

Attendance and Absence Management Policy

S.03

Reviewed

29 April 2021

Date next due for review:

April 2024

This policy document can be produced in various formats, for instance, in larger print or audio-format; and it can also be translated into other languages, as appropriate.

Our equality and diversity policy statement describes our key equality commitments that we use to develop all organisational services; this includes employment services and services to tenants and other customers.

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The Scottish Housing Regulator Reg. No: HAC231; Registered Scottish Charity No: SC038237; FCA Reg. No: 2375R(S); Property Factor Reg. No: PF000151

Linkage to Business Plan/Regulatory Standards Compliance

Business Plan:

Section 3 – Aims, values and core objectives

Section 4 – SWOT

Section 7 – Performance Monitoring KPIs

Section 9 – Risk Management

Section 11 – Standards of Governance & Financial Management Compliance

Regulatory Standards:

Standard 4 - The governing body bases its decisions on good quality information and advice and identifies and mitigates risks to the organisation's purpose.

Standard 5 - The RSL conducts its affairs with honesty and integrity.

Risk and Financial Implications

Appropriate and transparent use of resources.

Association requires staff attendance in order to operate effectively and efficiently.

Staffing absence costs and performance costs.

Terms of Reference

- Code of Conduct
- Employment Terms and Conditions
- Equalities Act 2010
- EVH Model Attendance & Absence Management Policy
- EVH Guidance to Managing Attendance and Absence at Work

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Introduction

Pineview Housing Association recognises that on occasions it may be necessary for staff 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 are not intended to replace other policies, such as discipline & grievance, dignity at work, health & safety, managing stress, etc.

Aims of the Policy

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

Principles

Pineview Housing Association requires good attendance from all staff in order to meet its objectives.

- If your level of attendance is unsatisfactory then you will be informed what improvement is required and possible consequences of failure to do so (which may include disciplinary action, including dismissal).
- The attendance management process is not concerned with reasons for absence but with number of periods of absence/ days absent.
- If you have an underlying medical condition causing absence(s), then we will consider reasonable adjustments.
- Managers will conduct "return to work" meetings 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 a disciplinary action and organisational sick pay being withheld.
- Managers will maintain accurate, up-to-date attendance records for all staff to manage absence effectively.

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 the 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 problems. The sooner these problems 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 the line managers.

Having maintained attendance records, managers will be expected to provide and discuss monthly aggregated statistics at management team meetings and at departmental meetings with staff. The aggregated statistics will be calculated in line with the SHR Technical Guidance for the ARC return and will include:

- Total number of work days lost due to absence/Total number of work days available
- % absence rate for all absences
- % absence rate, minus long term absences

Your individual case will not be discussed as it forms your confidential record.

Absence Reporting Procedures

Reporting

If you cannot come to work, either due to illness or for any other reason, you must tell your line manager (or if not available, another manager) as soon as is reasonably possible. It is expected that you phone as soon as possible before your usual start time, if not possible, within one hour of your starting time. You must fill in a self-certification form, whether or not you are entitled to any sickness allowance and whatever the length or reason for absence.

Every unplanned absence will be followed with a Return to Work Meeting (RTWM). The RTWM form replaces the need for self-certification of individual absences of less than seven consecutive calendar days.

Fit Notes

If you continue to be absent due to illness or injury for more than seven consecutive calendar days, you must provide a fit note (which can be obtained from your GP) as soon as possible to your line manager.

If the fit note indicates by way of the box for 'may be fit for work' box your line manager will contact you and 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 are permitted to return to work before the expiry of your fit (as long as your GP does not state they wish to see you again before returning to work), even if this is before their fit note expires. You do not need to go back to their 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.

Keeping in Touch

You are responsible for phoning your line manager to let them know the reason for your absence.. 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 as agreed between you and your line manager: daily during the first week of your absence (unless otherwise agreed with your line manager) and weekly thereafter.

While keeping in touch we would expect you to let us know: the reason for your absence, the predicted recovery and/or treatment, when you expect to return to work and, the best contact details which can be used during your absence.

If you fail to keep in contact as outlined above, we will contact you.

Failure to Comply

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

Return to Work

A thorough return to work will be carried out after every period of unplanned absence. The purpose of the return to work meeting is to establish if you are fit to return to work. This will be done by your line manager (or another manager if he/she is not available) on the first day of your return to work at the start of your working day or shift. Completed forms will be kept with your absence information.. Return to work meeting forms contain confidential information and will only be viewed by those authorised to access it normally your line manager or any other manager who deals with the case.

Other records relating to your absence will also be kept in your personal file and may only be viewed by authorised personnel as above. These records may include but will not be limited to:

- 'Keeping in Touch' file notes
- GP Fit Notes
- GP/OT Medical Reports
- Absence Review Meeting file notes

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, it is however your responsibility to claim any other Government benefit that you may be entitled to.

Company Sick Pay

Company Sick Pay will be administered in line with your Terms & Conditions of employment.

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.

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

Attendance Review Triggers

Pineview HA uses the widely recognised Bradford Factor Index as a way of monitoring an individual employee's level of absence. The method of multiplying the number of absences is a fair way of identifying and differentiating between regular short term absence and less frequent longer term absences. Absence Indicator Points are the number of periods of absence in a rolling 12 month period multiplied by itself, then multiplied by the total number of days absence in the same period. The calculation weights the number of instances of absences and is an indicator of the disruption caused by absence.

The following equation is therefore used to calculate an employee's total Absence Indicator Points:

Actual periods of absence² x total number of days lost

The relevant period for the purpose of calculating Absence Indicator Points is a rolling twelve months, i.e., when looking at absence a manager will review all absences in the last 12 month period from the start date of the most recent absence.

Where an employee’s Absence Indicator Points reaches **60** in a rolling 12 month period they will meet the Trigger Point and the line manager is required to commence an absence review process.

Additionally, where a pattern of persistent short-term absence is identified, but the Absence Indicator Point total is less than the Trigger Point, the line manager may still commence the absence review process. This may include, but is not limited to, a pattern of absences occurring at the beginning or end of a week; during school holidays; coinciding with sporting or other events; or when an employee reports sick on the same day that a leave request had been declined. In order to consider patterns in an employee’s absence history, managers will review absence data from previous years.

The line manager may also commence the formal process where there is evidence that an employee regularly remains just below the absence trigger point due to minor health issues, where there is no underlying cause.

The trigger system is linked to the terms and conditions disciplinary process as detailed below:

Stage	Trigger	Outcome
Informal - 1	Absence indicator point reaches 60	Informal review
Formal - 1	Where an employee has been unable to return to work, a return to work programme has been unsuccessful or an employee’s absence level continues to be at or above trigger point and/or above a target set at informal stage 1 and/or remain a concern.	First written warning
Formal - 2	Where an employee has been unable to return to work, a return to work programme has been unsuccessful or an employee’s absence level continues to be at or above trigger point and/or above a target set at formal stage 1 and/or remain a concern.	Final written warning
Formal - 3	Where an employee has been unable to return to work, a return to work programme has been unsuccessful or an employee’s absence level continues to be at or above trigger point and/or above a target set at formal stage 2 and/or remain a concern.	Dismissal

Authority to take disciplinary action:

- First written warning - line manager or supervisor
- Final written warning - line manager or supervisor
- Dismissal - representatives of the committee

Absence Management

The 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 support you.

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 problems
- Our business needs and the impact that your absence may have upon these
- Your entitlement to statutory and company sick pay

If a medical professional makes suggestions for any adjustments, these will be discussed prior to your return to work to determine if these can be accommodated, along with any suggestions that 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 adjustments, we will also set time scales and reviews to assess if they are still required and suitable.

When managing a long-term absence, a termination of employment for the reasons of ill health capability may be considered where all other options have been exhausted, and the organisation can no longer sustain the absence. We will ensure that we seek the appropriate advice if and when necessary.

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 the organisation's disciplinary procedure and disciplinary action may be instigated, including dismissal or future withdrawal of the company sick pay benefit.

Other Provisions

Absence and holidays

If you are on annual leave and 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 manager on the first day of your return to work or earlier if possible and provide them with the necessary 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.

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.

Conduct whilst off sick

When on sick leave, you are still bound by your contract of employment with us and all our policies including the 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 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 Pineview HA, our customers, work colleagues, partners and anyone else who is connected with us.

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.

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.

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 could 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. If the absence is certified by a doctor, your manager will ask your doctor to clarify the underlying cause for stress.

Good Attendance Rewards

Staff members have previously considered good attendance reward schemes. The overwhelming feeling was that no additional measures should be implemented to reward staff for attending their work/doing their job. It was highlighted that there are sufficient recognition methods in place, i.e. praise from managers, newsletter publicity for particular achievements, etc.

Data Protection

The organisation will treat your personal data in line with our obligations under the current data protection regulations and our own policy. Information regarding how your data will be used and the basis for processing your data is provided in our employee transparency notice.

Monitoring & Review

This policy will be reviewed at least every three years to ensure it continues to meet the requirements of the Association or where EVH issues a revised Attendance Management Model Policy, whichever is sooner.