



<b>Title</b>	<b>Absence and Attendance Management</b>
<b>Purpose</b>	<p>Maryhill Housing recognises that on occasions it may be necessary for employees to be absent from work. However, we also have a duty to provide a reliable service to our customers and thus we need to ensure that we help you maintain the highest possible level of attendance.</p> <p>The absence and attendance management policy is designed to help all employees achieve good attendance, and to ensure that a consistent and fair approach in managing attendance is adopted throughout the organisation.</p> <p>This policy sets out the procedures for reporting sickness absence and for the management of sickness absence in a fair and consistent way.</p> <p>This policy and the guidelines it contains are not intended to replace other policies, such as discipline and grievance, dignity at work, health and safety, managing stress, and other related policies.</p>
<b>Scope</b>	<p>This policy applies to all staff employed by Maryhill Housing. It does not apply to agency workers, sessional workers, consultants or contractors.</p> <p>This policy does not form part of any employee's contract of employment and we may amend it any time.</p>
<b>Definitions</b>	<p>For the purposes of this policy the following definitions apply:</p> <p><b>Sickness Absence</b> – is absence from work that is attributed to sickness by the employee</p> <p><b>Short Term Absence</b> - short term sickness absences are absences that last up to a maximum of 20 days.</p> <p><b>Long Term Absence</b> – long term sickness absences are absences that are 21 days or more.</p> <p><b>Attendance Management</b>- This refers to dealing with unacceptable levels of attendance, with no reference to reasons for absence or medical condition.</p> <p><b>Absence Review</b>- a meeting to discuss level of absence when 3 absences have been reached within a 12 month rolling period.</p>
<b>Policy Statement</b>	<p><b>Policy Aims</b> The policy aims to:</p>

- Manage attendance in a way that reflects genuine concern for staff and to develop a positive attitude towards attendance.
- Set clear expectations for standards of attendance that we require from employees
- Separate two processes: attendance management and absence management, and provide guidelines for staff and managers
- Identify the causes of absence and, where possible, develop a programme of preventative measures (e.g. healthy living initiatives, joint working with Occupational Health, Employee Assistance Programme)
- Ensure training and support is available to those involved in the process.

### **Principles**

- If your level of attendance is unsatisfactory, you will be informed what improvement is required and the possible consequences of failure to do so (which may include disciplinary action, including dismissal).
- The attendance management process looks at the number of periods / days absent and will also when reasonable to do so look at the reasons for the absence.
- If you have an underlying medical condition causing absence(s), we'll make efforts to put reasonable adjustments in place, where possible.
- Managers will conduct "return to work" interviews within the spirit of this policy.
- You need to adhere strictly to our absence reporting procedures. Failure to do so may result in disciplinary action and withholding of company sick pay.
- Managers will ensure that accurate, up to date and relevant attendance records are maintained for all staff.

### **Absence Monitoring**

- A fundamental feature of effective attendance management is the accurate and timely recording of all absences. This is essential in terms of the requirements of both the statutory and occupational sick pay arrangements. Such information allows patterns to be identified and can be an early indication of underlying health problems. The sooner these problems are identified and acted upon, the more likely a successful conclusion for both you and Maryhill Housing can be achieved.
- Accurate recording is also an essential element in satisfying any concerns over the fairness of any actions taken by line managers. The responsibility for storing such records rests with the Human Resources Manager.

## **Absence Reporting Procedures**

### **Reporting**

- If you are unable to attend work due to ill health, you must inform your Line Manager or any available manager by 9:30am if you are office based or at least one hour before the start of any scheduled shift that day if not office based (or as soon as reasonably practicable thereafter). Contact must be made by telephone on the first working day of absence, providing the reason for non-attendance at work and the likely duration of absence.
- Contact by text or e-mail is not an appropriate notification method. Only in exceptional circumstances e.g. being hospitalised can an employee inform the Line Manager by text, e-mail or have someone else telephone on their behalf.
- After this, you should contact your line manager as soon as you can and maintain regular contact by calling daily during the first week of your absence (unless otherwise agreed with your Line Manager) and weekly thereafter.
- We use a notification proforma when you phone in so that we understand the reason for your absence and if there are any outstanding work items that we need to make arrangements for. This proforma is retained confidentially in your personnel file. On your return, you must complete a self-certification form, whether or not you are entitled to sickness allowances and whatever the length or reason for absence. Every sickness absence will be followed with a return to work interview, including 'planned' sickness absences following scheduled medical procedures.
- Failure to notify your Line Manager of absence, in accordance with the reporting procedure outlined above, will be treated as unauthorised absence and may result in sick pay being withheld. If you do not contact us we will attempt to contact you, which may include contacting your emergency contact as noted on your HR file. It also may result in an investigation under the disciplinary policy being commence.

### **Fit Notes**

- If you are off work due to illness or injury for more than seven consecutive calendar days, you must provide a Fit Note from your GP as and when issued by the doctor.
- A fit note must be received by your Line Manager within 2 working days of the expiry date of the previous fit note. It is your responsibility to ensure the continuity of your Fit Note. Failure to provide a fit note to cover the entire period of absence will result in

sick pay being withheld and could also result in an investigation under the disciplinary policy being commenced.

### **Keeping in Touch**

- You must keep your Line Manager informed of the progress of your illness on a regular basis, by calling daily during the first week of your absence (unless otherwise agreed with your line manager) and weekly thereafter. Where you fail to keep in touch as outlined above, we will initiate and maintain contact with you.
- We expect you to let us know the following information: the reason for your absence, when you expect to return to work and your contact details. We are entitled to request this information and if you don't give us the information, we will contact you to find it out.

### **Failure to Comply**

- Where you do not follow reporting, certification, or agreed keeping-in-touch arrangements, we may withhold company sick pay. Failure to comply with these requirements may also lead to disciplinary action against you in accordance with our Disciplinary Procedure. Similarly, if we suspect that you have falsified your absence or have deliberately misled us, we will take disciplinary action against you. In serious and / or repeated cases, it may lead to dismissal.

### **Return to Work**

- A thorough return to work interview will be carried out after every period of sickness absence (including planned absences). These forms are available in the Staff Handbook folder on the central F Drive.
- This will be completed by your line manager (or another manager if your own manager is not available) on the first day of your return from work. Completed forms will be kept in your personnel file. The return to work interview forms contain confidential information and may only be viewed by authorised personnel, normally your line manager and any other manager who deals with the case.
- Dates of sickness absence will be recorded on the electronic time management system for attendance recording purposes - access to this information is limited to your line manager and the HR team. Your time will only be updated by HR upon receipt of your completed return to work form.
- Having maintained attendance records, managers will be expected

to review and discuss quarterly aggregated anonymous statistics at Directors' Team meetings and at departmental meetings with staff. Your case will not be discussed individually as it forms part of your confidential record.

- If your doctor (or any other medical professional) provides a Fit Note stating that you 'may be fit for work', with adjustments, Although employers are not obliged to follow the suggestions a discussion will then be arranged to assess if any of the measures which the doctor has recommended to facilitate the return to work can be implemented. This may take place at a return to work interview or as part of a welfare meeting. If appropriate measures cannot be taken, as determined by Maryhill Housing, you will remain on sick leave and a date will be set to review the situation.
- If we agree a phased return to work, the days you are still off sick within the agreed period will count as one period of absence. The days/times you are not working during a phased return will be classed as sickness unless otherwise agreed between you and your Line Manager/HR.
- You will however be monitored throughout the period of the fit note/phased return to ensure your continued presence at work is appropriate and there is no detrimental impact on your health and wellbeing. You may be referred to your doctor or Occupational Health for further assessment, as deemed appropriate by HR.
- If required we will discuss and review any required reasonable adjustments to support you back to work.

#### **Statutory Sick Pay (SSP)**

- You are entitled to SSP irrespective of your entitlement to company sick pay. The scale of entitlement to SSP is reviewed by the Government, normally at the beginning on each tax year. It is not paid for the first three days of absence and runs for 28 weeks after that.
- If you are no longer entitled to SSP, you may be entitled to an incapacity benefit. You can enquire about this at your local Department for Work and Pensions. We will tell you if you are not entitled to SSP and send you the appropriate government form, but it is then your responsibility to claim any other state benefit you may be entitled to.

#### **Company Sick Pay**

- Subject to complying with all parts of this policy, you will receive a sickness allowance when absent due to sickness.

- In any one period of 52 weeks, we will pay a sickness allowance in line with the following scale:

<b>Continuous service at the date sickness starts</b>	<b>Full allowance paid for:</b>	<b>Half allowance paid for:</b>
Up to 1 year	5 weeks	5 weeks
Over 1 and under 2 years	9 weeks	9 weeks
Over 2 and under 3 years	18 weeks	18 weeks
Over 3 and under 5 years	22 weeks	22 weeks
Over 5 years	26 weeks	26 weeks

### **Exclusions**

You will be excluded from receiving sickness allowance, where:

- you go sick whilst taking part in a stoppage of work due to a trade dispute at your place of work,
- you go sick whilst on maternity leave,
- on the first day of sickness, you are in legal custody,
- on the first day of sickness, you have already exhausted your Sickness Allowance entitlement in the preceding 12 months, or
- sickness or injury arises out of your gross misconduct or negligence,
- active participation in sport for payment or injury whilst working in your own
- time for private gain, or for another employer

### **Attendance Management**

- This refers to dealing with unacceptable levels of attendance, with no reference to reasons for absence or medical condition.
- We will aim to help you secure a good attendance record. This will involve maintaining good records, ensuring return to work interviews take place and helping investigate and address any identified underlying causes of absence.
- Where this fails to secure a required improvement, we will invoke the terms of the disciplinary procedure. Unsatisfactory attendance reviews may result in disciplinary action, including dismissal.
- If at any stage during this process it becomes apparent that an underlying health issue is involved, medical information will be sought and appropriate action will follow.
- Absence periods related to pregnancy or underlying medical

conditions classed as a disability under the Equality Act 2010 will not be counted for the purpose of the attendance management process.

### **Attendance Review Triggers**

Where “rolling” absence levels fall into one of the following categories, a absence review meeting will take place:

- 3 occasions of sickness of absence within a rolling 12 month period, or
- A total of 10 days absence within a rolling 12 month period.

If you have had 2 absences within this 12 month period, your line manager should advise you at your return to work meeting that any further absences during the relevant 12 month period will result in a discussion taking place under the informal process and it will trigger an absence review.

The absence review meeting will be held by your line manager, or other manager as appropriate, and will consider the following:

- the reasons for and impact of your absences,
- any patterns of absence,
- the likelihood of further absences,
- whether medical advice is required. If medical advice has been obtained, the review will consider the advice given and whether further advice / support is required,
- what, if any, measures might improve your health and / or attendance,
- agreeing a way forward, action that will be taken and a time-scale for review,
- depending on the stage reached, you will be warned that you are at risk of dismissal on the grounds of persistent short term absence or unsatisfactory attendance,
- in the event that dismissal is under consideration, we will consider whether there is a reasonable likelihood of you achieving the desired level of attendance in a reasonable time.

An absence review will be monitored for a period of 6 months, after which a review meeting will be held to determine if your attendance has now reached a satisfactory level.

- If you are absent during the 6 months monitoring period it will result in an Informal Action note being issued under the informal process of the Disciplinary policy.

### **Absence Management (long term absence or chronic health problems)**

We will adopt a sympathetic and understanding approach to employees

dealing with long term and/or a chronic health problem. If you find yourself in such a position, you should be confident that your manager will react in a supportive manner when approached.

- If you are absent for 4 weeks or more, you will be asked to attend welfare meetings with your line manager. The purpose of the meeting will be to discuss:
  - Current state of health
  - Likely timescale for a return to work
  - Long term ability to carry out normal duties (where appropriate)

These welfare meetings can take place in your home or may also take place within Maryhill Housing's offices or another mutually agreed venue.

- We are committed to helping employees return to work from long-term absence.
- We will maintain regular contact with employees on long-term ill health absence as appropriate to your circumstances. We will seek to meet with employees on long-term ill health absence to consult with you regarding your absence and your ability to return to work.

The following points will always be considered in relation to long-term absence:

- The nature of the illness and any contributing factors,
  - The likely duration and frequency of your absence(s),
  - Any actions that can be taken by you,
  - Any adjustments that we could make,
  - Any possible redeployment opportunities,
  - The nature of your duties in relation to your health problems,
  - Our business needs and the impact that your absence is having upon these, and
  - Your entitlement to sick pay.
- You may be requested to attend an assessment with an Occupational Health Physician, if advised by HR that this is appropriate. Medical reports may also be requested from your GP/consultant/specialist/psychiatrist etc on the current state of your illness, they may also be requested where you are suffering from an underlying medical condition even though you may not have been off sick for a prolonged period. Where you fail to attend a medical without prior notice, a cancellation fee will be charged to you.

Once medical information has been obtained from either Occupational

Health and/or your medical practitioner (as per the terms of Access to Medical Records Act 1988) a meeting will be arranged with you and your line manager (HR may attend if required) to discuss:

- Your prognosis
- The impact of the level of absence on the needs of the business
- A rehabilitation programme to assist your return to work if appropriate-such as a phased return to work, reduced or flexible hours, amended duties etc on a temporary basis in order to assist in your return to work.

### **Capability Process**

**A capability dismissal is possible where all other options have been exhausted.**

- If you disagree with the content of any medical reports, you are free to seek and offer alternative medical evidence. If you refuse access to medical records or do not turn up at an independent medical assessment, the process will be managed and decisions made based on the information available.
- You may be accompanied to any absence meeting by a trade union representative, friend or colleague. The line manager will be supported by Human Resources.
- Along with considering any medical reports, we will keep you fully apprised as to whether / for how long your absence(s) can be borne by us. In cases where dismissal through capability is being considered, we will discuss this with you fully first and you will be afforded the opportunity to express views on such a course of action. Alternatives to dismissal will always be considered where appropriate, and in line with business needs, such as reasonable adjustments and / or any current vacancies the Association may have.
- Where you have no foreseeable return to work date, there are no contractual benefits for which you may be eligible and there are no reasonable adjustments that can be made to support your return to work, a capability dismissal may be appropriate.

### **Dishonest Absence**

If you are found to falsify or exaggerate your absence, this will be treated

as gross misconduct. An investigation will be carried out in accordance with our disciplinary procedure and disciplinary action may be instigated, including dismissal or future withdrawal of company sick pay.

### **Contact with Infectious Diseases**

If you cannot come into work as a result of coming into contact with a notifiable infectious disease (that is reportable to RIDDOR in line with the Health and Safety at Work Act), you should tell us. You will then receive your full pay sickness allowance. We will not take this period of absence from your normal entitlement.

### **Criminal or Civil Compensation**

- If you are injured as the result of being the innocent victim of a criminal act, we will not take any sick leave from your normal entitlement. If the Criminal Injuries Compensation Board grant you compensation, you will not need to refund any sickness allowance we have paid out.
- If you are paid damages from a third party for loss of earnings due to a sickness or injury, we will ask you to repay any sickness allowance paid out but not more than the actual allowance paid or the amount of damages received for loss of earnings.

### **Work-related sickness or injury**

- We will not take a period of absence due to sickness or injury caused by an accident in the course of your employment from your entitlement to sickness allowance.
- If you are still unfit for work at the end of the appropriate full allowance period, the Chief Executive will review the case to decide on any appropriate levels of allowance which should be made.
- An absence due to an accident shall only be accepted and qualify for payment when appropriate details are recorded in MHA's Accident Book and, in the subsequent investigation by MHA, the facts recorded are found to be accurate and there has not been negligence on your part in terms of you complying with the recognised safe methods of work.

- Where you, as a result of the accident, are unable to make an entry, then another employee should make the entry on your behalf. In circumstances where no entry is made at the time of the accident, MHA will not unreasonably refuse the payment of the allowance and an investigation will still take place.
- In determining what action, if any, should be taken where your overall absence record includes period(s) of accepted industrial injury, managers should know the reasons for absence when assessing the record, and account should be taken of accepted industrial injuries when dealing with employees under the terms of this policy.
- Where, in applying this procedure, a manager identifies an employee who regularly sustains industrial injuries, additional training and/or advice may be required. The HR Manager and Health and Safety Officer will be available to offer managers assistance in this area.
- If your absence is the result of an accident at work directly resulting from your deliberate misconduct, we will withhold sickness allowance and we will also investigate it under the disciplinary procedure. If you disagree, you can use the grievance procedure.

### **Other Provisions**

#### **Absence and holidays**

- If you are on annual leave and fall sick, we may apply sick leave instead if we believe that your illness / accident has stopped you from proceeding with your planned holidays. We will however require a Fit Note to confirm your illness.
- If you are on sick leave and go on holiday, your line manager will investigate whether this is appropriate considering the reason for your absence. Depending on the outcome, the disciplinary procedure may be instigated.
- If there is a public or general holiday during your period of sickness, we will count this as sickness. This means that upon your return to work you will get this day back to take at a later time.

### **Conduct whilst off sick**

- When on sick leave, you are still bound by your contract of employment with us and all our policies including the Code of Conduct and your duty of fidelity. We also expect that you do not participate in activities that would be at odds with your medical condition. Any breach in respect of this will be dealt with under the disciplinary procedure. This includes conduct on social networking sites and any other publicly made remarks regarding Maryhill Housing Association, our customers, work colleagues, partners and anyone else who is connected with us.

### **Cosmetic procedures**

- Absence due to cosmetic procedures (whether carried out in the UK or abroad) will not fall under sick leave or pay, unless it is recommended by health professionals. Employees should therefore request time off and agree with their line manager how the absence will be processed, e.g. annual leave or unpaid leave.

### **IVF treatment**

- Absences resulting from IVF treatment will not be processed as sick leave or pay. The same relates to a partner of a person that is undergoing such treatment. Instead, you should discuss with your line manager how time off for the treatment could be accommodated, e.g. annual leave, flexi time or unpaid leave. Absences relating to IVF treatment will also not be treated as relating to pregnancy unless the employee actually falls pregnant.

### **Stress management**

- Stress is not an illness. It can result from an illness or lead to one but it is not an illness itself. The same relates to "nervous debility" or any other diagnosis of that type. If you go off sick with stress, your manager will endeavour to find out the underlying cause so that appropriate action can be taken (if any) and in particular to determine whether conditions at work cause or contribute to stress and whether something could be done to help the situation. If your absence is certified by a doctor or medical professional, your manager will ask them to clarify the underlying cause for stress. Your manager will provide you with the details of Maryhill Housing's

Stress Management policy and the related stress questionnaire.

## **Support**

### **Return to work**

- Prior to your return to work a discussion will take place with you with regards to any reasonable adjustments that may be required. We will engage with Occupational Health and/or your GP if required to support your return to work.
- Upon your return to work your Line Manager will welcome you back, check you are well enough to resume duties, and update you on any changes since you were off.
- In cases where there is room for improved attendance, you will be advised what is expected and the likely consequences if this does not happen.
- If your absence is related to a disability we will make every effort to make reasonable adjustments to enable you to continue working.

### **Occupational Health**

- Your line manager and/or HR can at any time within the remit of this policy and at their discretion, require you to consent to a medical examination by an Occupational Health Provider. Any instruction to Occupational Health will be done by the HR team and not by you or your line manager. You would have access to view this report once completed by the Occupational Health physician.

### **Employee Counselling Service**

As an employee of Maryhill Housing you have access to our Employee Counselling Service. This is a confidential service for you should you need additional support, while absent or following a recent absence.

The details are as follows:

- Legal and General EAP- Number: 0800 197 0655 (quoting Strathclyde/Stratclyde Pension Fund)
- Website information: [www.legalandgeneral.com/eap](http://www.legalandgeneral.com/eap)
- The access code/username and password for

website access is 'worklifeeap'.

You can also avail of face to face counselling through a management referral. This referral is arranged confidentially via HR. If you require this referral please speak to the HR Manager in the first instance.

### **Access to Work**

- If you're disabled or have a physical or mental health condition that makes it hard for you to do your job, we will always look at trying to incorporate necessary reasonable adjustments for you. However, Access to Work can provide extra help, including mental health support.
- You may be offered support based on your needs, which may include a grant to help cover the costs of practical support in the workplace.

An Access to Work grant can pay for:

- special equipment, adaptations or support worker services to help you do things like answer the phone or go to meetings
- help getting to and from work

For details on how to apply for Access to Work support please speak to the HR Manager.

### **Other Support Services**

Maryhill Housing also has trained Mental Health First Aiders. Mental Health First Aiders are a confidential point of contact for you or any employee who is experiencing a mental health issue or emotional distress.

### **Healthy Working Lives (HWL)**

Maryhill Housing participates in the HWL accreditation scheme and HWL provide a number of informative tools and resources to support employees with physical and mental illnesses.

You can get more information on what HWL offers through Maryhill Housing Healthy Working Lives group:

[healthyworkinglives@maryhill.org.uk](mailto:healthyworkinglives@maryhill.org.uk)

or via the HWL website directly on [www.healthyworkinglives.scot](http://www.healthyworkinglives.scot)

### **General Data Protection Regulations**

MH will treat your personal data in line with our obligations under the

	<p>current data protection regulations and our own Data Protection policy. Information regarding how your data will be used and the basis for processing your data is provided in MH's employee privacy notice.</p> <p><b>Roles and Responsibilities (see Appendix 1)</b></p>
<b>Approval</b>	Senior Management Team – 1 October 2019
<b>Policy Owner</b>	Marie Murphy-HR Manager
<b>Review</b>	This policy will be reviewed every 3 years and/or updated in line with changes in legislation.

**Appendix 1:**

**Roles and Responsibilities**

**R=Responsible**

**C=Consulted/ Sought Advice where required**

**I=Informed**

**X=Not applicable**

<b>Task</b>	<b>Line Mgr</b>	<b>HR</b>	<b>Payroll</b>	<b>Employee</b>
Ensuring employees are aware of the correct absence procedures-directing them to the absence and attendance management policy	R	C	X	R
Dealing with absence and attendance issues in a confidential manner	R	R	R	R
Conducting return to work interviews for all absences and carry out welfare meeting for those off +4 weeks	R	C	X	X
Ensuring that documentation relating to sickness absence (RTW, Absence Reviews etc) are sent to HR in a timely manner	R	I	X	X
Following the correct absence reporting procedures	R	C	X	R
Complete self-certification forms and hand in Fit Notes where applicable	R	I	X	R
Refer to Occupational Health	C	R	X	I
Attend Occupational Health meeting and provide permission to contact GP for medical report	X	I	X	R
Advise line manager if any disability or underlying medical condition	C	I	X	R
Keeping track of number of absences employee has had in the past 12 months	R	I	X	R
Notifying payroll of salary changes e.g. half pay, no pay	I	R	C	I
Carries out initial Absence Review and 6 months review meeting	R	C	X	I
Reasonable adjustments put in place for employee returning to work from absence	R	R	X	C
Signposting employee to support services as detailed in the policy	R	I	X	C