

Attendance Management Policy

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1 Introduction and purpose

- 1.1 This policy is designed to improve employee attendance by ensuring that issues to do with employee health and wellbeing are addressed in an appropriate and timely manner. It outlines the processes the university will follow in cases where an employee's attendance is a cause for concern.
- 1.2 The policy forms part of the university's overarching commitment to employee wellbeing and is one of the mechanisms through which the university will seek to help employees maintain health and wellbeing in the workplace.
- 1.3 This policy applies to all DMU employees except that sections 10-12 and 14 will not apply to those serving a period of probation. Concerns about attendance for employees on probation will be considered as a factor in the review of the probationary period and in accordance with the probation policy: **Support, Review and Guidance Procedure for Employees Serving a Probationary Period.**
- 1.4 Comprehensive guidance, checklists and procedure documents accompany this policy. These, along with other relevant policies and resources, are designed to equip and empower all DMU managers to manage employee attendance appropriately. See [Relevant policies and procedures](#).
- 1.5 This policy does not form part of any contract of employment and may be amended at any time.

2 Guiding principles

The policy is underpinned by the following guiding principles:

- i. Good attendance is valued and the university will put appropriate mechanisms in place to support employee attendance.
- ii. All sickness absence is presumed to be genuine and matters raised relating to an employee's attendance do not imply any distrust of staff or concerns regarding their conduct.
- iii. Employee absence will be dealt with in a way that is non-discriminatory and in accordance with the university's commitment to equality.
- iv. A degree of employee absence is inevitable but there may be occasions where an employee's overall attendance levels are a cause of concern.

3 **Roles and responsibilities**

3.1 **Managers**

- 3.1.1 Managers are responsible for managing attendance and are expected to intervene early to attempt to secure an improvement in employee attendance where it does not reach the standards expected. Managers are expected to prioritise the management of individual cases in accordance with the appropriate university policy or procedure and will be held accountable for attendance management within their areas.
- 3.1.2 Managing attendance is about managing people on an individual basis. Managers are expected to keep in touch with absent employees on a regular basis to ensure that contact with the university is maintained and to help facilitate the employee's early return to work.
- 3.1.3 Managers are responsible for conducting risk assessments where necessary and keeping them under review to reduce the level of risk and help to maintain health and wellbeing at work.
- 3.1.4 Managers are responsible for ensuring employee absence is accurately recorded on the university's absence management system and are accountable for keeping this up to date in accordance with university processes.

3.2 **People and Organisational Development**

- 3.2.1 POD will work collaboratively with managers to apply this policy, providing ongoing guidance, support and advice on individual cases to help ensure that the policy is applied fairly and consistently across the university.
- 3.2.2 POD will produce periodic reports and publish updates for relevant stakeholders on the university's performance in relation to employee attendance.

3.3 **Employees**

- 3.3.1 All employees are required to carry out their duties unless not fit to do so and comply with the university's absence reporting and attendance management procedures.
- 3.3.2 Employees should raise concerns with their manager or HR if they believe that their job is making them ill or contributing to illness and co-operate fully with Occupational Health and other organisations that provide support to the university and its employees.

4 **Services and support for managing attendance**

- 4.1 Managers should seek ongoing advice from HR on managing attendance particularly in cases where the employee's attendance is impacted by an underlying health condition.
- 4.2 The Occupational Health and Wellbeing (OHW) team provide a range of services to assist managers to take a proactive approach to attendance. Early intervention and referrals are essential to prevent acute problems becoming chronic and to improve the chances of facilitating a return to work for absent employees.
- 4.3 The Employee Assistance Programme (EAP) also provides support and resources for staff with people management responsibilities.

5 **Relevant policies and procedures**

The university has a range of policies that may be relevant in managing individual cases where employee attendance is causing concern and these should be applied alongside this policy where appropriate. They are:

- Incapability on Grounds of Ill-health Procedure
- Alcohol and substance misuse policy
- Stress At Work
- Redeployment Procedure
- Retirement Policy
- Special Leave Policy
- Flexible Working Policy
- Disciplinary Procedure

These policies and procedures are available on the POD intranet.

6 **Monitoring and reporting absence**

- 6.1 The university's processes (as amended from time to time) for notifying, recording, monitoring and reporting on employee absence must be consistently followed. Details of the university's processes are available on the POD intranet.
- 6.2 Managers can access all information necessary to apply this policy and to intervene in individual absence cases at an early stage in order to effectively manage employee attendance. This information is available from the university's absence management system and includes details on the frequency and pattern of absence and the reasons given, including those related to or made worse by work, such as accidents at work.
- 6.3 Updates on the university's performance in relation to employee absence will be published periodically and communicated, as appropriate, to all relevant stakeholders. This will be statistical data only taking into account the sensitive nature of the information relating to employee absence.

- 6.4 Performance data on employee absence will be scrutinised by Executive Board and the Board of Governors who may identify areas where improvement is needed and make recommendations aimed at achieving improvements in employee attendance levels.

7 Attendance management

- 7.1 The university will actively manage employee attendance in accordance with this policy to ensure appropriate and timely action is taken in individual cases where an employee's attendance falls below the standards expected.
- 7.2 Although the primary focus of this policy is attendance management rather than employee health, the university will seek medical advice on individual cases wherever necessary to support employees in improving their attendance and to ensure the most appropriate policy or procedure is being followed.
- 7.3 The attendance management processes to be followed are set out below and should be read in conjunction with the appropriate guidance document accompanying the policy.

8 Return to work discussion

This section should be read in conjunction with the guidance on holding a return to work (RTW) discussion contained within the **Absence Record and Return to Work Discussion form.**

- 8.1 Where an employee returns to work following a period of absence their immediate manager will have an informal discussion with them. The return to work discussion will take place following each period of absence regardless of the duration of the absence but will not be a mandatory requirement for absences authorised in advance by the manager eg jury service, special leave, etc. (See guidance: **Recording and monitoring absence** for more details).
- 8.2 A return to work (RTW) discussion will normally take place within 48 hours of an employee's return to work but in any event should be completed within five working days of their return to work.
- 8.3 There is no right to be accompanied by a trade union representative or a work colleague at a meeting set up for the purpose of holding a RTW discussion.

9 Trigger points for formal action

- 9.1 The trigger points for formal action under this policy are:
- i. Five separate periods of absence in a rolling 12-month period (this will reduce to four separate periods of absence in a rolling 12-month period after the policy has been in place for 18 months), or
 - ii. Ten days (74 hours) consecutive or nonconsecutive absence in a rolling 12-month period (pro rata for part-time employees).
- 9.2 In respect of 9.1(i), the number of separate occasions will not be pro rata for

part-time employees.

10 Attendance management meetings

This section should be read in conjunction with the guidance document: [Attendance Management Meetings](#).

- 10.1 An employee will be required to attend a formal attendance management meeting (AMM) when the frequency and/or duration of their absences have reached a trigger point.
- 10.2 The AMM will usually take place within two weeks of the employee's return to work.
- 10.3 The employee will be given reasonable notice of an AMM and they have the right to be accompanied by a work colleague or a trade union representative if they wish. However, the AMM will not usually be delayed by more than five working days if the employee's chosen companion is not available.
- 10.4 The AMM will consider the employee's attendance record and all relevant factors and will determine what action, if any, is required. Appropriate action can include the issuing of a formal warning alongside any other appropriate action to help the employee improve their attendance. See [Issuing a warning for unsatisfactory attendance](#).
- 10.5 The outcome of the AMM, including any agreed actions, will be confirmed to the employee in writing, normally within five working days.

11 Issuing a warning for unsatisfactory attendance

- 11.1 A formal warning will normally be issued unless there is a compelling reason why this would be inappropriate. (Refer to the guidance: **Attendance Management Meetings** and, in particular, the section headed '*When is it not appropriate to issue a warning?*')
- 11.2 The purpose of the warning is to notify the employee that their absence is a cause for concern and that a failure to improve their attendance may lead to a further warning or it may lead to dismissal in cases where an employee triggers the policy while a stage 3 final written warning is live.
- 11.3 **If the employee's absence is pregnancy-related a warning must not be issued.**
- 11.4 **If the employee's absence is because of a disability, the manager must discuss the circumstances with HR before any decision on whether to issue a warning is taken.**

(See also guidance: **Disability-related absence**).

- 11.5 The levels of warning that can be issued under this policy are as follows:

11.6 Stage 1 – formal oral warning

A stage 1 warning will normally remain live for six months from the date of the

AMM. If further absence occurs and the employee's absence remains at or above the trigger point while a stage 1 warning is live, the employee will be required to attend a further AMM, which may lead to a formal stage 2 warning.

11.7 **Stage 2 – formal written warning**

A stage 2 formal warning will normally remain live for 12 months from the date of the AMM. If further absence occurs and the employee's absence remains at or above the trigger point while a stage 2 warning is live, the employee will be required to attend a further AMM, which may lead to a formal stage 3 warning.

11.8 **Stage 3 – final written warning**

A stage 3 formal warning will normally remain live for 18 months from the date of the AMM. If the employee's attendance continues to be a cause for concern following the issue of a stage 3 formal warning ie the employee triggers the policy while a stage 3 formal warning is live, the manager may consider moving to a dismissal stage following consultation with HR. See [Consideration of dismissal](#).

11.9 While the university recognises that employees will have periods of genuine sickness absence for which they are not at fault, any warning given under a university procedure identifies that employees are not meeting the standards the university requires for its employees. In deciding on the appropriate penalty under any procedure under which a warning may be given, the university reserves the right to take account of any live warnings on the employee record made under that or any other procedure where appropriate to do so.

11.10 All warnings issued under this policy will be recorded on the university's attendance management system and on the employee's personnel file.

12 **Appealing against a warning**

An employee may appeal against the issuing of a formal warning by writing to their manager within five working days of receipt of the written decision. The manager will arrange for the appeal to be heard by a more senior manager wherever reasonably practicable. For the purposes of this policy it will be 'reasonably practicable' where a more senior manager is available to hear the appeal without causing undue delay. In the rare circumstance that this is not reasonably practicable, it will be heard by a different manager who will at least be at the same level as the manager who made the initial decision to issue the warning.

13 **Long-term sickness absence**

This section should be read in conjunction with the guidance: [Long-term sickness absence](#).

13.1 The university will adopt a case management approach to managing long-term sickness absence and will involve all parties reasonably considered by the university to be relevant to ensure a coordinated and effective approach is taken with the focus on supporting the employee to return to work at the earliest opportunity.

- 13.2 The university defines long-term absence as a period of continuous sickness absence of four weeks or more.
- 13.3 Once an employee has reached four weeks' continuous sickness absence, where appropriate, the manager will arrange to meet with the employee to discuss their health and any options which may help facilitate the employee's early return to work. The meeting can, depending on the circumstances, take place at the employee's home, at their normal place of work, or at another venue if, after consultation between the parties, this would be more appropriate. The manager should respect the employee's wishes as long as their suggested place to meet is reasonable, convenient for all and private so that the employee's confidentiality is not compromised. A meeting may not be needed if a return to work date is imminent.
- 13.4 Employees may be accompanied at this meeting by a trade union representative or work colleague, but this will not usually delay the meeting by more than five working days.
- 13.5 Formal contact at four weeks is the minimum level of contact required. Managers are expected to ensure that appropriate contact (by telephone, e-mail or other appropriate means) takes place between them and the absent employee both before and after the four-week period.
- 13.6 Where appropriate, medical advice should be sought at this stage in accordance with the process for referral.
- 13.7 The manager, with appropriate advice from HR, will need to consider whether the employee is disabled within the meaning of the Equality Act 2010 and consider any reasonable adjustments that may enable the employee to return to work.
- 13.8 Where the employee's absence is related to an underlying ill-health condition, managers should refer to and apply the relevant provisions of the **Incapacity on Grounds of Ill-health Procedure** in consultation with HR.
- 13.9 If the employee is unlikely to return to work in the foreseeable future, the manager will need to consider whether dismissal is appropriate and seek HR advice. See [Consideration of dismissal](#).

14 **Consideration of dismissal**

This section should be read in conjunction with the guidance: [Dismissal under the Attendance Management Policy](#).

- 14.1 Dismissal will be considered under this policy in the following circumstances:
- Unacceptable levels of absence where the employee has an underlying health condition (ill-health incapability).
 - Long-term sickness absence – no foreseeable return to work (ill-health incapability).
 - Employee is at work but not performing full range of duties because of an underlying health condition (ill-health incapability).

- Unacceptable levels of absence where the employee has no underlying health condition (a dismissal in these circumstances may be for ‘some other substantial reason’).

- 14.2 Following HR advice, if consideration of dismissal is appropriate, the manager will prepare a management report recommending dismissal for consideration by the relevant PVC/Dean or Director. The report will include all relevant matters, including where applicable, up to date medical advice, details of any disability issues that need to be considered and any points made by the employee (or their representative) which were considered by the manager before deciding whether to recommend dismissal. For cases of ill-health incapability, consideration of ill health retirement will also need to be made at this stage. (See the **Retirement Policy**).
- 14.3 The PVC/Dean or Director will consider the report and, if dismissal is being considered, the employee will be invited to attend a case review hearing at which they will have the right to be accompanied by a trade union representative or a work colleague (refer to the guidance: **Dismissal under the Attendance Management Policy** for details of the type of companion permitted at the case review hearing).
- 14.4 The employee will be provided with a copy of the management report under consideration at the meeting not less than three working days prior to the case review hearing.
- 14.5 The PVC/Dean or Director will consider all the relevant matters, and any further information provided by the employee at the case review hearing and will notify the employee of the outcome following the hearing. Where dismissal is considered appropriate, authority to dismiss and the timescales for notifying the employee of the outcome will be in accordance with the provisions of the relevant disciplinary procedure: section 6 “Authority to Dismiss” in the Disciplinary Procedure for Academic Staff; section 4 “Disciplinary Authority” in the Disciplinary Procedure – APT&C Staff for professional services staff members.
- 14.6 If an employee is dismissed for unacceptable absence, they have the right of appeal. See [Appealing against dismissal](#).
- 14.7 Separate guidance exists for managers dealing with cases where an employee is terminally ill.

15 **Appealing against dismissal**

An employee who has been dismissed will be able to appeal against the decision in accordance with the provisions of the relevant disciplinary procedure: paragraph 7.2 in the **Disciplinary Procedure for Academic Staff**; section 3.5 in the **Disciplinary Procedure – APT&C Staff** for professional services staff members.

16 **Data protection and confidentiality**

- 16.1 The university will consider the requirements of the Data Protection Act 1998 when requesting, recording and monitoring information on individual sickness absence and will follow best practice guidelines as recommended by the Information Commissioner in the way it holds and shares information on absence records.
- 16.2 All DMU staff with responsibility for any stage of this policy and/or with access to confidential and sensitive data about employees' health are required to treat all information relating to individuals confidential and in accordance with the principles of the Data Protection Act 1998 and the Access to Medical Reports Act 1988. In accordance with the university's Code of Conduct for DMU staff, failure to comply with the data protection or other standards detailed in the Code may result in disciplinary action up to and including dismissal.