Office of Police & Crime Commissioner – Devon & Cornwall
Policy Cover Sheet

Policy Name:	Attendance Management Policy (Formerly Sickness Management & Ill Health Procedure)
Version Number:	V1.0
Date:	9 November 2012
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Policy Authorised by:	Julie Hall-Williams
Policy Sign off Date:	12 November 2012
Policy Signed off by:	Sue Howl – Chief Executive
Cover note:	This policy sets out the high level principles and ethos around attendance management and is based on the existing version held by Devon & Cornwall Police (D&CP). D&CP are currently putting all HR policies into the new Force template style and reviewing content in terms of legislative changes, terminology and bringing them up to date. This policy version is based on the revised D&CP draft recently consulted on and signed off at Partnership Group. It is proposed the existing Police Authority (PA) attendance management operating procedures remain in place from a practical implementation of policy perspective.
EIA status:	Policy will require EIA from the PA/OPCC perspective.

Office of Police & Crime Commissioner – Devon & Cornwall Attendance Management

Version dated:

1.0 Contents List [FOIA Open]

2.0 Policy Statement [FOIA Open]

2.1 Managing attendance is essential to the efficiency of the organisation. The key objective of this policy is to encourage an attendance culture within the Office of Police & Crime Commissioner (OPCC), where all parties take responsibility for their attendance at work, demonstrating a clear commitment to attendance in order to maintain high standards of service.

2.2 The OPCC is committed to providing, as far as is reasonably practicable, a healthy and safe working environment. It recognises that the health and welfare of individuals is a key element in the delivery of quality policing services, as well as in maintaining job satisfaction and morale.

3.0 Introduction [FOIA Open]

3.1 The OPCC's 'people management' policies reflect the organisation's commitment to its staff, and are underpinned by the highest standards of integrity. They provide a high-level set of principles, which are supported by procedures, working practices and guidance. By nature, however, it is not possible to cover every eventuality that may occur within the context of 'people management'. It may be necessary to vary the approach to ensure matters are dealt with in the most efficient/appropriate way whilst maintaining equity and fairness. Any variance from the stated practice should be justifiable in these terms.

3.2 This policy has been created in line with the requirements of, but not limited to, the Equality Act 2010/Public Sector Equality Duty, Employment Rights Act 1996, the Human Rights Act 1998, Data Protection Act 1998 and the Employment Act 2008.

4.0 Principles/Ethos of the Policy [FOIA Open]

4.1 Absence from work is a fact of life. People will always get sick and need time off work to get well again. A well run attendance management programme not only helps to improve the health and wellbeing of individuals, but also has a positive impact on the organisation. Sickness absence can be defined as "non attendance at work by an employee when attendance is expected by an employer" (Rob B. Briner, British Medical Journal 1996; 313:874-877)

4.2   All individuals are responsible for taking all reasonable steps to maintain attendance at work. Where an individual is unable to achieve and sustain acceptable attendance levels the line manager is responsible for managing attendance in accordance with the policy. Senior managers are committed to ensuring attendance is managed effectively.

4.3   The appropriate HR adviser will endeavour to provide advice to line managers in managing attendance but is not responsible for managing individual absence issues.

4.4   The organisation's requirements are:
- that other than in the case of another form of approved leave (for example, annual leave, family leave, etc.) our people are at work when they are well enough to be at work;
- they are absent when they are too ill to be at work;
- they return to work as soon as they are well enough to do so. This may not be on full duties initially, as recuperative and restricted duties will be considered;
- line managers have the responsibility for managing attendance.

4.5   The OPCC recognises the majority of staff who report sickness absence are genuinely not able to fulfil their duties and responsibilities due to illness. All staff will be provided with every reasonable support and assistance in such circumstances.

4.6   The organisation, however, places a great deal of trust on its staff to be open and honest and will view, very seriously, instances of staff claiming sickness absence where this is subsequently found not to be the case.

4.7   The Family Leave Policy outlines alternative arrangements that may be more appropriate in some circumstances than reporting absent from work due to illness when this is not genuinely the case.

4.8   The overriding principles of the policy are:

Attendance Management

4.8.1 All cases of sickness absenteeism will be handled in a fair, consistent, transparent and supportive manner.

4.8.2 Recognising good attendance at work is essential for creating and supporting an 'attendance culture'. Line managers are responsible for recognising full attendance, which may be reflected within Appraisals. Conversely concerns about attendance and any management interventions that may have been undertaken such as absence review meetings & regular supervisory meetings may also be referred to in Appraisals.

4.8.3 Keeping in touch: In cases of sick absence it is essential that contact be maintained between the individual and line manager to provide necessary support, to establish the duration of the absence and to provide support in planning the employee's return to work.

4.8.4 Return to work interviews are an important aspect of supporting and sustaining an individual's return to work. Line managers are responsible for undertaking return to work interviews as appropriate and/or where requested by individuals. This would

include long term absences, absences for psychological reasons or where an individual's attendance at work is being actively monitored through action plans, or formal capability procedures.

4.8.5 Attendance levels are recorded for monitoring purposes using the Bradford Factor; this formula is a straightforward mathematical calculation used to identify frequent short-term absences.

4.8.6 A proactive approach will be taken to managing absence in order to develop an 'attendance culture'. It is essential that line managers ensure an individual's absence from, and subsequent return to, work is recorded promptly and accurately, as failure to do so may affect an individual's pay. It is essential that all individuals ensure they fully understand their responsibilities including promptly recording their return to work. Should an individual not fulfil their responsibilities appropriate action will be considered; this may include identification of specific training and/or development needs, through to consideration of misconduct proceedings.

4.8.7 Occupational Health support will be provided in cases of short and long term absence as appropriate, where there is a concern regarding the individual's absence or where an Occupational Health view may best assist in supporting an individual in the workplace.

4.8.8 The line manager will ensure employees are aware they have access to employee assistance support.

Capability

4.9 Capability procedures will be initiated where an individual's attendance pattern is unacceptable. This involves a three stage supportive process with a view to facilitating a sustained improvement in the individual's attendance. If the individual remains unable to achieve an acceptable attendance level after appropriate support and formal warnings, the final sanction would be dismissal.

Management of Ill Health

4.10 The OPCC is committed to the effective management of ill health wherever possible:
a) Seeking to:
- Retain skills that support effective service delivery, which might otherwise be lost to ill health retirement
- Maintain staff levels appropriate to business need
- Reduce the impact on colleagues of an individual's ill health management
- Allow an individual to continue a career that supports service delivery and maintains the original investment in their training and development
- Controls the associated costs of ill health management including pension costs.

b) Ensuring that, in support of the principles of policing:
- Operational requirements, people management practices and the Local Government Pension Scheme (LGPS) combine to ensure that fair and effective decisions are taken on poor attendance and ill-health retirements
- Where possible police staff are rehabilitated rather than retired on ill-health grounds

- Consistent decision making which allows good practice to be developed and audited.

Please Note: Retirement on the grounds of ill health is not possible for a member of staff who is not a member of the LGPS.

Monitoring

4.11 Absence monitoring is carried out periodically. These results are shared with the appropriate senior management team and should be reviewed as a standard agenda item at appropriate meetings.

5.0 Audit Compliance [FOIA Open]

5.1 This policy has been drafted and audited to comply with the principles of the Human Rights Act. Equality and diversity issues have also been considered to ensure compliance with equality legislation and policies. In addition Data Protection, Freedom of Information, Management of Police Information and Health and Safety issues have been considered. Adherence to this policy will therefore ensure compliance with all relevant legislation and internal policies. Under the Freedom of Information Act 2000, the document is classified as 'OPEN'.

6.0 Review and Ownership [FOIA Open]

6.1 This policy is owned by the Office of the Police & Crime Commissioner, with a review undertaken on a two yearly basis or earlier if required.

7.0 Useful Links [FOIA Open]

7.1 Practical procedures are available to assist with the effective and consistent implementation of the policy. For enquiries relating to this policy contact the Chief Executive until such time as the structure of the OPCC is determined.

Appendix 1 - [FOIA – Open]

Responsibilities

The following provides an overview of individual, line manager, HR as appropriate and OHSU responsibilities in managing attendance. All staff must ensure they are aware of their full responsibilities as detailed through the procedure.

Individual Responsibilities:

- Take reasonable steps to maintain their good health and high level of attendance at work;
- Recognise own and others' health needs and seek relevant help and support;
- Understand the standards of attendance expected and the impact upon colleagues, managers and the organisation;
- Understand the Attendance Management Policy and Procedure and comply with the requirements detailed within including:
  - reporting absence directly to line manager as early as possible, including giving as much notice as possible for planned operations or treatments;
  - providing continuous medical certificates for the duration of their absence;
  - maintaining regular contact with their line manager for the duration of their absence, providing appropriate updates and visiting the workplace on a regular basis where possible;
  - engaging with all meetings/procedures including OHSU/specialist appointments, Absence Review Meetings and meetings held under the Capability procedures;
  - commitment to achieve agreed action plans and to sustain an improvement in attendance;
  - notifying line manager upon return to work and recording their return on 'Myself' at the earliest opportunity; and
  - attending Return to Work Interviews as requested.

Line Manager's Responsibilities:

- Maintain a healthy and safe working environment;
- Ensure individuals are aware of the expected standards of attendance and support them in achieving the standards;
- Recognise good attendance at work;
- Record any management interventions undertaken during the previous year;
- Manage individuals attendance at work utilising advice and guidance from HR as appropriate;
- Undertake early supportive interventions including Absence Review Meetings and ensure contact is maintained as this is the most effective way of achieving a prompt return to work;
- Consider, arrange, document and support reasonable adjustments as appropriate;
- Take appropriate management decisions within the scope of the policy with due consideration of HR and medical advice;
- Understand the Attendance Management Policy and comply with the requirements detailed within including:
  - receive reports of absence and obtain appropriate information including fit notes; **Please note:** Consideration may be given to withdrawing the right for the individual to self certify themselves as absent where the line manager considers this is appropriate, due to high levels of short term absences or an evident pattern of absence. If the right to self certify is withdrawn the individual would be required

to provide a fit note for each subsequent period of absence. The OPCC will not reimburse any associated costs in obtaining a GP's certificate. The withdrawal of the right to self certify must be reviewed at the next review meeting;

➢ promptly record absence on 'Myself' and ensure individuals record their return to work on 'Myself' on their return to the workplace;
➢ undertake prompt referrals to OHSU, providing relevant and sufficient information;
➢ undertake timely reports on progress when requested by OHSU;
➢ to attend Absence Review Meetings as appropriate and prepare the appropriate report;
➢ maintain contact with the individual during the entire period of absence, including regular contact visits, and provide appropriate support and updates;
➢ manage the individual's return to work, including return on an agreed basis, e.g. restricted working hours;
➢ ensure timely, informative updates are provided in respect of absences and individuals undertaking restricted duties; and
➢ instigate formal capability processes where attendance continues to be unacceptable.

HR support:

- Provide advice to line managers, as appropriate, in supporting the implementation of policy.
- Provide notification to line managers of individuals who reach one or more of the specified trigger points and individuals requiring annual review by OHSU;
- Provide advice, guidance and development to line managers in respect of managing complex cases and in implementing Absence Review Meetings and formal capability procedures.

OHSU Responsibilities:

- Manage the medical aspects of the case as appropriate including:
  ➢ allocating appointments;
  ➢ referrals for specialist advice/treatment;
  ➢ liaise with primary care teams where appropriate;
  ➢ gain required consent for reports to be obtained and shared with HR and line managers as appropriate; and
  ➢ facilitate healthy, timely return to work and full duties focusing on the individual's capacity.
- Provide timely reports to the line manager and HR, as appropriate, following FMA appointments (within an agreed timescale, not likely to exceed 5 working days) detailing medical advice and opinion;
- Provide medical advice and opinion during appropriate meetings; and
- Maintain medical confidentiality at all times considering the balance between the individuals and the organisation's needs.

Senior Managers Responsibilities:

- Monitor implementation and compliance with the Attendance Management Policy and Procedure;
- Provide advice, support, guidance and development to line managers;
- Decisions in respect of formal capability procedures with guidance from HR as required; and

- Responsibility for achieving performance indicators in respect of absence from work as appropriate.