

## REVISED SUPPORTING ATTENDANCE AT WORK POLICY

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### 1.0 EXECUTIVE SUMMARY

1.1 The main purpose of this report is to seek approval for the revised Supporting Attendance at Work Policy, which replaces the current Managing Attendance at Work Policy. The new policy and supporting procedures have been developed in consultation with managers, employees and the recognised Trades Unions. It is simpler and clearer.

### 1.2 THE POLICY AIMS TO:

- Ensure compliance with changes to legislation and best practice in relation to Covid-19 requirements and employee wellbeing.
- Promote increased attendance at work.
- Shift focus to **supporting** employees to improve their attendance rather than focusing on processes and punitive measures. This is reflected in the procedure to be renamed Supporting Attendance at Work Policy.
- Ensure equality for part-time workers by applying triggers on a pro-rata basis.
- Change the trigger from 3 to 4 instances within a 12 month period.
- Reduce the number of stages and provide more flexibility.
- Remove cautions from the short-term absence process and replace with structured discussion to manage absence with timescales for improvement.
- Introduce additional guidance on pregnancy and maternity related absence.
- Introduce additional guidance on managing employees with terminal illnesses.
- Introduce a specific appeals process for attendance related dismissals.

### 1.3 RECOMMENDATIONS:

1.3.1 It is recommended that the Policy and Resources Committee approve the new Supporting Attendance at Work Policy for onward transition to the Council.

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**2.0 INTRODUCTION**

**2.1** The HROD Wellbeing Team has reviewed the Council's Maximising Attendance Policy and Procedures in accordance with the Wellbeing Strategy. The team took into account responses to the employee health and wellbeing survey 2019 and engaged with managers and Trades Unions. The outcome of the review indicated that a clearer, more flexible and supportive approach to managing attendance would be more effective, and would ensure both managers and employees better understood their responsibilities in relation to absence. The new approach is intended to improve attendance at work and also takes into account the impact of the procedures on employee wellbeing.

**2.2** The updated policy and procedures are compliant with current legislation and reflect best practice.

**3.0 RECOMMENDATIONS**

**3.1** It is recommended that the Policy and Resources Committee approve the new Supporting Attendance at Work Policy for onward transition to the Council.

**4.0 DETAIL**

**4.1** Council approved the creation of a temporary Wellbeing Team in HROD to implement the Wellbeing Strategy and improve attendance. This team has undertaken a comprehensive review of the Attendance Policy and Procedures, engaging with managers, employees and Trades Unions. The views of employees were gathered and analysed through the 2019 Wellbeing Survey and were fed into the review.

**4.2** Engagement with managers began with an anonymous survey to employees with line management responsibility (graded at LGE9 and above) to gather their views on managing attendance for their teams. This survey will be repeated after implementation of the new policy to assess improvement. Feedback was provided by 182 managers (a response rate of 45%). On reviewing the feedback, the general responses were that managers considered the following:

- The Return To Work Interview process generally works well
- Absence Triggers are helpful
- Automated notifications when a trigger is met is helpful
- The MyView process for recording absence processes is too time consuming
- The Absence Triggers are too easy to reach
- Occupational Health advice is not always helpful
- The Absence line is good but is only open during core hours and the notifications sent out are not always timely
- Information on the Hub regarding managing absence needs to be improved
- The system and process for managing absence needs to be clearer and less time consuming
- Provision of more HR and training support to managers would be beneficial to ensure practical advice was available when managing complex cases.

**4.3** An Attendance Review Working Group was established with several managers and Trade Union representatives to gather and discuss feedback on what works well, what doesn't, current challenges in terms of the operation of the procedure and any other improvement ideas. Some of the comments were as follows:

- Processes are too confusing, need to be more straightforward
- There are too many stages in the procedures
- It is not clear what stage the employee is at when they fall under two processes (i.e. short term and long term absences)
- Standard letters regarding absence are too harsh/impersonal
- Some management discretion is required but all managers need to follow the process
- Automatic emails sent to notify managers the employee has hit a trigger are helpful
- Concern that the triggers can cause presenteeism and employees may return to work when still unwell
- The trigger of 3 instances in 12 months is too harsh and easily reached
- There is currently no pro-rating of triggers for part time staff
- Catering staff require to be 48 hours clear of symptoms before returning to work adding to days absent, which affects their absence
- Treatment in relation to bereavement is too harsh
- Often surgeries have a specific recovery so regular meetings with the employee seem futile
- More information re keeping in touch and how to approach difficult situations like absence due to cancer would be helpful
- Not sure if all Return To Work Interviews are being carried out in accordance with the current procedures and RTWI statistics are frustrating, as they appear lower than expected

- Having to repeat stages in the procedures due to time lapse is a concern – there can be too many stages to get through
- Some of the recommendations made by Occupational Health are difficult to accommodate.

**4.4** Having listened to the feedback of employees in the health and wellbeing survey, managers from the survey and views of Trade Unions and managers in the review group and Trade Union Liaison Group, the Employee Relations Wellbeing Team revised the Supporting Attendance at Work Policy and associated Procedures. The Policy is attached at Appendix 1 for consideration and approval.

**4.5** In summary, the following changes are proposed:

- Shift in focus to **supporting** employees to improve their attendance rather than focusing on processes and punitive measures. In light of this it is proposed that the Policy be renamed Supporting Attendance at Work Policy.
- Reduction in the length of the procedures to reduce the quantity of information and the prescriptive nature of the previous procedures ensuring that the revised procedures are clearer, more straightforward and flexible.
- Additional guidance developed with regard to keeping in touch with the employee whilst they are absent to ensure an appropriate amount of contact is agreed from the outset and maintained throughout the absence

**4.6** Proposed changes to absence triggers:

Current triggers	Proposed triggers in new Policy
<ul style="list-style-type: none"> <li>• 3 occasions of absence within 12 month rolling year</li> <li>• 10+ days of absence within 12 month rolling year for both full and part-time staff</li> <li>• 28 days continuous absence</li> <li>• Stress related absence</li> </ul>	<ul style="list-style-type: none"> <li>• 4 occasions of absence within 12 month rolling period (applies to both full and part-time employees)</li> <li>• 10+ days absence within 12 month rolling period – <b>pro-rata for part-time employees</b></li> <li>• 28 days continuous absence (<b>no change</b>)</li> <li>• Stress related absence – support for managers via Stress Reduction Procedures and use of Stress Risk Assessment or Talking Toolkit</li> </ul>

<ul style="list-style-type: none"> <li>• Any other pattern of absence</li> </ul>	<ul style="list-style-type: none"> <li>• Any other pattern of absence (<b>no change</b>)</li> </ul>
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- Proposed changes to process of managing long term and short term absence to reduce the number of stages and provide flexibility regards when meetings are held (within parameters) to ensure they are at the most appropriate points during the absence.
- Addition of guidance regards employees who cross both the long and short term process.
- Addition of a discretion section giving managers more guidance on when they may wish to consider discretion either in relation to moving through the stages or review periods.
- Removal of cautions within the short term process and replace with a discussion regards the consequences of continued absence and timescales for improvement.
- Addition of a section on managing pregnancy & maternity related illness explaining that employees will have Supporting Attendance Meetings but solely for the purposes of supporting and making reasonable adjustments.
- Addition of a section on managing employees with cancer/ terminal illnesses and better supporting information available on the Hub in relation to this.
- Moving the section on contagious diseases from Conditions of Service to give better guidance in relation to this and providing manager discretion to remove quarantine days from triggers.
- Addition of a specific appeals process for the Attendance Procedures (following current process for Grievance Appeals at Officer level).

**4.7** It is vital that our procedures are clear and allow both employees and managers to understand their responsibilities; that they are compliant with relevant legislation; and help improve attendance at work across the council, whilst also considering the impact on the employee and their wellbeing. Whilst the Council's absence ranking in the most recent LGBF (Local Government Benchmarking) has improved, the absence levels continue to be high in some service areas, which can have a significant impact on service resourcing and on other team members. It is important that HROD provide managers with the appropriate tools and support to improve this, which is the intention of this revised policy.

## **5.0 CONCLUSION**

**5.1** The revised Supporting Attendance at Work Policy and Procedures detail a revised approach to managing attendance that complements the Wellbeing Strategy and takes into account the views of our employees, managers and TU colleagues with regard to providing a simplified but effective and supportive approach to attendance management. This will contribute to the reduction in sickness absence and support employee wellbeing.

## 6.0 IMPLICATIONS

6.1 Policy	In accordance with the Wellbeing Strategy.
6.2 Financial	No direct financial implications but improved attendance reduces the cost to services of temporary cover.
6.3 Legal	Consistent approach and reduced timescale to completion of procedure will reduce instances of legal challenge due to failure to follow process.
6.4 HR	Failure to address attendance issues promptly will impact on employee engagement and productivity.
6.5 Fairer Scotland Duty: 6.5.1 Equalities	The EQSEIA shows that the policy has no adverse impacts on groups identified and has areas of positive impact. EqSEIA is available on the Council website/on request.
6.5.2 Socio-economic duty	No impact
6.5.3 Islands	No impact
6.6 Risk	High levels of absenteeism present a risk to organisational efficiencies, and can lead to poor morale and a disengaged workforce.
6.7 Customer Service	Higher employee attendance leads to increased productivity within departments improving customer service.

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**17<sup>th</sup> February 2021**

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## APPENDICES

Appendix 1 – Supporting Attendance at Work Policy