



Attendance and Absence Management Policy

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1. Introduction

- 1.1 ng homes is committed to managing attendance and absence at work to ensure that we are supporting employees with health concerns, providing reliable and cost-effective services to customers and improving the Association's performance.
- 1.2 ng homes recognises that employees may on occasion be absent from work and this policy is designed, therefore, to ensure that a consistent and fair approach in managing attendance and absence at work is adopted throughout the Association.

2. Principles

- 2.1 The Association recognises its responsibility for the health, safety and welfare of its employees and therefore will provide employees with a safe working environment. All employees will be treated in a responsible and caring manner and, be encouraged to provide the highest standards of attendance possible.
- 2.2 The Association will formulate standards, provide procedural guidelines and ensure line managers receive appropriate training for managing attendance and absence at work. It is the responsibility of line managers to identify and monitor the causes of absences and where possible to develop a programme of preventative measures. Employees will be afforded the opportunity to be accompanied by a trade union representative or a colleague where appropriate.
- 2.3 All employees including trainees and apprentices will be made aware of the terms of this policy and will be treated in a fair and consistent manner. All employees will be encouraged to seek help with any health issues they are experiencing, which are resulting in non-attendance at work. The Association provides access to a Company Health Plan which includes direct access to physiotherapy, chiropractic, health screening and 24 hour access to counselling services. Employees may seek assistance from the company health plan provider Simplyhealth (telephone number 0800 975 3356).

3. Absence Reporting Procedures

3.1 Reporting

Employees reporting absence are required to phone their line manager as soon as practicable - this should be within 1 hour of the normal starting time, text messages are not acceptable. If the employee's line manager is not available then another manager should be contacted. Employees must give the reason for the absence,

expected duration of the absence, expected date of return and confirm their contact details.

If it is impossible for employees to get to a phone on day one of their absence they should ensure that someone else calls on their behalf.

3.2 Keeping In Touch

The responsibility lies with the employee to keep their line manager informed on a daily basis for the first three days of absence. If the absence continues beyond three days, the employee must contact their line manager on a weekly basis thereafter, unless exceptional circumstances prevent the employee from doing so. Where employees fail to keep in touch as outlined above, ng homes reserves the right to initiate and maintain contact with the employee. Please note that on occasion during an absence, management may contact the employee with work related questions/requirements. Such contact will only be where it is essential for continuity of service delivery.

3.3 Absence certification

An employee can self-certify where the absence lasts 7 calendar days or less. Where an absence period lasts more than 7 calendar days, a medical certificate (Fit Note) issued by an appropriate healthcare professional is required. This should be forwarded to the employee's line manager as soon as possible. If the employee's absence continues, further medical certificates must be provided to cover the whole period of absence.

If an employee's doctor or healthcare professional provides a Fit Note stating that they "may be fit for work" they should inform their line manager immediately. All recommendations contained within the Fit Note will be discussed with the employee in an attempt to facilitate a return to work. If the recommendations cannot be accommodated the reasons for this will be confirmed to the employee and they will remain on sick leave. If the absence continues a review meeting will take place.

3.4 Failure to Comply

Where the employee does not follow reporting, certification, or agreed keeping-in-touch arrangements we may withhold occupational sick pay. Failure to comply with

these requirements may also lead to disciplinary action in accordance with the home's disciplinary procedure.

3.5 Return to Work

On every occasion when an employee returns to work after an absence of any kind, the line manager or another senior member of staff will meet the employee at the start of their day/shift, or as soon as practically possible on that day to discuss the reasons for the absence and, offer help where appropriate before countersigning the return to work form (self-certificate). This document should be sent to the HR team.

4. Absence Monitoring

4.1 A fundamental feature of good attendance and absence management is the accurate and timely recording of all absences. This is essential both in terms of the requirements of the Statutory Sick Pay arrangement and the Association's occupational sick pay scheme. Good information also allows patterns to be identified and can be an early indication of underlying problems. The sooner these problems are identified and acted upon – the more likely a successful conclusion can be achieved for employee and employer alike. Any potential concerns would be discussed at return to work meetings.

4.2 Keeping good quality, up to date records also means that:

- Concise data is available for each employee during the year
- Problems are identified at an early stage
- Employees are treated fairly and consistently
- Trends and underlying causes can be more easily identified
- Relevant health, safety or wellbeing issues can be identified in a timely manner and addressed appropriately
- Attendance rates may be improved
- Line managers are better able to explain decisions relating to poor attendance
- Committee are kept aware of attendance levels

4.3 Line managers must record the absence on the Notification of Absence Form as soon as notification is received and also notify the HR team by email. HR will update the employee's attendance record for the purposes of statistical recording.

- 4.4 The Human Resources Committee will receive quarterly reports on staff absence.

5. Attendance Management

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

We will aim to assist employees 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 absence management and 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.

5.2 Attendance Review Triggers

An Attendance Review Meeting will be arranged when an employee's absence record falls into the following categories of 'rolling' absence, with the following potential outcomes:

Stage	Trigger	Potential Outcome
1	<ul style="list-style-type: none">• 3 occasions of absence within a 12 month period (this includes short or long-term absences)• 12 continuous days or more within a rolling 12 month period (10 working days for full time Monday-Friday staff, 8 working days for 4 on/4 off staff, and pro-rata for part time staff)• Clear absence pattern identified	Informal Attendance Review Meeting

2	1 further occasion of absence within a 6 month period from when the last action was taken	First Written Warning
3	1 further occasion of absence within a 6 month period from when the last action was taken	Final Written Warning
4	1 further occasion of absence within a 12 month period from when the last action was taken	Dismissal

Any period of unauthorised absence may be dealt with under the ng homes disciplinary procedure.

The employee should be advised in writing of the purpose of the meeting and of their right to representation at formal meetings. At the meeting the line manager should outline that the main purpose is to discuss the absences, the employee's general health and/or any underlying problems they may have. Where appropriate the Association will offer assistance in the form of professional counselling or if appropriate arrange for a second opinion through Occupational Health.

5.3 The Attendance Review form should be completed, at each stage, at the meetings and then signed by both the employee and the line manager. A copy of this form will be placed in the employee's file. The line manager should confirm the outcome of the meeting in a timely manner, in writing, to the employee and detail any agreed action.

5.4 Stage 1

An informal Attendance Support Meeting will take place in the following circumstances:

- 3 occasions of absence within a 12 month period, this includes short or long-term absences
- 12 continuous days or more within a rolling 12 month period i.e 10 working days for full time Monday-Friday staff, 8 working days for 4 on/4 off staff, and pro-rata for part time staff
- Clear absence pattern identified

The employee will also be advised at this meeting of their expected level of attendance and the triggers which apply if they have further absences.

5.5 Stage 2

The first Formal Attendance Review Meeting should take place if the employee has one further occasion of absence within a six month period from when the last action was taken. The employee may be issued with a First Written Warning at this meeting and be advised of the triggers which apply if they have further absences.

5.6 Stage 3

The second Formal Attendance Review Meeting should take place if the employee has one further occasion of absence within a six month period from when the last action was taken. The employee may be issued with a Final Written Warning at this meeting and be advised of the triggers which apply if they have further absences.

5.7 Stage 4

A third and final Formal Attendance Review Meeting should take place if the employee has one further occasion of absence within a twelve month period from when the last action was taken. This meeting will be held with a panel of ng homes Board members as this may result in the employee being dismissed with contractual notice.

5.8 Employee's have the right to appeal any formal warning at any stage of the process, including dismissal.

Appeals at Stages 2, 3 and should be intimated to the HR team in writing within 7 days of receipt of the written confirmation of the decision, clearly setting out the grounds for appeal. The HR team will then co-ordinate the appeal process.

Appeals at stage 4, dismissal, should be made directly to the JNC Appeal Chair, details of this will be included in the outcome letter.

5.9 Employees with absences related to pregnancy or with underlying health issues who are protected under the Equality Act 2010, will be required to attend absence review meetings in line with the triggers above, in order to provide support. Staff

members in this position will not be issued with formal warnings, however, consideration may be given to the ill health capability process as outlined in section 9.

6. Absence Management

- 6.1 ng homes will adopt a sympathetic approach to employees with a long-term and/or underlying health condition. If an employee finds themselves in such a position they should be confident that their line manager will support them.

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 the absence(s)
- Any actions that can be taken by the employee
- Any reasonable adjustments that we could make
- Any possible redeployment opportunities
- The nature of the duties in relation to the employee's health conditions
- Our business needs and the impact that the absence may have upon these
- The employee's entitlement to statutory and occupational sick pay

- 6.2 If a medical professional makes suggestions for any reasonable adjustments, these will be discussed prior to an employee returning to work to determine if these can be accommodated, along with any suggestions the employee or we may also have made. Although we are not bound by the doctor's suggestions, we will make all possible efforts to support the employee's 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.

- 6.3 If a referral to Occupational Health is sought and agreed, we expect the employee to fully participate in the process. If an employee fails to attend an agreed appointment, or cancels within 2 days then they may be required to pay the related charge for that consultation.

- 6.4 When managing a long-term absence, it is possible that 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. We will ensure that we seek the appropriate advice if and when necessary.

- 6.5 We will not take a period of absence due to sickness or injury caused by an accident in the course of their employment from the employee's entitlement to sickness benefit.

If an employee's absence is the result of an accident at work resulting from their deliberate misconduct, we will withhold sickness benefit and we will also investigate it under the disciplinary procedure. Where an employee disagrees, the grievance procedure is available to use.

7. Long-Term Absence

- 7.1 Long-term absence is defined as any single period of absence amounting to 20 or more calendar days.
- 7.2 If the absence is likely to last longer than 20 calendar days, the line manager will contact the employee to arrange a meeting to be held during week four of the absence, unless it is deemed medically inappropriate. This meeting can be held in either the workplace, at the employee's home or at some other mutually agreed location. Where a meeting is required they will be given a minimum of 48 hours notice. The main purpose of this meeting is to discuss the absence, the employee's general health and/or any underlying problems they may have. Where possible, in order to facilitate a return to work, the Association will offer assistance, in the form of professional counselling etc. If the likely duration of the employee's absence is still unclear, then a referral to Occupational Health may be made.
- 7.3 The line manager will continue to monitor the effects of long-term absences on their service and recommend appropriate action to cover and protect service delivery.
- 7.4 Throughout the duration of the employee's absence it will be expected that they will keep in touch at least once per week, by phone, and advise of progress, unless it is deemed medically inappropriate. Depending on the reason for absence, contact agreements can be mutually agreed between the staff member and the line manager.

Line managers, in conjunction with the HR team, will also seek to obtain medical reports as required during the absence and will arrange to discuss these with the employee when received. Where the employee disagrees with the nature of any

medical reports, they will be free to seek and offer alternative medical reports. Where the prognosis is such that a prolonged absence is likely then the case may be regarded as one of capability. Full discussions with the employee will take place and they will be afforded the opportunity to express views on such a course of action.

- 7.5 Having established and maintained contact with the employee, the line manager will discuss working options to support their return. These may include a phased return, reduction in hours, limiting the range of duties undertaken for a set period and redeployment. Where a phased return to work is agreed and, if the employee returns to work on a phased basis, we will only pay salary for the hours and days actually worked. The days and hours that are not worked will be taken either from the employee's own leave (annual leave/TOIL/flexi) or taken as unpaid leave.
- 7.6 Where there is no foreseeable return to work date, there are no contractual benefits for which the employee may be eligible and there are no reasonable adjustments that can be made to facilitate the employees return to work, as a last resort, dismissal on the grounds of ill health/capability may at that stage be appropriate. In this situation the process outlined in section 9. Capability will apply.

Employees will be given the right of appeal against dismissal on the grounds of long-term ill health absence.

8. Sickness During Annual Leave & Public Holidays

- 8.1 If during an authorised period of annual leave or flexi leave an employee falls ill and they produce an appropriate fit note, we may count the period as sick leave and not as annual leave or flexi leave, providing the absence reporting procedure has otherwise been complied with. Employees must speak to their line manager on the first day of their return to work or earlier if possible and provide them with the necessary certification.

If there is a public or general holiday during a period of sickness, the employee shall receive sickness benefit on that date and shall be entitled to receive the holiday at a later time, providing the appropriate certification has been received.

- 8.2 If an employee is on sick leave and they wish to go on holiday, they should contact their line manager beforehand to seek authorisation, with the support of the HR

team, to let them know how long they will be away for and to ensure communication resumes upon their return.

9. Ill Health Capability

As part of the ongoing dialogue between the line manager and employee, Review Meetings will explore options of a phased return, or a return to alternative duties, or where possible a redeployed post. The employee will be entitled to representation at these meetings. The line manager will chair the Review Meetings. In addition, the line manager may, with the employee, also consider the options of ill health retirement and termination on the grounds of capability.

9.1 Ill Health Retirement

There may be occasions where an employee can no longer sustain a reasonable and reliable attendance level or perform effectively in their role due to their health, and the impact a condition may have on their physical or mental capabilities. In these circumstances, where reasonable adjustments cannot be made or where they have been made but have failed to improve attendance or performance, the employee and ng homes may discuss the possibility of ill health retirement rather than following the formal capability procedure. In such cases, line managers should seek advice from HR and the employee should submit a letter requesting to be considered for retirement on the grounds of ill health. The employee will thereafter be required to provide appropriate medical evidence as required by their specific pension provider.

Please note, ill health retirement can only be granted if the employee is a member of a pension scheme that provides for ill health retirement and following an assessment and recommendation from an external occupational health provider.

If ill health retirement is supported by the Occupational Health provider and agreed with the pension provider the necessary steps will be taken to confirm all of the relevant details and agree the retirement date etc. The line manager will be kept advised at each stage of the process.

9.2 Capability

Termination on the grounds of ill health capability may be considered where:

- The employee is not a member of the pension scheme
- An application for ill health retirement has not been approved, and

- All other options have been explored but have not been successful and termination on the grounds of ill health capability will be the only course of action available.

In such circumstances there will always be a right of appeal against any decision to dismiss an employee on the grounds of ill health capability. Appeals against dismissal should be made directly to the JNC Appeal Chair, details of this will be included in the outcome letter.

- 9.3 If termination is a possible course of action the line manager must have discussed this option with the employee at an earlier stage and confirmed this to the employee in the letter(s) issued after the Formal Attendance Review Meeting (if the absence is categorised as short-term) or Review Meetings (if the absence is categorised as long-term). Occupational Health will be consulted prior to a ill health capability decision being made.
- 9.4 Where an employee indicates that a return to work is possible but requires more time to complete their recovery then this option should be considered prior to a decision being made to terminate employment on the grounds of ill health capability.

The Final Review Meeting, at which a decision regarding ill health capability dismissal will be concluded, will be held by a panel of ng homes Board Members.

10. Other Provisions

10.1 Contact with Infectious Diseases

An employee, who is deemed to be incapable for work and is prevented from attending the place of employment because of contact with a notifiable infectious disease, as per HSE, will be required to advise their line manager immediately. In such circumstances, the employee shall be eligible for full pay for the duration of the infectious period, as per the Association's internal procedure at that time. ng homes will seek guidance from Occupational Health with regards to the management of this absence. The period of absence, deemed as infectious, will not be deducted from the employee's period of sickness benefit entitlement.

10.2 Doctor/Dental/Optical Appointments

Doctor, dental and optical appointments should be arranged outwith working hours. If it is not possible, the employee should request time off from their line manager. Arrangements could include using annual leave, TOIL, flexi or unpaid leave.

Emergency, on the day, appointments will be managed sympathetically and appropriately.

10.3 Hospital Appointments

ng homes understands that hospital appointments cannot always be rearranged and paid time off will be granted for an appropriate length of time for the appointment. Employees should provide medical cards or evidence of their appointments.

10.4 Cosmetic Procedures

Absence due to cosmetic procedures (whether carried out in the UK or abroad) will not fall under the sick leave or pay provisions 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.

10.5 Fertility Treatment

ng homes are fully supportive of staff who go through fertility treatment and understand that this can be a demanding time and there may be a high level of appointments. As this will vary from person to person, the employee should discuss with their line manager how time off for treatment can be accommodated. As with all aspects of absence these conversations will be treated as sensitive and confidential.

10.6 Stress Management

Stress can result from an illness or lead to one but it is not an illness in itself. The same relates to 'nervous debility' or any other diagnosis of that type. If an employee goes off sick with stress, the line manager will endeavour to find out the underlying cause so that 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. Employees may seek assistance, including 24 hour access to counselling services, through the company health plan provider Simplyhealth (telephone number 0800 975 3356).

10.7 Conduct whilst off Sick

When on sick leave employees are still bound by their contract of employment and all of ng homes policies including the Code of Conduct. The Association also expects that employees do not participate in activities that would be at odds with their medical condition. 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 ng homes, its customers, work colleagues, partners and anyone else who is connected with us.

10.8 Reason for Absence

If any employee gives false reasons for their absence, the Association may investigate the allegation that the absence has been dishonest, under the ng homes disciplinary procedure e.g. an employee reporting sick after an annual leave request has been refused. Such matters will be dealt with through the Association's disciplinary procedures and in serious/repeated cases this may lead to dismissal.

10.9 Management of Unauthorised Absence

Unauthorised absence may be dealt with under ng homes disciplinary procedure.

11. Good Attendance Award

11.1 ng homes will apply a fair and consistent approach in managing attendance. All employees, regardless of length of service or hours of work, can benefit from the Association's Sickness Benefit Scheme. The Association also recognises that positive measures should be put in place for those employees with good attendance. Employees who have had no absences at all in a 12 month period will be awarded 2 additional days off (pro rata for part time staff). Account will be taken of exceptional diagnosed conditions that require time off to ensure that employees who find themselves in this position are not discriminated against.

11.2 The EVH Terms & Conditions of Employment will be amended to take account of this local variation.

12. Other Related Policies and Procedures

- Data Protection Policy
- Dignity at Work Policy
- Code of Conduct for Staff

- Health and Safety Policy
- Flexible Working Policy
- Flexi Procedure
- Recruitment Policy
- Discipline and Grievance Procedures
- Stress and mental wellbeing at work
- Staff Terms and Conditions of Employment

13. UK General Data Protection Regulation 2021

The organisation will treat personal data in line with our obligations under the UK General Data Protection Regulation 2021 (UK GDPR) and our own Data Protection Policy. Information regarding how personal data will be used and the basis for processing personal data is provided in our Fair Processing Notice.

14. Policy Review

This Policy will be reviewed every three years or earlier in line with regulatory or legislative guidance / changes or good practice guidelines.

15. Equality Impact Assessment

This Policy is equally applicable to all and has no detrimental impact on protected characteristic groups as specified within the Equality Act 2010.

Specific provisions have been put in place at sections 5.9, 6.1, 6.2 and 7.6 which support employees with disabilities or underlying health issues.

MANAGING ABSENCE

