Managing Attendance Policy

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1. Introduction

1.1 The University of Glasgow places people at the heart of its strategy and is committed to the health, safety and wellbeing of all staff to ensure they are fully able to contribute to the University's success.

1.2 The University aims to achieve this through the provision of a safe and healthy working environment, supportive policies and procedures and the implementation of supportive measures when appropriate. The University will actively promote healthy working lives and employee wellbeing.

1.3 The University recognises that employees may be absent from work due to ill-health from time to time and acknowledges that absence not only has an effect on employees suffering from ill-health, but also on the overall performance of the University. It is therefore important that absence is managed effectively and that clear and supportive procedures are in place to support both employees and managers when required.

1.4 This policy has been designed to provide a consistent framework for the management of attendance and promotes open communication as the most effective tool to ensure that the working environment supports, as far as possible, attendance at work. It provides outline procedural guidance for managing attendance and specific guidance is available on key stages via the links provided. Notwithstanding this, the University recognises that sometimes, due to the nature of an individual absence case, the procedures as outlined in this policy may need to be adapted to the individual circumstances. In such cases it is expected that this will be done in a sensible manner and a pragmatic approach taken to ensure the appropriate management of the case. Advice may also be sought from your local HR Team.

2. Aims

2.1 The aims of this policy are to:

- Maximise the support provided to employees in order to assist them in attending work
- Provide employees and managers with a consistent framework for reporting, recording and managing sickness absence
- Encourage communication and dialogue around wellbeing and ill-health, in particular where this is either impacting on work, or being impacted by work
- Identify employees who may require support to return to work and/or undertake their duties and identify any adjustments which may be required
- Help prevent absences from occurring and/or help to facilitate a sustained return to work
- Ensure the University acts in a fair, reasonable and consistent manner when dealing with sickness absence
- Contribute to the promotion of a health and wellbeing culture within the University

3. Scope

3.1. This policy applies to all University of Glasgow employees.

4. Principles

4.1. The University is committed to supporting the wellbeing of its employees and will provide a safe and healthy working environment in line with a wider focus on improving employee health and wellbeing.

4.2. The University will manage employee absence in a fair, consistent and sensitive manner in line with the outlined procedure. Training and support will be offered to line managers to support the application of this policy and procedure.

4.3. The University will monitor attendance levels and produce absence data reports as appropriate. Any personal information is stored in the strictest of confidence and in line with the requirements of the Data Protection Act 1998 and is only discussed between appropriate managers, Human Resources and Occupational Health.

4.4. The University will comply with all statutory requirements regarding the request and disclosure of medical information.

4.5. All absences from work due to ill-health must be reported and recorded appropriately.

4.6. The University has identified 'review points' which set the point at which an individual's absence levels cannot normally be sustained and has established an attendance improvement process which will typically be followed when review points are reached.

4.7. Regular, open and honest communication between managers and employees is essential to maintaining a supportive and positive attendance culture, including;

- Raising/discussing any health, work-related or other issues which may impact an employee's ability to attend work
- Maintaining regular and reasonable contact throughout any absence
- Discussing and/or reviewing support during and following illness, especially regarding return to work arrangements
- Identifying and acknowledging poor attendance and discussing where improvement is required

- Understanding the possible consequences of continued, unsustainable absence(s)

4.8. The University will consider the need to make adjustments where appropriate, in order to support employees to maintain attendance at work.

4.9. Managers and employees are expected to ensure that the appropriate type of leave is used for any time off. Sickness leave should be only used when an employee is unfit to carry out their duties. It should not be used to cover other circumstances for which other types of leave are available (e.g. annual leave, Parental Leave, Emergency Time Off to Care for Dependents, Carers Leave).

4.10. The University considers dismissal due to absence to be a last-resort and will explore all other opportunities to achieve a satisfactory improvement in attendance, or to achieve and support a return to work, before dismissal is considered.

4.11. Guidance and advice should be sought from the relevant HR Team for any specific concerns regarding the application of the policy.

5. Roles and Responsibilities

5.1. Employees

5.1.1. Employees must attend work unless unfit to do so, taking personal responsibility for their own health, well-being and attendance at work.

5.1.2. Employees should raise any health concerns which may impact on their work with their manager as early as possible to ensure that support mechanisms or adjustments can be considered at the earliest opportunity and to allow consideration to be given to any potential operational impact.

5.1.3. When absent from work due to sickness or injury, employees must report their absence promptly, in line with the reporting procedures.

5.1.4. Employees are expected to maintain reasonable contact with the University and ensure that all relevant certification is up to date throughout any period of sickness absence.

5.1.5. Employees are expected to attend any arranged Occupational Health appointments and are expected to co-operate with the University in obtaining any required medical information. Adjustments will be made, where required, to support employees to attend Occupational Health appointments.

5.1.6. On returning to work, employees should attend a return to work discussion with their manager to ensure that they are fully supported in their return.

5.2 Managers

5.2.1 Managers should support a positive wellbeing culture by taking proactive steps to create a safe and healthy working environment for their employees and by addressing any health or attendance related concerns at the earliest opportunity. This can include considering or implementing adjustments to support employees to attend work and/or carry out their duties.

5.2.2 Heads of Service/School/Directors of RI should monitor attendance levels in their respective areas and ensure appropriate action is taken in response to any identified trends. This may include ensuring the Managing Attendance Policy is being applied fairly and consistently or considering proactive health & wellbeing initiatives to address emerging health issues.

5.2.3 Managers are accountable for the effective application of the Policy, including maintaining communication, applying review points consistently, carrying out return to work discussions and implementing agreed actions (e.g. adjustments).

5.2.4 Managers are expected to approach employee absence sensitively and confidentially, taking into account individual circumstances.

5.2.5 Managers should ensure that reasonable contact is maintained with employees during periods of absence.

5.2.6 Managers are expected to refer employees to the University's Occupational Health Unit when medical advice is required, in the context of concerns over an employee's wellbeing or attendance.

5.2.7 Managers should have an appropriate 'Return to Work' discussion with their employees after every period of sickness absence.

5.2.8 Managers are accountable for the appropriate application of this policy and decisions made under it and should seek advice from their local HR Team when required.

5.3   Human Resources

5.3.1   Local Human Resources teams work in an advisory capacity to provide information and support to both managers and employees in relation to the application of the Managing Attendance process. This includes providing support with the Occupational Health referral process. HR also deliver training and support to ensure managers have the knowledge and skills to effectively manage attendance. HR monitor absence data and can highlight any significant trends.

5.4   Occupational Health

5.4.1   Occupational Health are concerned with the work-related impacts of an employee's health, both in terms of how work or the workplace might impact on the employee as well as how the employees' health may impact on their work. Occupational health cannot provide a diagnosis or treatment for an employee's medical condition.

5.4.2   Occupational Health can provide advice across a range of areas, including (but not limited to):

- The potential impact a medical condition may have on an employee's ability to attend work/carry out their duties
- Likely return to work timescales
- Whether or not workplace adjustments may be appropriate

5.4.3   Referrals to Occupational Health are made by line managers using the Occupational Health Referral form. Referrals are routed via Human Resources before being sent to Occupational Health. Additional guidance on the completion of the referral form is available in the Guidance – Occupational Health Referrals.

5.4.4   A Fit for Work Service (FFWS) has been implemented by the Government. GPs may directly refer individuals to this service and as a result managers may find themselves in receipt of additional advice from the FFWS. This will normally be in the form of a written report given to them by an employee. Advice from the FFWS should be followed where possible or appropriate, however where there are concerns managers may wish to contact Human Resources or seek additional information from Occupational Health. Further information can be found at Healthy Working Lives Scotland.

6.   Sickness Payment

6.1 The University values the contribution made by its employees whilst recognising that illness or injury is a normal part of our lives. The University therefore provides sick pay as outlined below.

6.2 Subject to the absence reporting and certification procedures having been followed, employees will receive sickness payment for a period of one sixth of service* on full salary then one sixth of service on half salary, up to a maximum period of six months at full salary followed by six months at half salary. *Service is measured at the start of the absence.*

6.3 An employee's sickness payment entitlement takes into account any sickness payment already paid in the previous 12 months. Previous absences may have used up some of an employee's sickness payment entitlement therefore any remaining entitlement will be adjusted accordingly.

6.4 Employees who exceed their occupational sick pay allowance may still qualify for Statutory Sick Pay for up to 28 weeks.

6.5 Employee terms and conditions of employment detail the method of calculating sick pay.

7. Absence Types

7.1 To assist with the provision of guidance on appropriate support and management, the University differentiates between short-term and long-term absences as follows:

7.2 A short-term absence is defined as any single period of absence up to a maximum of 4 calendar weeks.

7.3 A long-term absence is defined as any single period of absence lasting longer than 4 calendar weeks.

8. Reporting Sickness Absence

8.1 Initial Absence Reporting

When an employee is unable to attend work, they should notify their manager directly, as soon as possible but no later than half an hour after their normal starting time. Where an absence is not related to ill health the employee should discuss with their manager whether an appropriate form of leave is available.

Employees should report their absence personally by telephone, wherever possible. It is acceptable to leave a voice message, during working hours, only where a line manager is unobtainable. Where this occurs, employees should try to make contact at a later time, or leave details of a suitable time for their manager to return their call.

If under any circumstances an employee is missing from work without a viable explanation, which ultimately causes concern, the manager should investigate in order to ensure that the employee is safe. Where it is not possible to make contact and concern remains, the local HR Team should be contacted for further advice.

Where an employee expects to be absent for some time or is unsure as to when they expect to be well enough to return to work, they should agree ongoing contact arrangements with their manager.

8.2   Recording Absence

On being notified that a member of their team is absent from work through ill health, managers (or a designated Administrator) must input the relevant details into the HR system which can be accessed in the Core HR Self Service manager dashboard. By clicking on "My Team Diary" the line manager can add the occurrence of absence to the appropriate employee.

8.3   Absence Certification

Absences continuing beyond 7 calendar days must be covered by appropriate medical certification (typically a 'Fit Note' from a GP but this may also be an appropriate hospital certificate). Absences of 7 days or less should be recorded in Core and agreed by the employee on their return (with no requirement for medical certification).

Employee absence certification should be sent to line managers in good time, ensuring that the full period of absence is covered without any gaps. Anticipated delays should be communicated in advance. Unjustifiable delays in submitting medical fit notes, or unauthorised gaps in cover, may result in sick pay being stopped or suspended until appropriate certification is received. Unless otherwise agreed due to exceptional circumstances, continued uncertified absence will be treated as an unauthorised absence and will normally be managed in accordance with the University's Disciplinary Procedure. Managers should seek advice from their local HR Team in these circumstances.

Absence details must be updated on the employee's record as certification is received. This is the responsibility of the manager or designated Administrator and can be accessed in the Core HR Self Service manager dashboard.

Once the full details are loaded onto Core, the paperwork should be disposed of securely via confidential waste so employees must state if they wish their certification to be returned to them.

9.   Maintaining Contact During Absence

9.1 It is important that absent employees are not isolated from the workplace. Regular dialogue prevents this, ensures all parties are up to date on progress and allows discussion to take place around any appropriate support or adjustments (and their implementation, if appropriate) to either facilitate an earlier return to work or to ensure that a return to work is successful and sustained. Advice or support may be sought from either Human Resources or Trade Union representatives where required. This is particularly encouraged in complex cases.

9.2 Employees should remain contactable during periods of absence and similarly managers should ensure that they maintain reasonable contact with absent employees, particularly in longer-term cases. The frequency and method of contact (phone call, text, email, other) should be jointly agreed during the early stages of absence and reviewed periodically as appropriate.

Discussions may cover:

- Updates in relation to current health/fitness for work
- Likely absence duration
- Any support or adjustments which may help a return to work
- Whether an Occupational Health referral is appropriate
- Clarification of operational issues requiring attention in the employee's absence
- Updates on workplace developments
- Any difficulties/concerns
- Any next steps in the process

9.3 The timing and need for face-to-face meetings should be assessed on a case-by-case basis as every absence is different. As a guide, Absence Support Meetings may take place as per below:

- After a set period of time (e.g. 1 month), subject to the circumstances of the absence and taking into account any pre-notified recuperation timeframes
- After receiving an Occupational Health report (or other medical advice) which needs to be discussed
- After being informed by an employee of a notable change in their medical circumstances
- After any event which may impact on the employee's ability to return to work

9.4 If there is any suggestion at any point that contacting an employee may not be appropriate, managers should seek advice from their local HR Team. Meetings should be arranged to take place at a location which accounts for the needs of the employee, but should normally take place in work. In certain circumstances, it may also be appropriate for the meeting to be held remotely via video rather than requiring the employee to travel, for example for keeping in touch meetings where someone is off long term and travel would be difficult for them.

9.5   Further information, including guidance on carrying out these meetings, is contained in the Guidance – Managing Long-Term/Ongoing Absence.

9.6   Managers may also find the Template – Contact Record helpful to record details of any contact which has taken place.

10.   Annual Leave During Sickness Absence

10.1   Annual leave entitlement continues to accrue during periods of absence and employees who are long-term absent may wish to take annual leave whilst they are absent (e.g. to continue receiving full pay where they would otherwise drop to half or nil pay).

10.2   Managers should actively monitor annual leave balances and should discuss these as appropriate with employees. This may include discussing how an employee intends to utilise their annual leave entitlement on their return to work following a long absence, either prior to the return or during the return to work discussion.

10.3   Employees who fall sick during a period of planned annual leave may reclaim their annual leave and should, as far as possible, provide evidence of their illness (a medical certificate) in order to do so.

10.4   Annual leave should not be taken in order to fully cover a period of absence due to ill health.

11.   Managing Short-Term/Frequent Absence

11.1   Frequent short-term absences can in some cases be a sign of an underlying medical condition, therefore it is important that supportive steps are taken to discuss any frequent pattern of absence in order to explore the cause, its impact and how an improvement may be achieved (with support if required). While the University wishes to be supportive in addressing frequent short-term absences, it should be noted that absences of this nature can be particularly disruptive and the Attendance Improvement Process outlines the typical approach to the management of this type of absence, recognising this process has a different approach to that for managing long-term/ongoing absence (as outlined in Section 12)..

11.2   As a guide, short-term absences can be managed effectively through:

- Having Return to Work Discussions after every period of absence and establishing whether or not a Review Point has been met

- Alerting the employee to the fact that their attendance levels are giving cause for concern

- Establishing whether there is an underlying medical condition affecting an employee's ability to attend or carry out work, taking advice from Occupational Health if required. If perceived work-related stress is identified as an underlying condition, the guidance under the Stress At Work section should typically be followed in the first instance.

- Considering any possible adjustments to support employees and taking appropriate advice or guidance from HR and/or Occupational Health, particularly in cases where an underlying medical condition is identified.

- Following the Attendance Improvement Process whenever a review point has been met, subject to HR advice in cases where an underlying medical condition is identified

- Monitoring attendance to provide support, aid and explore improvement and give consideration to appropriate escalation within the Attendance Improvement Process where an attendance problem continues

11.3 For more detailed guidance on managing short-term absence please see Guidance – Managing Short-Term or Frequent Absence.

12. Managing Long-Term/Ongoing Absence

12.1 The primary aim in cases of long-term absence is to ensure employees are fully supported in order to facilitate a return to work at the earliest possible point, wherever possible. Long-term absences can be managed effectively through:

- Maintaining regular contact throughout the duration of the absence, including:

  o Routine informal communication/keeping in touch

  o Inviting employees to Long-Term Absence Support meetings (Template Letter – Invite to Long-Term Absence Support Meeting) as appropriate to discuss their absence and next steps in the process. Other template letters are available from local HR Teams.

    ▪ These meetings should be documented using the Form – Long-Term Absence Support Meeting Record.

    ▪ These meetings should be timed depending on the specific circumstances of the absence but should typically be no less than one every 3 months (as a guide). *Advice or support may be sought from*

either Human Resources or Trade Union representatives where required. This is particularly encouraged in complex cases.

- Identifying relevant information as early as possible, including the cause of absence and any known prognosis

- Considering whether an Occupational Health Referral is appropriate (particularly at an early stage). Additional support and guidance are available via local HR Teams.

- Discussing and considering any adjustments or supports (including those recommended by Occupational Health) which can be put in place to support a return to work, then monitoring the effectiveness of these after the employees return. Further information can be found in Guidance – Considering Reasonable Adjustments. This may include giving consideration to a phased return to work and further advice is available in Guidance - Phased Return to Work.

- Considering redeployment where medical advice states that the employee is unlikely to return to their contractual role within a reasonable period of time

- Where advancing to a capability hearing is a possibility, details of this and its potential outcomes must first be made clear to the employee at the appropriate absence support meeting.

- Seeking advice from Pay and Pensions on whether ill health retirement might be applicable

- Where an employee has a significant absence history and/or where it is apparent that a return to work in any capacity is either not possible (or is not possible within a reasonable timescale*) and all other options have been exhausted, a decision may be taken to arrange a capability hearing

  o *In determining what is reasonable, factors which may be taken into consideration include:

    ▪ The advice given in any medical reports obtained (it is also particularly important to obtain a recent and up-to-date medical report)
    ▪ The likelihood of a return to work/improvement in attendance
    ▪ The level of impact/disruption of the absence on the Service/School/RI
    ▪ The availability of alternative resolution measures such as workplace adjustments, redeployment to a suitable alternative roles or ill-health retirement (as above)

12.2 HR advice must be sought before proceeding to a capability hearing and in relation to the production of the capability report itself.

12.3 For more detailed guidance on the different elements of managing long-term absence please see <u>Guidance – Managing Long-Term Absence</u>.

13. Managing Mixed Absence Types (Short-Term and Long-Term)

13.1 Where a member of staff has a mixed history/pattern of short and long-term absences, return to work discussions should take place for every absence as normal. This should include applying the <u>Review Points</u> (which are likely to be reached with such a pattern) and following the <u>Attendance Improvement Process</u>.

13.2 As with other circumstances, it is important to establish whether or not there is an underlying reason for the absences at an early stage and to seek HR advice if this is the case.

13.3 Where an employee has a history of frequent short-term absence prior to a period of ongoing long-term absence, the long-term absence should still be managed as per the guidance on managing long-term/ongoing absence. In such cases, employees may already be on the advanced stages of the <u>Attendance Improvement Process</u> and where this is the case, consideration may be given to this when considering the need to progress to a capability hearing as part of the management of their long-term absence.

14. Work-Related Injury or Absence

14.1 *Work-related accidents:* Where an employee has an accident at work (particularly an accident resulting in absence), they must notify their line manager immediately following the incident or at the earliest possible opportunity thereafter. Having been informed of the incident, the line manager should follow the procedure outlined on the <u>Accident & Incident Reporting web page</u>. To comply with legally prescribed time limits for the reporting of certain incidents, the incident reporting form (where required) must be returned to Safety and Environmental Protection Service (SEPS) within 5 working days (or immediately where the accident is of a more serious nature).

14.2 Work-related absence: Where it is indicated that an absence may be the result of a work-related condition (e.g. a musculo-skeletal condition), or where their health is being affected by work, it will normally be appropriate to consider a referral to Occupational Health.

14.3 A separate process is in place (see below) to support employees who have identified work-related stress.

15. Stress At Work

15.1 Through its aim to provide a safe and healthy working environment, the University is particularly committed to addressing any matters relating to stress at work. Stress at work can be caused by a number of factors and support is available to employees who believe they are experiencing stress.

15.2 Where an employee believes they are experiencing work-related stress, they should approach their line manager to discuss their concerns as soon as possible. The Form – Notification of Work-Related Stress should be used to document any perceived causes, concerns, impacts and proposed resolutions. Managers are responsible for responding to any concerns notified through this process and taking remedial action where possible. While consideration can be given to making a referral to Occupational Health in these cases, it should not be automatic. Many of the issues which may be cited as work-related stress can often be resolved through positive management interventions.

15.3 A referral to Occupational Health may be appropriate in some cases after initial discussions have taken place, but should not automatically be the first step in addressing work-related stress.

15.4 The University also provides an Employee Assistance Programme via PAM Assist, which offers various tools and facilities which may be useful.

15.5 Both employees and managers may wish to familiarise themselves with the appropriate policy on Managing Stress in the Workplace.

15.7 Managers should also carry out routine local area/generic risk assessments as a proactive step in the prevention of work-related stress.

16. Return to Work Discussions

16.1 Return to Work discussions are informal and ensure employees are welcomed back to work, confirm fitness for work and allow for updates on any relevant work-related matters or developments. They are also an appropriate time to discuss any underlying medical condition, its possible impacts at work and whether any adjustments can be considered to support the employee.

16.2 It is good practice to ensure that Return to Work discussions take place after every absence in order to ensure that employees are safe and well enough to be back at work. For absences where no review point is met or where the manager has no other concerns, a short verbal discussion is appropriate with no need to complete a return to work form. For absences which meet a review point, where the manager has any concerns or following long-term absences the discussion should be recorded using the Form - Return to Work Discussion to both structure and record the discussion.

16.3 Additional practical guidance can be found in <u>Guidance – Carrying out a Return to Work Meeting</u>.

16.4 In all cases, an employee's absence record on CoreHR should be updated on their return from an absence.

17. Review Points

17.1 The University has set review points which identify the normal point at which an individual's absence levels should be investigated, with a view to providing support and management to bring about an improvement.

17.2 The review points are any one (or combination) of the following:

- 4 occasions of absence within the last 6 months
- 6 occasions of absence within the last 12 months
- 12 or more days sickness absence, accrued over more than 1 period of absence, within the last 12 months *(Pro-rated for part-time staff)*
- Any other recurring, recognisable pattern (e.g. frequent absenteeism on a Monday)

17.3 An employee's absence history should be checked against the review points as part of their return to work discussion. Where a review point is met, the Attendance Improvement Process will normally be followed. Days which fall out with the previous 12 months should not be included when assessing whether or not a review point has been met.

17.4 Where review points are met through absences linked to an underlying medical condition, disability or pregnancy, HR advice must be sought on the application of the review points and the potential need to engage Occupational Health.

18. Attendance Improvement Process

18.1 Where it is identified at a return to work discussion that an employee has reached one or more of the above <u>review points</u>, the Attendance Improvement Process should normally take place in accordance with the process described below.

18.2 In some cases, managers may decide not to proceed to the Attendance Improvement Process if it is deemed that an employee's attendance is otherwise satisfactory. Where this is the case, the reason for not progressing to the Attendance Improvement Process should be documented in Section 4 of the <u>Form - Return to Work</u>. An example of this may be where an employee has tried with good intentions to return to work, but quickly has to report sick again for the same absence reason. In such a case it would be appropriate to link the two absences as one, not counting them separately for the purposes of establishing if a review point has been reached.

18.3 In addition, consideration must be given at each stage to whether the unsatisfactory attendance is related to an underlying medical condition or disability. In such cases, advice should be sought from the appropriate local HR Team.

18.4 Each stage in the Attendance Improvement Process, with the exception of the Informal Stage, involves a review to consider the facts of the case and determine an appropriate course of action. At each stage an Attendance Improvement Plan should also be in place to agree steps that the employee (and in some cases the manager) can take in order to improve and maintain attendance in the future and what support can be provided to assist them with this. Monitoring periods are included and where there is no improvement in attendance during a monitoring period, a further meeting (at the next stage) will typically be considered.

18.5 Employees are obliged to attend meetings under this process and may be accompanied by a Trade Union Representative or work colleague to formal meetings (Stages 1, 2 & Capability Hearing). Managers may seek support from HR at any stage to ensure proper application of the process.

18.6 Informal meetings and Formal Stages 1 and 2 will be carried out by the employee's immediate manager, with HR support if required. The Formal Capability Hearing can only be carried out by a more senior manager of Grade 7 and above. A representative from HR should be present at all formal meetings along with an assigned note-taker.

18.7 Hearing outcomes/decisions should be confirmed in writing within 10 days of the hearing.

18.8 An employee cannot appeal against an Attendance Improvement Plan (AIP) implemented at the informal stage of the process though the aim is always to reach mutual agreement on its content. If an employee wishes to appeal against the outcome of any of the formal hearings they must follow the process outlined in the Appeals section.

18.9 If an employee's attendance sufficiently improves during any monitoring period, any review periods will automatically lapse and their attendance should then be managed as normal. Confirmation should be given in writing that the monitoring period has ended.

18.10 Where an employee is not already being managed under the Attendance Improvement Process, the process must always start at the Informal Stage.

18.11 Local HR Teams can support with advice and the provision of appropriate template letters at each stage of the process.

19.   Informal Stage

19.1 This stage is intended to allow for informal discussion and management of an attendance matter before the formal stages are reached. It is expected that in the majority of cases, attendance will improve at this stage with no need to progress to the formal stages.

19.2 The process to be followed is outlined below:

- Where it is identified (as part of the return to work discussion) that an employee's latest absence has reached one or more of the review points, the Informal Attendance Improvement Plan should typically be completed following the discussion, using the reverse of the Form - Return to Work.

- The employee's attendance will normally be monitored for a period of 3 months at this stage. This informal monitoring period can be longer in exceptional cases, for example where it can be evidenced that there are some signs of improvement in attendance and it is felt that a longer monitoring period would be preferred over progression to the formal stages in order to confirm the improvement, or alternatively where there is an established pattern such as an employee's attendance repeatedly improving whilst being monitored only to worsen again soon after the expiry of the monitoring periods.

- Where there is no significant or sustained health improvement which impacts on attendance levels (or where the review points continue to be met) during the informal monitoring period, the process should be escalated to the formal stages as per below, starting with a Formal Stage 1 Review.

20. Formal Stages

20.1 The formal stages consist of three separate reviews, separated by monitoring periods as outlined below. At the first and second reviews, a letter of concern may be issued. At the third review, dismissal is a potential outcome. Cases should progress through each stage in order as appropriate.

20.2 All formal reviews under this process should be held separately from the return to work discussion, using the templates available from local HR Teams.

21. Formal Stage 1 Review

21.1 Where there is no significant or sustained improvement in attendance levels or where the review points continue to be met during the informal monitoring period, the employee should be invited to a Formal Stage 1 Review. Employees must be given reasonable notice of the meeting of no less than 5 working days in any case.

21.2 The Stage 1 Review will determine whether or not the case warrants the issue of a letter of concern, however where there are mitigating circumstances an extension to the informal

monitoring period may be warranted. The Attendance Improvement Plan will be reviewed and updated during this process.

21.3 Where a letter of concern is issued, this will typically remain active and the employee's attendance monitored for a period of 6 months as this timeframe is more likely to allow time for the individual's health to improve and subsequently an improvement in attendance to be made.

21.4 Where an employee's attendance improves sufficiently during the monitoring period, confirmation should be given in writing to confirm that the monitoring period has ended.

21.5 Where this improvement does not occur, the matter should progress to a Stage 2 Review.

21.6 Advice and template letters are available from local HR Teams.

22. Formal Stage 2 Review

22.1 Where there continues to be no significant or sustained improvement in attendance levels or where the review points continue to be met, during the Formal Stage 1 monitoring period, the employee should be invited to a Stage 2 Review. Employees must be given reasonable notice of the meeting, and no less than 5 working days in any case.

22.2 The Stage 2 Review will determine whether or not the case warrants the issue of a final letter of concern, however where there are mitigating circumstances an extension of the earlier letter of concern and subsequent Stage 1 monitoring period may be warranted. The Attendance Improvement Plan will be reviewed and updated during this process.

22.3 Where a final letter of concern is issued, this will typically remain active and the employee's attendance monitored for a period of 9 months in order to allow time for the required improvement to attendance to be made.

22.4 Where an employee's health and attendance improves sufficiently during the monitoring period, confirmation should be given in writing to confirm that the monitoring period has ended.

22.5 Where this improvement does not occur, the matter should progress to a Formal Capability Hearing.

22.6 Advice and template letters are available from local HR Teams.

23. Formal Capability Hearing

23.1 Where there continues to be no significant or sustained improvement in attendance levels or where the review points continue to be met, during the Formal Stage 2 monitoring period, the employee should be invited to a Formal Capability Hearing. HR advice should be sought before progressing to this stage.

23.2 Employees must be given reasonable notice of the hearing, and no less than 5 days in any case.

23.3 The Formal Capability Hearing will review the full facts of the case and determine the appropriate action. Dismissal is a potential outcome at this stage and it is important that employees are fully aware of this. Where there are mitigating circumstances an extension of the final letter of concern and associated monitoring period may be warranted. Where this course of action is chosen, the Attendance Improvement Plan will be reviewed and updated accordingly.

23.4 Advice and template letters are available from local HR Teams.

24. Capability Hearings

24.1 The University aims to take all reasonable steps in order to support staff who are experiencing significant and/or ongoing medical conditions however in some cases it is accepted that the nature of an illness (or its effects) can lead to a position where an employee is unable to continue in their employment with the University. In some circumstances, it will also be the case that the University cannot sustain the employee's level of absence any longer due to the operational impact of an absence on service delivery/provision, colleagues, teams or finances.

24.2 In cases of long-term absence, this position will have been reached following a period of time (to allow for recovery/improvement) and having explored all options to support or facilitate a return to work (not necessarily to the substantive role) as outlined in Managing Long-Term/Ongoing Absence.

24.3 In cases of short-term absence, this position will have been reached following a sustained period of frequent/intermittent absence resulting in an escalation through the identified Attendance Improvement Process without the required improvement in attendance.

24.4 Capability hearings during a long-term absence, or at the end of the Attendance Improvement Process, are typically the final stage of an absence process and dismissal on the grounds of ill health/capability is a potential outcome. Through either the Attendance Improvement Process or through long-term absence review meetings, employees should receive regular communication to ensure they fully understand the process and potential outcomes of a capability hearing. Managers considering progression to a capability hearing should always seek advice from their local HR Team.

24.5 Capability hearings must be carried out by a more senior manager to the manager involved in managing the absence case. The more senior manager can only be of grade 7 or above. A representative from HR should be present along with an assigned note-taker and the employee can be accompanied by a colleague or Trade Union Representative.

24.6 In all cases, when reaching a decision on whether or not to dismiss an employee on the grounds of capability/ill-health, managers should consider:

- The employee's full attendance record
- The level of consultation with the employee throughout the process
- All medical advice received, particularly any recent medical or Occupational Health reports
- The availability or effectiveness of all alternative resolution measures such as workplace adjustments, role adjustments, redeployment or ill-health retirement
- The operational impact of the employee's absence
- Any financial or cost implications
- Any representations made by the employee or their representative

24.7 Hearing outcomes should be communicated at the hearing whenever possible, following a period of adjournment. In all cases, the decision should be confirmed in writing within 5 working of the hearing.

25. Appeals

Lodging an Appeal

25.1 If an employee wishes to appeal the outcome of a decision made at any hearing held under the Managing Attendance Policy, they should submit an appeal in writing outlining their full grounds for appeal, to the appropriate College/University Services Head of Human Resources within 10 working days of receipt of the University's decision. Employees will be notified that their appeal has been received within 5 working days.

25.2 The appeal stage is not intended to be a rehearing of the original case. Hence the grounds for appeal should typically fall within one of the following:

- Procedural error
- The outcome and recommendations are unreasonable and significantly out of line with the issues considered
- New information is now available which could not have reasonably been provided when the original outcome was communicated

Where the appeal relates to new evidence there should be a clear statement provided outlining the reason why this was not available for consideration at the previous stage.

25.3   The University will invite the employee in writing to attend an appeal hearing, normally within 10 working days of receipt of an appeal. The employee may be accompanied by a Trade Union representative or work colleague.

25.4   Appeals will be heard by an independent and normally more senior manager (the Appeal Manager) who will consider the case with an open mind. Appeals in relation to dismissals will be heard by a panel of 2, the chair being a senior member of University staff (of minimum Grade 7) and the other being an appropriately trained member of staff*.

For staff engaged in teaching, the provision of learning or research the trained member of staff will be a senior member of academic staff drawn from a grouping proposed jointly by University Management and the recognised Trade Union(s) and approved by Court.

25.5   If the employee or their Trade Union representative is unable to attend the appeal meeting, steps will be taken to rearrange this as soon as possible. However, if the employee is persistently unable or unwilling to attend a meeting, the Appeal Manager may review the available materials and reach an outcome based on the information available to them. A decision to proceed in this way will be communicated in writing to the employee in advance.

25.6   Appropriate training/guidance will be provided to Appeal Managers and members of Appeal Panels by Human Resources. Further information and guidance on the appeal process is available from the appropriate College/University Services HR team.

The Appeal Outcome

25.7   Once the Appeal Manager has considered all the points raised they will normally provide a response, in writing, within 15 working days.

25.8   The decision of the Appeal Manager is final and there is no further right of Appeal.

26.   Abuse of the Policy

26.1   The University does not expect absent employees to deliberately engage in any activity, including second employment, which is inconsistent with clinical advice on their condition or which might delay recovery. Where there is evidence of this, or any other deliberate abuse or manipulation of the managing attendance policy or sickness pay entitlements, the matter may be referred for consideration under the University's disciplinary procedure.

27.   Review

27.1   This non-contractual policy was developed in full consultation with the campus Trade Unions.

27.2   The policy will be reviewed periodically by the University and may be amended at any time following appropriate consultation.

Additional Support/Reference

- Policy for Managing Stress & Mental Wellbeing in the Workplace
- Employee Assistance Programme (including counselling)
- Alcohol, Drug and Substance Misuse Policy and Procedures
- Dignity At Work & Study Policy

Document Control	
Policy name	Managing Attendance Policy
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