



Managing Absence Policy

North Lanarkshire Leisure Ltd
Human Resources
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1. Introduction

- 1.1. As employees of North Lanarkshire Leisure (NLL), we are all expected to have a satisfactory level of attendance and performance at work. It is recognised, however, that most employees will, on occasion, have genuine and acceptable reasons to be absent from work, however, any absence will cause operational difficulties, undermine quality and efficiency and increase costs. Overall, absenteeism can have a substantial impact on company profitability and costs.
- 1.2. The aim of this policy is therefore to minimise absence levels across the company whilst also recognising that certain categories of absence will require reasonable support with the aim of assisting a return to work at the earliest opportunity. The policy also aims to ensure that all employees are treated fairly & consistently during any absence.
- 1.3. This policy has been introduced with the aim of empowering managers to manage absence, outlining mechanisms which managers should adopt. However, it is not a prescriptive document and managers may require to exercise flexibility in certain circumstances. In exercising this flexibility managers need to ensure that such decisions are justifiable with regard to equality of treatment of staff for whom they have managerial responsibility. Where necessary managers should contact Human Resources for further advice/assistance.
- 1.4. NLL and its managers have a responsibility to deal with sickness in a sensitive, sympathetic, constructive and equitable manner whilst ensuring that services are delivered and maintained.
- 1.5. To assist managers in the management of absence the company utilises the services of an Occupational Health Provider to ensure that appropriate medical advice is available to assist in any decision making process.
- 1.6. As in any organisation all employees are expected to give regular and reliable service. Excessive sickness absence cannot be sustained. In any situation where absence is causing concern and cannot be sustained, managers will discuss their concerns fully with employees and advise of any potential consequences of continued absence.
- 1.7. NLL recognises that matters involving the ill health of employees require sensitive handling. Therefore support, including appropriate training in the management of absence, will be made available to all managers.

2. Employee Responsibilities

- 2.1. If an employee is unfit to work, due to ill health, during the first 7 days of any absence **they must notify their manager on each day of absence** within 1 hour of the normal starting time, or in the case of shift workers, within such other timescale which may be specified by their line manager and set out in the Operating Procedures for each facility.
- 2.2. Employees must always contact their manager **personally** at their workplace, providing the following information.
 - Specific reason for absence (“sick” or “ill” is insufficient)
 - Estimated date of return to work
 - Diary or other commitments during the period of absence
- 2.3. If an employee has been absent for more than 7 days, they must notify their manager of the reason for their continued absence. The 7 days are calendar days, which includes weekends, bank holidays and days when the employee does not work. Thereafter, they must personally maintain contact with their manager every 7 days unless unable to do so for health reasons.
- 2.4. For absence beyond 7 days, a Statement of Fitness for Work must be submitted to cover the absence. This statement allows an employee’s doctor to advise whether they “are not fit for work” or they “may be fit for work taking into account a number of factors”, such as a phased return, altered hours, amended duties etc.
- 2.5. A Statement of Fitness for Work must be received by the company within two days of issue.
- 2.6. Absences not certified or not reported in accordance with the foregoing procedures will be classed as unauthorised absence which may result in the loss of pay and may lead to disciplinary action.
- 2.7. Whilst absent on sick leave, employees must not participate in any activity which may bring into question the reason for their continued absence. Failure to observe this may lead to disciplinary action being taken which may include dismissal from the organisation.
- 2.8. If an employee has an injury or illness which prevents them from carrying out their normal job it may be possible for them to attend work but undertake different tasks. In cases such as this, and subject to normal health and safety guidelines, it is expected that employees will make every effort to attend work in some capacity. In accordance with the revised Fit Note procedures, the employee should ask their GP to specify which duties they are able to perform on their medical certificate.
- 2.9. On return to work following any period of absence on sick leave, an employee must report to their line manager where a return to work interview will be undertaken and the appropriate paperwork completed. Under normal circumstances the employee should not commence work until this has taken place. If an employee’s line manager is absent, the meeting should take place with an alternative nominated person to avoid delay.

- 2.10. During or following any period of absence an employee may be requested to attend any appointment or undergo examination by any medical or specialised practitioner identified by the company in relation to the management of their sickness absence.
- 2.11. During periods of extended absence, employees will be required to maintain contact, normally face to face, with their line manager and adhere to the established practice of conducting absence meetings at the employees place of work or any other suitable company establishment unless a medical reason is provided to preclude attendance at work related venues.
- 2.12. During periods of extended absence, meetings will normally take place every 4 weeks (20 working days).
- 2.13. If an employee considers their sickness absence to be connected with their job they must promptly make their line manager, or other designated person, aware of this fact and explain their perceptions in relation to this. If necessary, this may require to be confirmed in writing. Employees will also be expected to co-operate with their manager should any future action be identified as a result of these discussions.

3. Manager's Responsibilities

- 3.1. Managers are directly accountable for ensuring that employees adhere to the employee responsibilities outlined above. In addition, managers must ensure that all absences are monitored effectively and that accurate records of all absences are kept and reviewed regularly.
- 3.2. Appropriate contact must be maintained with absent employees during extended periods of absence. Normally meetings will take place every 4 weeks (20 working days). During meetings managers must gather appropriate information to enable management or medical interventions to be identified which will assist decision making processes during the absence
- 3.3. Subject to advice from Human Resources, managers have a duty to advise employees of the potential for termination of employment on the ground of capability due to ill health, if there is no significant improvement in the attendance levels.
- 3.4. Managers must ensure that all employees are dealt with fairly and consistently in accordance with the guidelines set out in this policy and relevant employment legislation.

4. Absence Reviews

- 4.1. The review and monitoring of absence is intended to ensure that employees are treated equally and consistently. To assist with this monitoring process, trigger levels are used as a tool to enable managers to keep track of the frequency of an employee's absence and to highlight, at the earliest opportunity, when management intervention is required.
- 4.2. If an employee is frequently absent from work, NLL will consider what appropriate steps should be taken. This will usually take the form of warnings. However, if following warnings an employee's attendance does not improve to the required level, they may be dismissed. NLL also reserve the contractual right to demote or transfer an employee in relation to sickness absence issues.

Any warnings or action taken is not necessary a result of a belief that an employee's absences are not genuine but rather a result of their capability.

- 4.3. The following trigger points will be used to manage absence.
- 3 separate occasions of sickness absence in a rolling 12 months period.
 - 8 days cumulative absence in a rolling 12 months period.
 - 2 weeks continuous absence
 - Any absence period which gives cause for concern.
- 4.4. If an employee reaches a trigger point as outlined above we will adopt the following capability procedure.
- a) Stage 1 - First Review Meeting: If an employee reaches a trigger point, they will be invited to a meeting to discuss their absence record. They will be allowed (if they wish) to be accompanied by a colleague or trade union representative at this meeting. They will be informed that their absence record is unacceptable. They will also be given the opportunity to respond and explain the reasons for their level of absence. If there is no reasonable explanation or mitigating circumstances, they will be issued with a written warning which will outline the level of improvement required. This warning will expire 6 months after the date of issue.
- b) Stage 2 - Second Review Meeting: If an employee reaches another trigger point within the period of their warning, a second Review Meeting will be convened. The format of this meeting will mirror the first Review Meeting. They will be given the opportunity to respond and explain the reasons for their level of absence and why it has not improved. If there is no reasonable explanation or mitigating circumstances, they will be issued with a final written warning which will outline the level of improvement required. This warning will expire 12 months after the date of issue.

- c) Stage 3 - Final Review Meeting: If an employee reaches another trigger point within the period of their final written warning, a final Review Meeting will be convened. The format of this meeting will mirror the previous review meetings and they will be given the opportunity to respond and explain the reasons for their level of absence and why it has not improved. One possible outcome of the review meeting will be dismissal on the grounds of capability due to ill health. An employee will also be entitled to be accompanied by a colleague or trade union representative at the meeting.
- d) Appeals: An employee will be entitled to appeal against any written warning issued or dismissal. They will be informed of who to appeal to at the time the written warning is issued. They will have 5 days from the date of receipt of the written warning to appeal.

5. Occupational Health Service

- 5.1. The Occupational Health Service provides managers with information to allow them to make informed decisions on managing an employee's absence based on the medical information available.
- 5.2. The point at which an employee is referred for examination by the medical advisor will depend on the particular circumstances of each case. However, at a minimum an employee will normally be referred in the following circumstances:
- After 4 weeks continuous absence.

Note: Where the prognosis/timescale for a return to work is straightforward e.g. where an employee is recovering from planned surgery or a fracture, referrals may be delayed, however, where a manager has concerns in this area further advice may be sought from Human Resources.

6. Categories of Absence

- 6.1. For the purpose of this policy, sickness absence falls into two distinct categories:-
- Sickness absence which is attributable to an underlying medical condition.
 - Periods of sickness absence which are unrelated and are not attributable to a particular medical condition.
- 6.2. Cases where an underlying medical condition is identified usually involves long term or substantial intermittent absences. In cases such as these managers must obtain full and up to date medical advice and arrange regular meetings with the employee in the course of their absence.
- 6.3. In cases where there is an underlying medical condition, the employee must be fully aware that the potential outcome of ongoing absence or levels of absence is dismissal.

- 6.4 Whilst any decision to dismiss must be made by the manager, it will take into account all relevant information including current available medical evidence. In all cases every effort will be made to identify reasonable adjustments or provide other assistance to prevent a dismissal. In cases of long term absence an employee's contract may be terminated if (i) a medical report concludes that they are permanently unfit for work; or (ii) the prognosis is unclear and states that it is difficult or impossible to say when they will return to work.

Human Resources will provide appropriate advice in each case.

- 6.5 Cases where no underlying medical condition is apparent usually involve sporadic unrelated absence. These absences may or may not be covered by a Fit Note and there may be no apparent blame on the employees part. None the less managers have a responsibility to deal with unacceptable levels of absence and employees must be fully aware that unacceptable absence will lead to action under our capability procedure and ultimately dismissal as set out at paragraph 4.3.
- 6.6 Such cases of unrelated absence will be dealt with in accordance with our capability procedures. However, warnings relating to absence will be dealt with separately from warnings relating to conduct and one will not count against the other when determining the level of warning issued.

7 Payment for Sickness Absence

- 7.1 Payment for sickness absence is detailed in our Conditions of Service. However, any employee who fails to comply with the notification and certification procedures may have sick pay withheld and be subject to NLL's disciplinary procedure.
- 7.2 The provisions outlined in our Conditions of Service for the payment of sick pay are maximum periods and do not indicate the amount of absence to which an employee is entitled when sick.
- 7.3 As a company we reserve the right to withhold sick pay if we feel the system is being abused by an employee. We also reserve the right as a company to withdraw an employee's entitlement to self certify absences and request that all absences are covered by a Fit Note if we feel that the system is being abused. Normally an employee will be warned, in writing, prior to any of these actions being taken.

8 Disability Discrimination

- 8.1 The Equality Act 2010, defines a disability for this purpose as "A Physical or Mental impairment which has a substantial and long term adverse effect on an individual's ability to perform normal day to day activities". This legislation creates a duty on employers to make reasonable adjustments and managers must therefore make every reasonable attempt to retain a disabled employee in employment. This may impact on methods undertaken to manage absence, however, guidance and advice will be provided by Human Resources.