

Promoting Attendance Policy & Procedures Policy

We will provide this policy on request at no cost, in large print, in Braille, on tape or in another non-written format.

1. Introduction

The aim of this policy is to ensure that managers throughout Wheatley Care adopt a fair, consistent and supportive approach to employees with genuine health problems and to make sure that sickness absence levels are maintained within acceptable levels.

While Wheatley Care aims to have a culture of attendance at work, it is recognised that a certain level of absence due to sickness may occur and that the sensitive management of health problems and the promotion of good health contributes to the retention of employees. It is also recognised that there will be occasions where, after consideration, employees who cannot attend work due to their health problems may not be able to continue working.

2. Scope

The policy and procedures apply to all employees within Wheatley Care and .

3. Policy

- 3.1 All employees have an entitlement to sick leave and pay in accordance with their terms and conditions of employment. There will not normally be any extension of sick pay provisions.
- 3.2 Failure to adhere to absence reporting procedures, abuse of sick leave provisions or poor attendance which is not due to health concerns, will be treated as misconduct and dealt with under the organisation's disciplinary procedure.
- 3.3 Cases involving alcohol, drug or substance misuse should be managed in line with the Policy for Drugs and Alcohol for employees.

4. Responsibility

4.1 Managers

- The responsibility for management of ill health ultimately lies with the manager for his or her own area. Managers will be aware of the importance of the commitment to deliver a high quality service and that unacceptably high levels of absence can hinder this.

Managers should ensure that employees have been issued with and understand instructions on how to report absence. Managers should ensure that following induction employees fully understand the procedure involved.

- It is important that managers and employees keep in regular contact, particularly during long-term absence, to make sure that the manager is fully aware of progress and likely duration of absence. The manager should be sensitive to the employee's circumstances and the level of contact should be appropriate to the circumstances.
- Managers are required to record accurate individual absence information for all employees, including duration and reason for absence. All discussions and meetings relating to sick leave will be properly documented and retained.
- Managers are responsible for ensuring that all employees returning from sick leave are given a return to work interview. It is the manager's responsibility to ensure that they delegate this task appropriately should they be unable to undertake these themselves.
- Managers are responsible for reviewing their section/service absence levels on a regular basis, to be able to address problem areas and maintain acceptable attendance levels within their own department.
- Where frequent absences, continuous absence or inability to perform duties due to ill health are causing concern, the manager will follow the appropriate procedures and ensure full and appropriate use of the services available to them and the employee. In all cases the criteria for deciding appropriate action is what is fair and reasonable given the individual circumstances of the case and taking into account length of service, frequency, length and pattern of absences, occupational health advice and service needs.
- Managers will ensure that all information relating to absence is communicated to payroll accurately and in a timely manner.

4.2 Employees

- It is the responsibility of employees to ensure that they are familiar with the absence reporting procedures and follow them accordingly.
- Employees must keep their manager informed of progress and follow the reporting procedure and contact agreed. Where absence is long term, the employee should welcome communication as a support to facilitate a return to work.
- Employees must ensure that all certificates are completed and submitted covering the full dates of their absence. This should be done in a timely manner.
- If following discussion, a referral is made to Occupational Health Services or Employee Counselling, it is in the employee's interests to attend. Where this is not possible, employees are expected to advise

management as soon as possible. Cancellation less than 48 hours prior to an OHS appointment results in a charge being made.

4.3 Human Resources

- Management of ill health is a line management function. However, HR will provide assistance, advice and support to managers and staff at all stages of managing ill health problems.
- HR will assist with the management of long term absences.
- HR will collate, analyse and produce organisational statistics relating to absence. Absence statistics will be reported quarterly at the HR Quarterly meeting and to Committee.
- HR will provide training for Managers on the management of absence.

4.4 Payroll

- Payroll will identify when an employee is due to commence half pay or will exhaust their occupational sick pay and advise the employee and manager accordingly.

5. Monitoring and Review

The policy and procedures will be reviewed and monitored through quarterly analysis of sickness absence statistics.

On an annual basis the following will be reviewed:

- The number of staff referred to Occupational Health Services
- The number of staff referred to Employee Counselling Services
- The number of staff whose employment has been terminated due to ill health

WHEATLEY CARE SICKNESS ABSENCE REPORTING PROCEDURE

1.0 Introduction

Employees who are sick or unable to attend work (other than by pre-arrangement) must notify the organisation as soon as possible. This should be done prior to normal starting time. If the starting time is after 12 noon, the staff member must make contact 2 hours prior to the shift commencing.

Wheatley Care employees should report to the shift co-ordinator or designated Deputy Service Manager/Service Manager at their service. If neither are available or the employee does not wish to disclose the nature of the sickness to the shift co-ordinator then they may contact the first on call. They must then make contact with their line manager at the earliest opportunity.

It is the responsibility of individuals to make contact personally. However the organisation accepts that there will be occasions when an employee is unable to phone personally due to the nature of the illness. In such cases, calls will be accepted from a third party who must speak to the relevant person described above. Employees must then make contact as soon as practically possible. Text messages are not acceptable.

When reporting, employees should provide the following information:

- a) reason for sickness
- b) likely duration
- c) likely date of return to work
- d) immediate work issues needing addressed

The manager or page holder will agree with the employee how frequently contact will be maintained. Employees will inform their line manager of their date of return to work at least one day prior to return. On occasion, dependent on the nature of the illness and the length of absence, that the employee is requested to attend the Occupational Health Service prior to return, to ensure fitness for work and that any required supports are in place.

2.0 Certification Required

The organisation reserves the right to request a Doctor's certificate for any period of sickness, regardless of duration, but in general the following guidelines will apply.

Sickness of 1 – 7 days duration, employees are required to submit a self-certificate to their line manager. The line manager will complete sickness notification forms and forward them to payroll immediately.

Sickness of 8 days or longer, a fit note is required and should be submitted to the line manager. It is the line manager's responsibility to inform Payroll immediately.

Please note that in line with your terms and conditions of employment, Wheatley Care reserve the right to withhold payment if the correct certificates have not been submitted. Self-certificates must be submitted within 5 days of return to work and medical certificates within 5 days of the expiry of the previous certificate.

3.0 Absence Preceding or Following Annual Leave

Employees who are absent due to sickness the day before or after a holiday must make contact with their line manager. Reporting procedures apply as above. Employees should not commence annual leave until they are fit to do so and have discussed fitness with their line manager. An employee may be requested to attend a Return to Work meeting with their manager to ensure fitness prior to continuing from sick leave onto annual leave. The outcome of such a meeting may be that the Manager postpones annual leave.

4.0 Sickness During Annual Leave

If you are on annual leave and are taken ill, your absence may be recorded as sick leave, provided you comply with reporting procedures by:

- a) contacting your line manager on the first day of sickness
- b) complying with the reporting arrangements agreed
- c) submitting self and medical certificates for the period as required

5.0 ACCRUAL OF ANNUAL LEAVE

Whilst receiving Occupational sick pay, employees will continue to accrue annual leave.

An employee who will not be able to take their full leave entitlement prior to the end of the leave year, due to sickness, may apply to take statutory annual leave during the course of their absence. This request should be made in writing to their line manager who will forward the request to Payroll. A period of sick leave will be converted to annual leave and paid accordingly.

If you are not able to take statutory annual leave entitlement of 4 weeks (pro rata) due to sickness you will be entitled to carry this over to next leave year.

6.0 Payment During Sickness

Occupational sick pay entitlement depends on length of service, compliance with this procedure and previous sickness record. Details of sick pay entitlement are included in the Terms and Conditions of employment. Please note that when calculating entitlement to occupational sick pay, payroll will take into account absence in the previous 12 month period. In the event that you exhaust your entitlement to occupational sick pay (OSP), you will not receive further OSP, until either, your length of service entitles you to increased pay or you have a 12 month period without absence.

Entitlement to sick pay is as follows:

Service	Full Pay	Half Pay
0 – 6 months	SSP only	
>6 months – 1 Year	1 month	1 month
1 – 2 years	2 months	2 months
2 – 3 years	3 months	3 months
3 – 4 years	4 months	4 months
4 – 5 years	5 months	5 months
5 years plus	6 months	6 months

- 6.1 Where an absence at work is as a result of a recorded accident or injury at work, then payment will be made for the first 3 days of absence. Absence as a result of accident or injury will not be considered as a first absence. Payment does not constitute acceptance of any negligence on the part of Wheatley Care.

7.0 Return to Work

When an employee has a date of return to work, they must notify their line manager as soon as possible, giving a minimum of one days' notice. On return to work the employee must report to their line manager. Arrangements will then be made for a return to work interview to be undertaken. The purpose of this interview is to ensure that the employee is fit to return to the workplace, to identify if there are any difficulties which may result in further absence and to ensure that any supports required are put in place.

If the member of staff has an ongoing medical condition then it may be possible in accordance with the Equality Act 2010, to make reasonable adjustments.

It is at the discretion of the line manager if they wish to refer the employee to the Occupational Health Service either prior to, or following, return to work. The line manager should contact the HR Representative to seek advice on the appropriateness of a referral and if necessary obtain advice from the Occupational Health provider on the value of a referral at this time. A referral must be fully discussed with the employee and their consent obtained.

The return to work interview does not represent a formal stage of the disciplinary or capability procedures.

8.0 Non-Attendance for Reasons other than Sickness

If you are unable to attend work for any reason other than sickness, you must notify using the same procedure as you would if reporting sickness absence. You will need to give your manager

- a) reason for absence
- b) duration of absence
- c) work related issues needing addressed

Your manager will agree reporting procedures with you and determine what type of leave is to be authorised. Wheatley Care has a number of policies and leave arrangements to support employees with domestic commitments. Reference should be made to the Time Off Policy.

9.0 Failure to Comply

Failure to follow reporting procedures, provide information requested or submit medical certificates timely, may result in disciplinary action. The responsibility for submitting medical certificates rests with the employee.

Falsification or attempts to mislead the organisation as to reason for absence may lead to disciplinary action.

Failure to comply with reporting procedures, maintain contact or submit certificates may result in pay being stopped or suspended.

PROCEDURE FOR SHORT-TERM ABSENCE

1.0 Introduction

Wheatley Care recognises that employees will on occasion be absent from work. However, the organisation has a duty to provide a reliable service to the people we work for and therefore needs to ensure employees maintain the highest possible level of attendance.

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

It is the responsibility of the line manager to record and monitor individuals records of attendance. They will be supported in achieving this by Human Resources.

It is important that managers have clear triggers in place for reviewing absence. The triggers should include:

- Frequent short-term sickness absence e.g. **periods of sickness for 3 consecutive months or 3 periods of sickness in a 6-month spell.**
- Absence linked to certain days or times e.g. Monday/Friday absence or pre or post annual leave
- Absence linked to particular shift patterns, e.g. sleepovers or weekends
- Absence which is not satisfactorily explained
- Absence linked to work-related stress

2.0 Monitoring

If a manager identifies any of the above triggers a meeting will be arranged with the employee concerned. This meeting is separate from the Return to Work Interview. The interview will have the following objectives:

- Advise the employee of the details of their attendance record and that it is a cause for concern
- Establish reasons why absences may be linked to certain days, times or shift patterns if appropriate
- Ascertain full explanations for absences if not clear
- Consider if the employee has any personal or work-related issues which are causing absence. Take steps to assist in resolving issues, e.g. referral to the Occupational Health Service(OHS) to identify if there is an underlying medical condition may be appropriate. If so contact the HR Representative. An employee's consent is required to make a referral. Consider other supports such as the Flexible Working Policy or the Time Off policy.

- If the reason for absence is work-related stress, please contact the HR Representative regarding a stress risk assessment.
- Consider if any alterations to duties, working hours are relevant. Consider temporary redeployment.

It will be discussed and agreed with the individual over what period of time the employee's attendance will be monitored, e.g. 3 months. Clear standards of attendance should be set with the employee and a review date agreed. Standards should be agreed based on previous attendance record comparable attendance of the team/section and the organisational targets. The purpose of the monitoring period is to support the employee in improving attendance.

Advise the employee that if there is no improvement in the level of attendance at the end of the monitoring period, the situation will be considered under the Disciplinary policy.

3.0 Short term absence as a result of an underlying health condition

Please note that where there is any indication or concern that frequent short term absences are as a result of an underlying health condition, referral must be made to Occupational Health Services. Where an underlying health condition is identified and covered by the disability provisions of the Equality Act 2010 and frequent absence is likely as advised by Occupational Health, this must be considered separately during monitoring and no disciplinary action taken in this respect. Where frequent short term absences as a result of an underlying health condition cause concern over capability to carry out the role, then the capability policy should be followed.

4.0 Work Related Stress

Where a line manager is notified that absence is a result of work related stress, they must contact the HR department. Arrangements will be made to discuss the relevance of carrying out a Stress Risk Assessment with the employee. This will be undertaken by the line manager and HR representative, unless the stress relates wholly or partially to the relationship with the line manager. In this case, another manager will conduct the Stress Risk Assessment with the HR representative. Stress Risk Assessments are forwarded to the occupational health service and an appointment made. The process must be fully explained to the employee. Any work related stress absence must be dealt with immediately.

5.0 Pregnancy

Absence as a result of pregnancy, must be recorded but treated separately. Pregnancy related illness will not be included in determining triggers for the management of absence. A risk assessment must be completed and regularly reviewed for each pregnant employee. If there are any additional concerns about health at work during pregnancy, consideration should be given to a referral to Occupational health. An employee who is absent with a pregnancy related illness 4 weeks prior to the expected date of confinement will automatically commence maternity leave.

PROCEDURE FOR DEALING WITH LONG TERM ABSENCE

1.0 Introduction

Wheatley Care are committed to assisting employees with long-term health problems. The organisation will adopt a sympathetic, understanding and supportive approach to employees experiencing long term and/or chronic health problems.

Employees who find themselves in this position should be confident that their manager will react in a supportive fashion when approached.

2.0 Contact

Maintaining contact in any absence is important, but particularly important for employees on long term absence. Contact can sometimes be sensitive, perhaps due to the nature of the illness or employees may feel that they will be forced to return to work too early. The purpose of contact during this time is to ensure that the employee is supported in improving their health where possible and to maintain contact so the employee does not feel out of touch with the workplace.

The level of contact should be at a level which is appropriate to the circumstances but avoids being intrusive. The purpose of the contact is to:

- find out the nature and progress of the illness
- reflect the concern of the employer
- ensure the employee knows how and when to submit medical certificates
- provide any support that may improve their health

It is important that managers apply a consistent but sensitive approach. Method and frequency of contact will depend on the circumstances of the absence. Contact should be made by phone, letter and meetings. A meeting will normally be held at 4 weeks of absence at the employee's home or a Wheatley Care place of work. This meeting will be arranged and attended by the line manager and one other manager. The employee may have a friend or relative present if they feel this would be helpful. The employee should be assured that the meeting is to support them.

At this meeting the manager will wish to ascertain the following:

- continuing nature of the illness
- if there are any work related contributing factors
- likely duration of absence
- employee's consent to attend Occupational Health Service (OHS) (if appropriate)

Referral to OHS may be made to determine:

- if the individual will be fit to return to work
- the timescale for return if appropriate
- if a change of duties/hours is required for a temporary period
- to identify if the employee's condition is considered under the Disability provisions of the Equality Act.
- to identify if there are any work related factors
- if any further reasonable adjustment should be made

Referral at this time may not be appropriate, for example, where the employee is awaiting a surgical procedure, test results or return is imminent. Managers should use their discretion and seek advice from the HR Representative about whether to make a referral. The HR Representative is able to seek advice from Occupational Health services about the appropriate time to make a referral so that the employee and the organisation gain most benefit from it.

Where it has been determined that a referral to occupational health is necessary and after discussion an employee refuses to attend, they will be clearly advised that the consequence of this may be that a decision will be taken on their present and future fitness for work only on the available information and without the benefit of Occupational health advice.

Referral to Employee Counselling Services should also be considered at this stage if appropriate and not already put in place.

Following a referral to OHS, the Manager will arrange to meet with the employee to discuss the report and recommendations received.

Referral to Occupational Health may result in one of the following recommendations:

3.0 Readjustment

Where Occupational Health Service reports advise reasonable adjustment would assist the employee in returning to work, the organisation will make every effort to achieve this. This may include consideration of working patterns, alteration to duties or transfer. Application for grants where appropriate and advice from Disability Advisers from the Employment Service is available and assistance may be sought towards the cost of equipment or transport to work. It should be noted that where Occupational Health recommend this, it is for the organisation to decide whether it is reasonable to provide this given all the relevant circumstances.

4.0 Temporary Redeployment

Temporary redeployment may be suitable for some employees who are fit to return to work in some capacity, but require a period of transition before resuming full duties of their substantive post. Temporary redeployment may be in the same section or elsewhere in the organisation. The period of redeployment will be determined by the advice provided by the Occupational Health Service and following full discussion between the employee and line managers involved.

To ensure that as much support as possible is given to allow people to return to work, the employee will return on normal pay of their substantive post. This is limited to 3 months in the first instance, but may be extended to a maximum of 6 months, with the agreement of a member of the Coordinating Management Group (CMG). The CMG member's decision will be based on occupational health advice and the operational needs of the service.

An employee may have a phased return to work, working on a part-time basis and using annual leave due, to increase hours to full time.

These decisions will be made based on the nature of the individual's illness and Occupational Health advice provided.

5.0 Permanent Redeployment

Where the OHS advise that an employee is permanently unfit for their substantive post, redeployment will be considered. The organisation will identify if any appropriate vacancies exist. A move to a new post as permanent redeployment will be paid at the appropriate rate for the job and will be with the agreement of the employee. It will not be subject to protection of salary. To process this, the Section Head, Area Care Manager or Service Development Lead will identify if there are any suitable vacancies in the organisation. The employee will be invited to provide personal and job related information to allow comparison with the criteria for any available posts, Where an employee does not meet the minimum essential criteria but it could be reasonably met by training, this should still be considered. Vacant posts may be offered to employees who require redeployment as a result of ill health, prior to a post being advertised.

6.0 Absences over 8 weeks in length

If the absence has reached 8 weeks in length, managers must seek advice from HR, if they have not already done so. A report will be submitted from the manager to HR on the proforma, providing detail of support to date. HR and the manager will conduct the next support meeting and the manager will continue to be responsible for managing the absence until its conclusion.

The manager will maintain contact by phone, letter and visits, and, with the assistance of HR, will seek any available supports for the employee and enable the employee to return to work where this is possible.

7.0 Return to work after long term absence

Where an employee is able to return to work after a long term absence they may require support to do so. Returning to work after a long period of absence can be very difficult, which is why regular contact is important throughout absence. There are several things which may assist the employee to return:

- Phased return – this may be recommended by occupational health, but can be useful to ease an employee back into the workplace. This may be a shorter working week, shorter days or no sleepovers or night shifts for an initial period.
- A visit to the service or section to meet with colleagues and the line manager before the first shift may be useful to spend time catching up with events or changes during the absence.
- The Disability Employment Adviser through Access to Work may be able to provide assistance to help someone return to the workplace. Please contact the HR Representative for further information.

8.0 Termination of Employees Contract

Following OHS advice that an employee is unfit for their substantive post on a permanent basis or for the foreseeable future and where other options are not available or have been exhausted, the employee may be dismissed on the grounds of capability. A manager with authority to dismiss will chair any further meetings

The following factors will be taken into account prior to the decision being made:

- the length of absence to date and likely duration of continuing absence
- the nature of the illness
- the effect of the continuing absence on the operational needs of the organisation
- the advice received from Occupational Health Services
- sick pay entitlement
- the effect the decision may have on the employee

If the chair of the capability meeting confirms the recommendation to terminate an employee's employment, a meeting will be arranged with the employee. Termination on the grounds of capability due to ill health is a dismissal in law and therefore must be treated as such. The meeting is a formal meeting but should be conducted in a sensitive manner. The employee must be advised of their right to representation

Following the meeting, should the decision be to confirm terminating employment the employee will be advised in writing and advised of their period of notice.

Employees continuously employed for up to 4 years	4 weeks
Employees continuously employed for more than 4 years but less than 12 years	1 week for each year of service
Employees continuously employed for 12 years or more	12 weeks

The manager conducting the meeting must complete a termination form for the individual and forward to Payroll. Any annual leave untaken must be paid and a long service award if applicable.

As with any employee leaving the organisation the employee should be given the opportunity to complete an exit questionnaire and have an exit interview if desired.

Wheatley Care, where appropriate, will provide support and assistance to the employee in gaining access to their occupational pension from the Pensions Trust.

Consideration should be given to how the employee wishes to say goodbye to colleagues and the people we work for and arrangements should be made.

9.0 Appeal

The employee has the right to appeal against termination of employment by writing to the relevant member of the CMG within 5 days of receipt of the letter confirming the decision to terminate employment.