and Safety.

8. Sick Pay

- 8.1 Employees who follow the correct sickness absence reporting procedures and provide fit notes as required, may receive Occupational Sick Pay (OSP) up to the following maximum amount:

Length of Service	Full Pay (months)	Half Pay (months)
Less than 4 months	1	SSP Only
Over 4 months and less than 1 year	1	2
Over 1 year and less than 2 years	2	2
Over 2 years and less than 3 years	4	4
Over 3 years and less than 5 years	5	5
Over 5 years	6	6

- 8.2 Additional information about sick pay can be found in the Attendance Management Toolkit under Sick Pay.
- 8.3 For information concerning entitlement to accrued annual leave during periods of sickness absence see the **Leave Policy**.

9. Returning to Work

- 9.1 The Line Manager must hold a Return to Work (RTW) interview/discussion following every period of sickness absence. This should be done on the day the employee returns to work (or no later than 2 days after their return to work). Refer to the Return to Work Interview section of the Attendance Management Toolkit for further guidance and procedure.
- 9.2 Managers will record a summary of the Return to Work discussion on the **Return to Work Interview Form**. Absences must be closed promptly on the HR System when the employee returns to work.
- 9.3 If an employee is close to triggering the formal absence management procedures, they should be informed of this by their Manager in the return to work interview/discussion.

10. Supportive Measures

- 10.1 The Combined Authority has a number of support services, measures, and interventions to support and enable individuals achieve a satisfactory level of attendance at work, including Occupational Health, the Employee Assistance Programme, Absence Review Meetings, and the Informal Attendance Plan. Refer to the Supportive Measures section of the Attendance Management Toolkit for full details and guidance on the supportive measures available.
- 10.2 If an employee's sickness absence is related to stress or anxiety, a referral should be made by the employee's Manager on the first day of being notified, and within two weeks of the employee's first day of absence. This referral is through the Active Care Service provided by the Employee Assistance Programme (EAP). Refer to the EAP section of the Attendance Management Toolkit for further guidance on procedure. An early referral through the Active Care Service may reduce the risk of long-term absence as early intervention and support can assist in enabling a planned return to work, even where an employee is signed off for a longer period.
- 10.3 If an employee is off, or likely to be off sick, for 4 weeks or more their Manager should refer them to Health Assured/Occupational Health, and in cases of recurrent short term absence referral is also advised in order to determine whether an underlying health condition may be affecting attendance.

- 10.4 When an employee indicates they will be returning to work following a period of long-term absence, it may help to be offered a phased return. Ideally this should be discussed in advance of the planned return date. Refer to Phased Returns under the Supportive Measures section of the Attendance Management Toolkit for guidance.
- 10.5 Where employees fall under the Equality Act 2010, employers have a duty to make reasonable adjustments where appropriate. What is reasonable will depend on the circumstances of the particular case and the needs of the organisation. Refer to Reasonable Adjustments under the Supportive Measures section of the Attendance Management Toolkit for guidance.
- 10.6 The Supportive Measures section in the Attendance Management Toolkit provides a framework for Managers to support employees while they are absent and to help them to return to, and remain in work wherever possible, including consideration of redeployment where appropriate, or to support retirement on the grounds of ill health where possible, or enable termination on the grounds of capability in a fair and consistent way, where continued employment is not a viable option. Different interventions will be required at different times for different employees in the management of both short- and long-term sickness absence, and also depending on the illness conditions involved.

11. Informal Procedures for Managing Sickness Absence

- 11.1 Informal action will be considered in the first instance when an employee has breached the **Attendance Standard** and a trigger point is reached. Formal action may be taken without first taking informal action in circumstances outlined in section 12.4 and 12.5.
- 11.2 An **Informal Attendance Plan** will be put in place to identify the causes of absence, assist in reducing sickness, and to support the employee back to work. Refer to the Informal Attendance Plan section of the Attendance Management Toolkit for detailed guidance.
- 11.3 If an employee meets their Informal Attendance Plan the informal process comes to an end at that point.
- 11.4 If an employee fails to meet their Informal Attendance Plan, the Formal Procedures for Managing Sickness Absence will be instigated.

12. Formal Procedures for Managing Sickness Absence

- 12.1 The Formal Procedures for Managing Sickness Absence will be instigated when informal action such as the Informal Attendance Plan has not succeeded in improving attendance to an acceptable level.

- 12.2 The detailed procedures on the three-stage process can be found under Formal Procedures for Managing Sickness Absence in the Attendance Management Toolkit. The Toolkit also includes a flowchart representing the process.
- 12.3 Formal procedures will still be triggered for anyone whose pattern of sickness absence is related to a disability/medical condition, but any proposed management action may be put on hold whilst agreed reasonable adjustments are put in place and tried in order to assess their effectiveness.
- 12.4 Formal action will be taken without first taking informal action when an employee hits one of the **Attendance Trigger Points** after coming out of a formal procedure, the employee will re-enter the procedure at the same stage if improved attendance is not maintained in that period. Refer to Formal Procedures for Managing Sickness Absence in the Attendance Management Toolkit for detailed guidance on the three-stage formal process.
- 12.5 Formal action may also be taken without first taking informal action in exceptional circumstances where it would serve no purpose due to the employee's absence history and/or the nature of their current absence levels. Formal action may also be taken without first taking informal action if an employee has failed to cooperate with supportive/informal action. The reasons for decisions to proceed to formal action without informal action should be documented by Managers.
- 12.6 At every stage of the formal process, Managers will aim to provide as much support to the employee as is necessary for them to achieve and maintain a satisfactory level of attendance.
- 12.7 Trade Union representatives or work colleagues may attend all formal meetings. Refer to the Right to be Represented section of the Attendance Management Toolkit for further guidance and procedure.
- 12.8 At any stage of the process, a referral to Occupational Health can be arranged. A further meeting with the employee will be arranged on receipt of the report, to discuss any additional support or work adjustments that have been recommended.
- 12.9 If, through following the formal procedures, satisfactory levels of attendance and therefore performance cannot be achieved or maintained, it may be necessary to terminate employment on the grounds of medical capability.
- 12.10 An employee has the right to appeal against dismissal made on the grounds of absence from work or medical capability. The appeal procedure is outlined in the Attendance Management Toolkit.

13. Formal Long Term Sickness Absence Review Meeting

- 13.1 Following referral to Occupational Health where professional advice has been received that the employee is unlikely to return to work, is substantially or permanently unfit to perform their duties, or where a long-term sickness cannot continue to be sustained, the employee will be invited in writing to a meeting with their Manager and HR Advisor to discuss the advice. Managers need to refer to the procedures outlined under Formal Long Term Sickness Absence Review Meeting in the Attendance Management Toolkit for detailed guidance.
- 13.2 Trade Union representatives or work colleagues may attend all formal meetings. Refer to the Right to be Represented section of the Attendance Management Toolkit for further guidance and procedure.
- 13.3 If the employee is considered by Occupational Health to be unfit to resume their duties despite any recommended reasonable adjustments being made, job redesign or redeployment into another type of work will be explored with advice from Occupational Health.

In some cases, more than one meeting will be necessary. If reasonable adjustments or redeployment is not possible, early retirement on the grounds of Ill Health may be pursued in accordance with the arrangements of the WYPF Pension Scheme. Managers need to refer to the procedures outlined under Redeployment or Ill Health Retirement in the Attendance Management Toolkit for detailed guidance on procedure.

- 13.4 If an employee is deemed unfit for employment, and after all the above options have been explored, consideration will be given to the termination of employment. The employee will be invited to attend a Stage 3 Sickness Absence Hearing as outlined in the Attendance Management Toolkit under Formal Long Term Sickness Absence Review Meeting to discuss the proposed termination of their employment. If termination of employment is deemed appropriate at the Hearing this will be confirmed in writing by the Departments Head of Service/Chair of the Hearing. The right of appeal against the decision and the appeals procedure will also be explained.
- 13.5 If an employee is considered by Occupational Health/their GP to be fit for work, this will be discussed with the employee and a return to work date will be set. In exceptional circumstances, if the employee does not return to work on the date advised, entitlement to Occupational Sick Pay (OSP) may be withdrawn and disciplinary action may be taken. Entitlement to Statutory Sick Pay (SSP) will not be affected if the continued absence is covered by a fit note.

14. Training

- 14.1 The Human Resources Team will provide Managers with regular support, briefings and training where necessary, and guidance to support the application of this policy.

15. Processes and Procedures

- 15.1 This policy is supported by a comprehensive Attendance Management Toolkit that includes flowcharts, top tips and supporting forms to make sure that all managing attendance activity undertaken is as consistent, fair, and effective as possible.

16. Documentation

- 16.1 When keeping records relating to an employee's health, Manager's must follow the Combined Authority's Retention Schedule, GDPR/Data Protection, and Confidentiality Policy.
- 16.2 All procedures and documents relating to an individual's sickness absence will be treated confidentially and information will only be shared in line with medical confidentiality guidance and legislation.

17. Impact Assessment

- 17.1 In the creation of this policy, consideration has been given to any possible adverse equality impact for the following groups: disability; gender; gender reassignment; marital status (including civil partnerships); sexual orientation; race; religion or beliefs; age; pregnancy and maternity. The policy is considered to have little or no adverse equality impact.

18. Privacy Notice

- 18.1 This section sets out the privacy notice and implications to employees or customers in the adoption of this policy. Further details of privacy notice requirements can be obtained from Legal and Governance services.

19. Policy Review or Changes

- 19.1 The Combined Authority reserves the right to amend the details of this policy in line with changes in legislation, best practice or as required following consultation with recognised trade unions and other relevant parties. This policy will be monitored and reviewed on an annual basis, to ensure that it meets the needs of the Combined Authority and to ensure compliance with relevant legislation. A written request can be made to review this policy at any time giving appropriate reasons for requesting the review.

20. Queries

- 20.1 Any queries relating to this policy should be addressed to a member of the Human Resources team at Humanresources@westyorks-ca.gov.uk

21. Appendices

- 21.1 See **Attendance Management Toolkit** for appendices, flowcharts and supporting forms for Managers to effectively manage attendance.

This policy places the Combined Authority's values at the core of the approach taken to managing attendance.

Championing our Region	All employees must take responsibility for their attendance at work, demonstrating a clear commitment to attendance in order to maintain high standards of service to the people of West Yorkshire and to ensure that we can meet the Combined Authority's Corporate Priorities.
Working Together	The Combined Authority is committed to creating an environment where people want to come to work together with a culture of good attendance and wellbeing.
Working Intelligently	Working intelligently by using the right tools, methods, and strategies to improve productivity and engagement with remote employees. Using video conferencing to connect with remote employees for good remote team attendance management.
Positive about Change	To create an attendance culture, which supports the efficient operation of our services and in turn contributes to achieving high morale amongst employees.
Easy to do Business With	A fair and consistent framework for managing attendance.

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