

## KEY EMPLOYMENT POLICIES

### EMPLOYEE INFORMATION BRIEFING

ISSUE 19: JUNE 2018



NEW POLICY



POLICY REVIEW



REGULAR REMINDER

#### SUPPORTING ATTENDANCE

##### POLICY OVERVIEW

The council aims to achieve high levels of attendance at work by creating a working environment where individuals are valued and are treated fairly and consistently.

With this in mind, the council approved a new [Policy for Supporting Attendance at Work](#) on 26 June 2018. The new policy replaces the former Policy on Managing Sickness Absence and focuses more positively on supporting attendance at work and helping absent employees return to work when fit to do so. The new policy will become effective from **1 September 2018**.

The key changes under the new policy are:

- Introduction of extended manager's discretion that replaces the provision in the old policy to automatically disregard absences relating to **non-elective hospital treatment, industrial injury and bereavement**.
- Service Managers can now apply discretion up to Stage 2 of the procedure in extenuating circumstances.
- Corporate action trigger points now apply when an employee has been absent continuously for 4 weeks, 3 months, 6 months and 9 months.
- Monitoring and investigation of recurring or regular absence patterns that occur out with corporate action trigger points.
- Management and support of employees diagnosed with terminal illness out with the corporate trigger process.

##### KEY INFORMATION FOR EMPLOYEES

###### Extended Management Discretion

Service Managers are now able to apply discretion not to progress an employee through a stage of the policy where extenuating circumstances apply. This provides managers with additional flexibility to apply discretion at an earlier stage (up to Stage 2) than under the old policy.

Service Managers will require to consult with Human Resources when making decisions on applying discretion to ensure consistency across the council.

An employee may ask for a decision not to apply discretion to be reviewed by a higher level of management if they feel the service has not taken full account of any extenuating circumstances.

The provision in the old policy for Heads of Service to apply discretion at Stage 3 in appropriate circumstances continues to apply.

The provision of extended management discretion applies in addition to the council's legal obligation to make Reasonable Adjustments in respect of absences covered by the [Equality Act 2010](#).

#### Continuous Absence – Corporate Action Trigger Points

The introduction of set action trigger points at regular intervals will ensure that contact is maintained with employees who are absent over long periods. The triggers are a prompt for managers to ensure that they are taking the appropriate action to support an employee's return to work. Reaching the trigger points means that employees will move through the relevant stages of the policy unless reasonable adjustments are applied under the Equality Act and/or grounds for additional management discretion apply.

#### Absence Patterns

Where monitoring under the new policy identifies that recurring patterns of absence are emerging over time which indicate intent to evade corporate action trigger points, the circumstances may be investigated under the council's Disciplinary Procedures.

#### Terminal Illness

Corporate action trigger points will not be acted upon for employees diagnosed with a terminal illness or medical condition. The emphasis will be on supporting employees in these circumstances and ensuring that they are treated with dignity and respect.

#### Transitional Arrangements

Any absences starting before 1 September 2018 will be managed under the old Policy on Managing Sickness Absence. Any **new** absences starting from 1 September 2018 will be managed under the new Policy for Supporting Attendance. For clarity, an absence that started before 1 September and continues beyond 1 September will be dealt with under the old policy.

An employee who is currently on any stage under the old policy but who triggers again under the new policy will be progressed on to the next appropriate stage. For clarity, an employee on Stage 1 under the old policy whose absence reaches a corporate action trigger point under the new policy will be moved on to Stage 2 under the new policy (subject to any management discretion applying)

### **ROLL OUT ARRANGEMENTS**

- Services should ensure that records are kept of employee briefings that are conducted and the employees who attended. Those records may be subject to internal audit at any given time to ensure that council employment policies are being properly disseminated throughout services.
- Employees should be encouraged to read the Supporting Attendance Policy and Procedure in full as available from 1 September 2018 on Mytoolkit and accessible from work and home at:
- [https://www.westlothian.gov.uk/media/27029/Supporting-Attendance-at-Work-Policy--Procedure/pdf/Supporting\\_Attendance\\_at\\_Work\\_Policy\\_Procedure.pdf](https://www.westlothian.gov.uk/media/27029/Supporting-Attendance-at-Work-Policy--Procedure/pdf/Supporting_Attendance_at_Work_Policy_Procedure.pdf)

