

Attendance Management Policy and Procedure

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1.0 INTRODUCTION

Addysg Oedolion Cymru | Adult Learning Wales ("the Organisation") is committed to ensuring the health, safety and welfare of employees. The Organisation recognises and values the contribution of all employees and fully accepts that there are times when absence from work is unavoidable. Staff will be provided with support together with consistent and fair policies and procedures in order to achieve the high attendance levels vital to enable the Organisation to meet its objectives and develop best practice.

The Organisation is aware of its obligations under the Equality Act (2010) and will comply with the relevant provisions. This will include considering any reasonable adjustments to facilitate an employee's continued employment or return to work.

The Organisation recognises that it is for the benefit of staff and the Organisation to monitor and manage attendance fairly, proactively and consistently. The purpose of this policy and procedure is to provide a positive and supportive framework within which all attendance can be managed fairly and with understanding. The following guidelines and procedure have been established as a set of principles to effectively manage and deliver a supportive and proactive approach to attendance management.

The Organisation is aware of its obligations under the Welsh Language Measure 2011 and will comply with the relevant provisions.

2.0 GENERAL PRINCIPLES

The general principle of this policy and associated procedures is to ensure that an employee's absence is treated on an individual basis and that:

- a consistent and fair approach to absence is applied to all employees and with all nature of absences
- all sickness absences are treated with support, sensitivity and confidentiality
- sickness absence is treated with a supportive and understanding approach, based on the nature of the illness and the welfare of the individual
- this procedure can be used in conjunction with other policies or may lead on to other employment policies if appropriate

If you are absent from work without authorisation, disciplinary action may be taken in line with the Organisation's Disciplinary Procedure. No payments will be made for unauthorised absence.

Poor timekeeping places an additional burden on the Organisation's resources and diminishes the level of service provided to our customers. Where poor timekeeping is persistent with no reasonable explanation or agreed arrangement, action may be taken under the Organisation's Disciplinary Policy.

If you are pregnant and certified absent due to a pregnancy related condition four weeks prior to the expected date of your baby's birth, your maternity leave and pay will automatically become effective from that date.

Contractual sick pay will generally not be payable for cosmetic surgery for non medical reasons.

Addysg Oedolion Cymru | Adult Learning Wales will not unlawfully discriminate on the grounds of a disability. Reasonable adjustments will be made where practicable to accommodate specific requirements where a disability is known to the Organisation. Members of staff are encouraged to inform their line manager of any disability and about any changes to the nature of the disability on an ongoing basis.

Entitlement to contractual sick pay is dependant on the circumstances of each particular case.

Where the Organisation is aware of an employee's disability or pregnancy, disability or pregnancy related absences will not be considered when calculating if an employee has hit a trigger point

3.0 SCOPE

This policy will apply to all Addysg Oedolion Cymru | Adult Learning Wales salaried staff. Sickness absence procedures for hourly paid staff are defined in the "Statement of Main Terms of Employment for Part-Time Tutors".

4.0 RESPONSIBILITIES

Every employee of the Organisation has a responsibility in ensuring that the Attendance Management Procedure works effectively.

4.1 Employees

All employees must:

- attend work unless not fit to do so or on authorised leave
- take responsibility for their own personal well being
- attend appointments with an Occupational Health Advisor if asked to do so (if an employee does not consent to this, any decisions that are made by the Organisation will be based on the facts available without this advice)
- ensure that they seek and receive medical advice and treatment in order to facilitate a return to work
- maintain regular open communication during periods of non-attendance, to enable the Organisation to provide support wherever possible.
- ensure that they complete a self-certification form after every sickness absence of 7 days or less (weekends or days off should be included in this calculation). Self-certification forms are available on the global drive: [..\..\Sickness Certification\Addysg Oedolion Cymru Adult Learning Wales Absence Certification and Return to Work form Welsh.doc](#)
- ensure that a GP is consulted and a Statement of Fitness for Work is issued to cover periods of sickness absence longer than 7 days in duration.

4.2 Managers

Managers will manage non-attendance positively, giving due regard to individual circumstances. Specifically, line managers are responsible for the following:

- Making staff aware of the Organisation's absence procedures

- Communicating the implications of unacceptable absence levels
- Monitoring department absence levels
- Providing support to employees who are absent through sickness
- Performing return to work discussions as soon as possible after the employee has returned to work (these have the potential to be carried out over the telephone)
- Carrying out Informal Absence Review meetings when an absence trigger point has been reached
- Carrying out Formal Attendance Review Meetings
- Carrying out Ill Health Capability Meetings where appropriate
- Complying with sickness absence reporting and recording requirements

Line managers have the right to undertake a formal investigation in relation to any absence where an employee has failed to give a satisfactory explanation for the absence; has failed to follow notification procedures without reasonable explanation, or failed to submit a medical certificate without reasonable explanation. Following investigation, this could result in loss of contractual sick pay or lead to disciplinary action where appropriate.

4.3 HR Department

The HR department will:

- Monitor sickness absence levels at an organisational, departmental and individual level
- Provide monthly reports to line managers on absence statistics
- Provide quarterly reports to Resources Committee on organisational and departmental absence levels
- Liaise with Occupational Health services
- Advise line managers in dealing with absence issues
- Sit on ill health capability hearing panels in an advisory capacity

4.4 Trade Union Representatives

Trade Union Representatives are able to advise and support their membership upon this policy and procedure. Employees have the right to be accompanied by a Trade Union Representative during the formal stages of this procedure.

5.0 OCCUPATIONAL SICK PAY

Entitlement to the Addysg Oedolion Cymru | Adult Learning Wales sick pay scheme is dependent upon an employee being eligible for SSP under SSP Regulations, i.e. their earnings are above the statutory National Insurance Lower Earnings Limit. If an employee is absent from work because of illness or injury they will be eligible for occupational sick pay as outlined in their contract of employment.

“Full pay” will be inclusive of statutory sick pay (SSP) or, if SSP is not payable, any state benefit for sickness.

“Half pay” will be exclusive of SSP or other state benefit, except that the total will not exceed normal salary. Payment ceases after the half pay term.

Sick pay may be suspended if an employee abuses the Attendance Management Policy and Procedure.

If an employee is absent from work because of illness or injury they will be eligible for occupational sick pay as follows:

Period of continuous service/employment	Full pay	Half pay
Up to 1 year	2 months	2 months
1-2 years	3 months	3 months
2-3 years	4 months	4 months
Over 3 years	6 months	6 months

6.0 ANNUAL LEAVE ENTITLEMENT DURING PERIODS OF SICKNESS

An employee who is absent on sick leave will continue to accrue his/her full statutory holiday entitlement. However, contractual holiday entitlement over and above the minimum statutory holiday entitlement provided for by the Working Time Regulations 1998 will not accrue during any paid or unpaid period of sick leave.

If the employment is terminated before an employee returns from sick leave, he/she will receive a payment in lieu of any accrued but untaken statutory holiday entitlement for the holiday year in which the employment is terminated.

7.0 FRAMEWORK FOR MANAGING ATTENDANCE

The steps to be taken for both short-term and long-term absence cases include the following:

- Return to Work Discussions after every absence
- Informal Attendance Review Meetings where managers will set targets for improved attendance.
- Formal Attendance Review Meetings (where attendance has not improved over a designated period) which may result in first and final written warnings
- Ill Health Capability Meetings where termination of employment on the grounds of ill-health will be considered

8.0 OCCUPATIONAL HEALTH

At any stage of the Attendance Management Procedure, an employee may be requested to give their consent to meet with an Occupational Health Adviser appointed by the Organisation or to authorise the obtaining of a medical report from their GP or other medical practitioner. If an employee does not consent to this, any decisions that are made by the Organisation will be based on the facts available. A medical assessment will enable Addysg Oedolion Cymru | Adult

Learning Wales to have all the relevant information when making any decision; therefore it is in your interest for any such request to be complied with.

All requests for medical reports made to qualified medical practitioners will be in accordance with the requirements of the Access to Medical Reports Act 1988.

Situations where employees would be asked to be assessed by a medical adviser may include, but are not limited to, the following:

- Where an employee is absent from work due to stress, anxiety or depression
- Where an absence is designated 'long term'
- Where there have been shorter periods of absence related to a medical condition
- Where an employee has expressed difficulty carrying out their duties due to a medical condition (whether or not they have been absent from work)

9.0 CONFIDENTIALITY

As with all employee records, absence information will be stored confidentially in line with the recommendations of the Data Protection Act 1998.

Absence information provided to the HR Department may be shared, in confidence, with the employee's line manager, senior manager or the Chief Executive.

Absence reports will be provided to the Senior Management Team, Resources Committee and Addysg Oedolion Cymru | Adult Learning Wales Council on a quarterly basis. These reports will be anonymised.

10.0 DEFINITIONS

Intermittent short term absence

Absences of less than 20 days in duration will usually be defined as short term absences. Short term absence can be either certificated or self-certificated.

Long term absence

Absences of 20 days or more or recurrent absences totalling 20 days in duration in a 12 month period, relating to a serious health problem will usually be defined as long term absences.

11.0 STRESS AT WORK

If you have concerns over any aspects of health and safety in your work, including any unreasonable stress you are feeling, you should discuss these concerns as soon as possible with your line manager. Please refer to the Stress Prevention and Management Policy for further guidance.

12.0 TERMINAL ILLNESS

In cases of terminal illness, employees will face a period of huge emotional stress, fear and uncertainty. Being told that you are to die as a result of a disease for which there is no cure or effective treatment is a traumatic event and everyone will react differently. We recognise that this requires support and understanding on the part of the Organisation to avoid any avoidable additional stress and worry.

In certain circumstances, the nature of the illness is such that the person is unlikely to be able to work again or the person may decide that they would rather spend their remaining time with their family and friends, getting their affairs in order, or simply doing what they want. However, many people with a terminal illness may decide that they want to continue working as long as possible, either because they need the financial security or because they find that their work can be a helpful distraction from their illness.

Whichever choice a person makes, Addysg Oedolion Cymru | Adult Learning Wales will help and support them in their decision. We will provide employees with the security of work, peace of mind and the right to choose the best course of action for themselves and their families which will help them through this challenging period with dignity and without undue financial loss.

Where a terminally ill member of staff is unable to work, they will receive up to 12 months of full sick pay. Payment for absences longer than 12 months will be at the discretion of the organisation.

Addysg Oedolion Cymru | Adult Learning Wales will support terminally ill employees in offering safe, reasonable work which will maintain dignity and offer a valuable distraction if this is in line with the employee's wishes.

13.0 SPECIAL LEAVE

Special leave, for example emergency care of dependants or bereavement leave, will be dealt with under the Organisation's Special Leave Policy.

14.0 MEDICAL AND DENTAL APPOINTMENTS

Where possible, employees should try to arrange for medical and dental appointments to take place at a time which causes minimum impact on/disruption to service, for example, at the beginning or end of the working day.

15.0 REST BREAKS

It is important for us all to remember to take our rest breaks through the day. A break away from the workplace allows us to switch off from work, clear our mind, take a well deserved rest and "recharge" our batteries. **You should take an uninterrupted rest break of 20 minutes as a minimum when daily working time is more than six hours.** You should not feel pressured to work through your rest break- you are entitled to this valuable time.

16.0 ABSENCE REPORTING PROCEDURES

It is your responsibility to inform Addysg Oedolion Cymru | Adult Learning Wales if you are unable to attend work for any reason. If, under exceptional circumstances, you are unable to make contact personally, you must arrange for someone to make contact on your behalf.

If you are unable to attend work, you must notify your line manager by telephone as soon as possible, and no later than the planned start of your working day.

Messages relayed via other members of staff or emails are not acceptable. If initial contact is not made with your line manager, you should leave a contact number so that your line manager can contact you if required.

If you are unsure when you are likely to return to work, you must make contact every other day with your line manager.

You should disclose the reason for absence and when you are expecting to return to work. Sometimes you may, for personal reasons, feel uncomfortable about discussing the nature of your illness with your line manager. On such occasions, you can speak to a member of the HR team if you prefer, who will notify your line manager without disclosing the reason for your absence.

If possible, give your line manager details of any outstanding work that may require attention in your absence and advise on any scheduled meetings. This will help them to plan and allocate work in your absence.

Should you change your normal place of residence or contact details during a period of absence, you are required to notify the HR Department so that contact can be maintained during absence.

17.0 CERTIFICATION REQUIREMENTS

Self Certification

If you have been absent for 7 calendar days (including weekends) or less, on your return to work you must complete a Self Certification Form.

If an employee leaves though sickness half way through a working day, this would be recorded as half a day's sickness absence.

Statement of Fitness for Work

If the sickness absence continues beyond seven consecutive calendar days, a Statement of Fitness for Work is required. It is the individual's responsibility to ensure that the GP is consulted and a certificate issued during the period of absence.

Statements of Fitness for Work must be provided to the HR Department as soon as possible after they are required (i.e. from the eighth consecutive calendar day of absence).

If the period of absence is to continue beyond the period covered by a Statement of Fitness for Work, it is the individual's responsibility to ensure that another Statement of Fitness for Work is obtained and forwarded by the end of the current certificate (certificates must run consecutively).

Failure to adhere to either the notification of absence procedure or the certification procedure will be treated seriously and may result in disciplinary action or the suspension of occupational sick pay.

On the Statement of Fitness for Work GP's are able to advise if a patient is either 'not fit to work' or 'may be fit for work'.

Not Fit For Work

This means that the GP has assessed the patient and has concluded that they have a health condition that prevents them from working for a stated period of time. The GP will indicate on the statement of fitness for work whether they will need to re-assess the patient's case at the end of the specified period. If they have indicated that they will need to re-assess then the Addysg Oedolion Cymru | Adult Learning Wales will require another statement to indicate that the employee is fit for work.

May be fit for work

This means that the GP's assessment of the condition is that it will not necessarily stop the patient from working. A GP will give a 'may be fit for work' statement if they think that the employee's health condition may allow them to work if they get suitable support from their employer. This might mean discussing:

- a phased return to work - where there is a gradual increase in the intensity of their work duties or working hours, for example an employee following an operation could return to work on reduced hours, gradually increasing to their normal hours over an agreed period of time
- altered hours - where there is a change in the hours worked (not necessarily a decrease in hours) for example, allowing more flexible hours could support someone who is receiving treatment
- amended duties - where the employee may be able to return to work if their duties are amended to take into account their condition, for example, reducing or removing a more pressurised part of a job role could help someone who is off work from stress
- workplace adaptations - where the employee may return to work if their workplace is adapted to take into account their condition, for example a ground floor work station where an employee has difficulty going up and down stairs

18.0 RETURN TO WORK DISCUSSIONS

A Return to Work Discussion (RTWD) will be held on all occasions when you return to work following an absence due to sickness. Your line manager will meet with you on the day you return to work wherever possible. This meeting will give the opportunity for you to update your manager regarding your absence and for your manager to ensure that you appear fit to return to work. It also enables your line manager to offer any support which may be of benefit and to update you on any departmental/organisational developments which have taken place during your illness. During this meeting, a combined self-certification/return to work form will be completed.

19.0 SUSPENSION OF SICK PAY

If you do not follow the correct notification or certification procedures, you may have your occupational sick pay withheld. This will only apply after all attempts have been made to ensure that you are fully aware of the correct procedure.

20.0 MANAGING PERSISTENT SHORT TERM ABSENCE WITH NO UNDERLYING CAUSE

Where an employee's level of absence is a concern it is essential that it is managed appropriately. An Informal Absence Review Meeting should normally be convened when one of the following trigger points are reached:

- **Three** separate absences within a **three** month period
- There are **five** or more separate absences in any **six** month period
- A total of **ten** separate absences within a rolling **twelve** month period
- There emerges an apparent pattern of reoccurring absence such as Monday morning/Friday afternoon absences

20.1 Informal Absence Review Meeting

An Informal Absence Review Meeting will be convened by the line manager when an employee's level of absence gives cause for concern, generally when a trigger point is reached. This meeting will be attended by the line manager and the employee only, to prevent it becoming a 'Formal Interview'. The line manager must use the appropriate template letter to invite the employee to this meeting (Appendix 1).

The purpose of this meeting is to support the employee to attain and maintain the required levels of attendance in the future by offering a time and opportunity to explore their situation, including any factors affecting their attendance. It will also enable assessment and formal review of the sickness absence period.

The meeting will explore issues felt relevant by the line manager and the employee. At this meeting, the line manager will clearly emphasise what is expected in terms of improved attendance and set out an attendance target. The line manager should use the template letter provided (Appendix 2). A copy of this should be sent to the HR department for the employee's personal file.

The employee will be advised that failure to improve levels of attendance will result in moving to the formal stages of this procedure.

20.2 First Formal Attendance Review Meeting

Where the employee does not achieve the required attendance target during the monitoring period set up in the informal Absence Review Meeting, a first formal attendance review meeting will be convened. Notice of the meeting, which will not normally be less than 5 working days will be given to the employee and the employee will be informed of their right to be accompanied by a Union Representative or a colleague. The line manager should use the appropriate template letter to invite the employee to the meeting (Appendix 3). The meeting will be conducted by a panel comprising of the line manager and another manager appointed by HR.

During the meeting, the line manager will explore:

- other possible support methods where appropriate
- whether the employee's otherwise unrelated absences are felt to be related to their domestic situation
- whether there is a principal underlying health reason leading to all or most of the absences. If this is the case, the employee will be referred to an Occupational Health Advisor for an assessment

- whether the employee is required to provide a fit note for further absences of less than 7 days within a specified period (the employee will be reimbursed the cost of the fit note).

This information from the First Formal Attendance Review Meeting should be recorded on the First Formal Attendance Review Proforma (Appendix 4).

After consideration of the available facts it may be necessary to issue the employee with a **first written warning**.

A further attendance target will be set. This will be confirmed to the employee in writing using the template provided (Appendix 5) and a copy sent to the HR department for the employee's personal file.

The employee will be informed that should attendance not improve, further action may be taken in the form of a Second Formal Attendance Review Meeting and the possibility of a final written warning.

20.3 Second Formal Attendance Review Meeting

In cases where successive attendance targets are not met by the employee and where there is no principle underlying medical condition contributing to the ongoing absences, this will be taken very seriously by the Organisation and a Second Formal Attendance Review Meeting will be convened. Notice of the meeting, which will not normally be less than 5 working days will be given to the employee and the employee will be informed of their right to be accompanied by a Union Representative or a colleague. The line manager will use the template letter provided to invite the employee to this meeting (Appendix 3). The meeting will be conducted by a panel comprising of the line manager and another manager appointed by HR.

The line manager should discuss the employee's situation with them in a sensitive and positive way, looking at what options are available to support improvement, but also with due regard to the ongoing persistent level of absence and the practicality of the Organisation continuing to sustain this in the future.

During the meeting, the line manager will explore:

- other possible support methods where appropriate
- whether the employee's otherwise unrelated absences are felt to be related to their domestic situation
- whether there is a principal underlying health reason leading to all or most of the absences. If this is the case, the employee will be referred to an Occupational Health Advisor for an assessment
- whether the employee is required to provide a fit note for further absences of less than 7 days within a specified period (the employee will be reimbursed the cost of the fit note).

This information from the Second Formal Attendance Review Meeting should be recorded on the Formal Attendance Review Proforma stage 2 (Appendix 6).

After consideration of the available facts it may be necessary to issue the employee with a **final written warning**.

A further attendance target will be set, This will be confirmed to the employee in writing, the line manager must use the outcome of Second Formal Attendance Review template letter (appendix 7) and a copy of this should be sent to the HR department for the employee's personal file.

The employee will be informed that should attendance not improve, further action may be taken in the form of an Ill Health Capability Meeting which may lead to termination of the employee's employment with the Organisation (see section 21 below).

21.0 MANAGING LONG TERM ABSENCE

Any continuing sickness absence of more than 20 working days and shorter periods of absence relating to a principal underlying cause should be managed as long term absence.

Where absence initially presents as short term, it may become clear, as new information becomes available (for example through Occupational Health advice) that there is a principal underlying medical cause for repeated absences. It will then be appropriate to manage the absence according to the provisions of long term absence. Any attendance target previously determined in previous meetings according to short term absence will no longer apply.

21.1 Considerations

The Organisation will consider various options when dealing with long term absence. These options may include the following:

- **Reasonable adjustments**

Adjustments to the individual's role may be made where this is appropriate.

- **Redeployment**

Where an employee is unable to continue or return to work in their former capacity, the Organisation will make every effort to find and offer suitable alternative employment. This may, following consultation with HR, result in a change to the individual's salary or grading as appropriate, relative to the alternative position.

- **Career Break**

Where an employee is unable to return to work in the foreseeable future, consideration will be given to the suitability of a career break.

- **Ill- Health Retirement**

Where appropriate, consideration will be given to whether an employee may retire on the grounds of ill-health in accordance with the rules of the relevant pension scheme.

With long-term absence it is essential that line managers consult regularly throughout the absence management process with employees and make every effort to assist their recovery and identify appropriate support.

Under no circumstances should employees be isolated from the Organisation by contact being allowed to lapse for extended periods. It is important that reasonable and sensible arrangements are in place to ensure that there is inclusion of absent employees and the circulation of information about developments at the Organisation.

21.2 Managing Absence for staff with disabilities

Addysg Oedolion Cymru | Adult Learning Wales will not unlawfully discriminate on the grounds of a disability. Reasonable adjustments will be made where practicable to accommodate specific requirements. We can only address issues of absence resulting from a disability if it is known to the Organisation. Members of staff are encouraged to inform their line manager of any disability and about any changes to the nature of a disability on an on-going basis.

21.3 Informal Absence Review Meeting – Long Term Absence

When a long term absence or shorter absences related to an underlying principal medical condition has been established, information needs to be gathered and shared through an Informal Absence Review Meeting where a referral to an Occupational Health Advisor will be considered. A member of the HR team will write to the employee to invite them to the meeting, with usually not less than 5 working days' notice.

21.4 First Formal Attendance Review Meeting – Long Term Absence

If following the Initial Absence Review Meeting the employee continues to be absent from work for more than twenty working days, a Formal Attendance Review Meeting should be convened. Where necessary (for example, if the employee has mobility problems) this meeting will take place at the employee's home. Notice of the meeting, which will not normally be less than 5 working days, will be given to the employee by HR. The employee will be given the right to be accompanied by a Union Representative or a colleague. The line manager will be present at this meeting and another manager, nominated by HR.

The aim of this interview is to provide an update on the current state of health and should discuss the advice from the Statement of Fitness for Work, available occupational health reports and other appropriate sources to establish an update on a return to work or to identify a clear way forward.

At a Formal Attendance Review Meeting any assessment of an employee's employment position must be made in an open and sensitive way and a clear way forward must be identified and communicated to the employee following the meeting. It is not normally appropriate for absence improvement targets to be set for long term absence in the way that these may be applied under the short term provisions.

Information from this meeting should be recorded on the Formal Attendance Review Meeting Proforma (Appendix 4).

21.5 Formal Attendance Review Meeting – Long Term Absence (Stage 2)

Addysg Oedolion Cymru | Adult Learning Wales will work supportively and sensitively with employees whose ill health causes long term sickness absence. However, in cases of continuing long-term absence, the Organisation's ability to sustain this needs to be assessed. The timing of such an assessment and its communication to the employee will vary between cases but it should not be unreasonably premature in the light of known information, and must be informed by all relevant medical advice.

HR will give the employee notice of the meeting in writing, which will not normally be less than 5 working days, and the employee will be given the right to be accompanied by a Union Representative or a colleague. A manager, nominated by HR, will be present during the meeting.

The employee should be advised that should they not be able to achieve the level of attendance required their case is likely to be referred to an Ill Health Capability Hearing. The employee should have the full reasons for the referral to an Ill Health Capability Meeting explained to them. They should be given a clear indication of the timescale within which it is anticipated that a return to work and sustainable level of attendance would need to be achieved before the Ill Health Capability Meeting is convened.

22.0 ILL HEALTH CAPABILITY HEARING

Where there has been no improvement in short-term absence or where it is thought that a case of long-term absence has got to a point where it can no longer be sustained by the Organisation, an Ill Health Capability Meeting will be convened to consider termination of service.

HR will inform the employee of the meeting in writing, at least seven working days prior to the meeting to allow sufficient time to prepare and to arrange representation.

The letter will include:

- the date, time and location of the hearing
- a copy of the Attendance Management Policy
- information about the procedure to be followed at the hearing
- a copy of any supporting evidence
- a request that the employee confirms their attendance, informs Addysg Oedolion Cymru | Adult Learning Wales of any representative who is going to accompany them and if they need any reasonable adjustments in order to help them attend

The Hearing Panel will consist of a more senior manager and a nominated member of the Resources Committee. A representative of HR will also be in attendance in an advisory capacity only.

In reaching a decision about whether to terminate employment the panel must consider the relevance of all factors pertaining to the case including:

- sickness record, lengths of absences and reasons for absences
- impact of the absence on the Organisation
- the practicality and reasonableness of providing cover for the absence
- medical advice as to whether the employee is likely to be able to provide a regular and reliable service in the foreseeable future
- the employee's own views on the situation
- whether redeployment is an option and has been explored
- what reasonable adjustments have been explored
- any other relevant factors

Employees, whose contracts are terminated, are entitled to their contractual notice of termination of service at full pay. Employees are entitled to statutory untaken paid leave.

Information from this meeting will be recorded on the Ill-Health Capability Hearing Pro-forma (Appendix 9).

The outcome of the hearing will be given to the employee, usually not more than 5 working days after the hearing using the template letter provided, which will give the employee the right to appeal against the Organisation's decision (Appendix 10).

23.0 RIGHT OF APPEAL

Appeals against the decision to terminate an employee's employment will be heard by the Chair of Resources Committee, the Chief Executive and an additional nominated member of the Senior Management Team. The Head of HR and Workforce Development will sit on the panel in an advisory capacity.

The employee must appeal in writing to the Head of HR and Workforce Development within 10 working days of receiving the outcome of the ill health capability meeting.

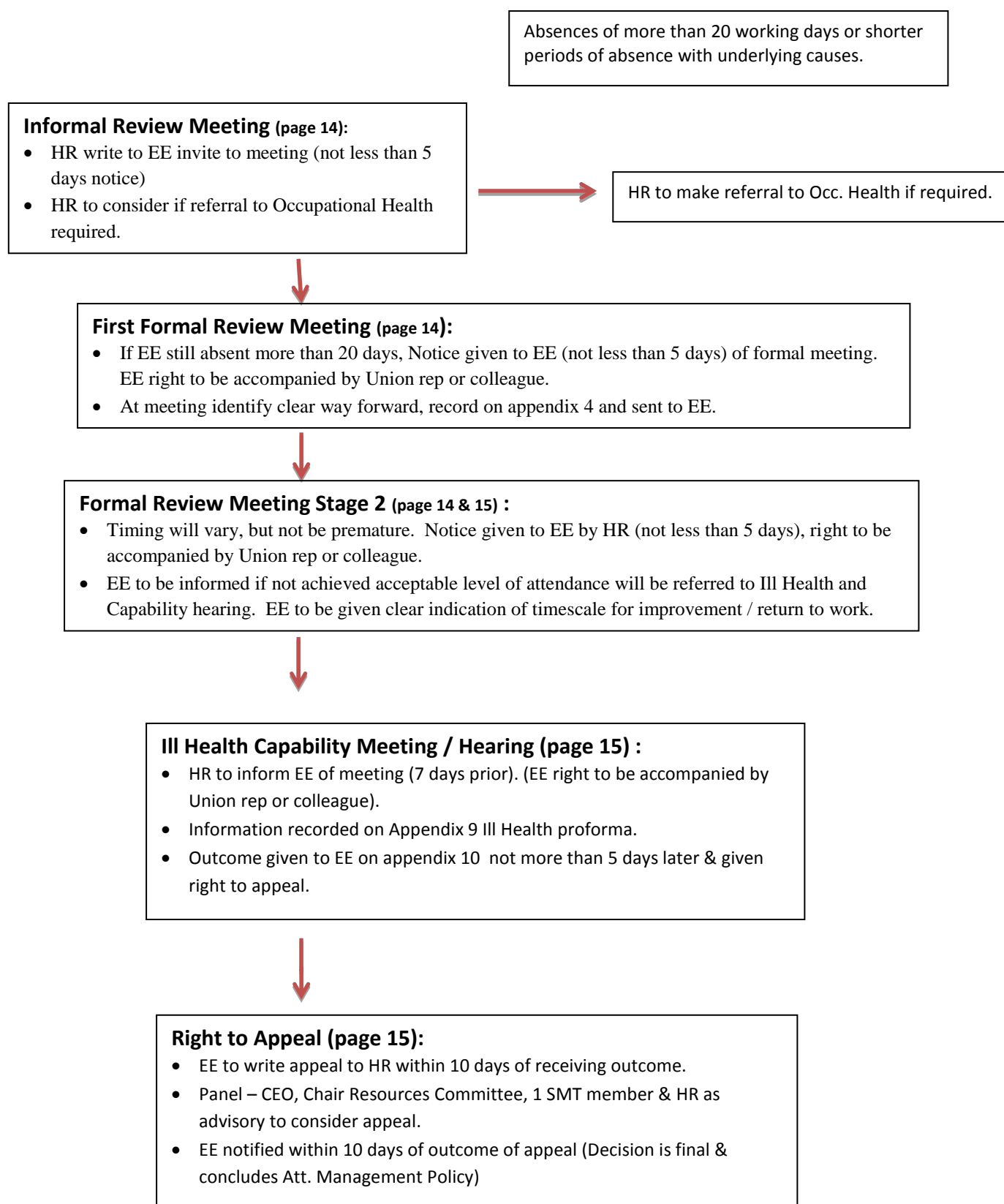
The employee will be notified in writing of the outcome of the appeal within 10 working days of the appeal hearing.

The decision made by the panel at this stage is final and concludes the Attendance Management Procedure.

Addysg Oedolion Cymru | Adult Learning Wales reserves the right to alter the provisions of this policy from time to time in accordance with the statutory provisions or any agreements in force.

APPENDIX 1 – SICKNESS ABSENCE FLOWCHARTS

LONG TERM SICKNESS ABSENCE FLOWCHART



SHORT TERM SICKNESS ABSENCE FLOWCHART

Reporting absence (page 8):

- Inform Line Manager before start of work giving reason (or an alternative manager if your own is unavailable)
- If LM not available leave a contact number. Relayed message or email not acceptable.

If not returned by 3rd day (page 8):

- EE Inform LM giving reason and expected date of return.

If returned to work (page 10):

- Complete Self Cert/Return to Work form.
- LM to hold RTW interview with EE and send form to HR for record.

If longer than 7 days (page 8 & 9):

- From 8th day, EE to submit Not fit for Work cert from GP. (Certs must run consecutively).
- If cert not supplied can result in disciplinary action.

Not fit to return to work:

- GP may state need to reassess EE before return to work is possible, Addysg Oedolion Cymru / Adult Learning Wales will require another statement. GP will give "Fit to Return to Work" or "May be Fit to Return to Work" or another "Not fit for Work" cert.

SHORT TERM TRIGGER POINTS (page 10):

- 3 Separate absences in 3 months
- 5 or more separate absences in 6 months
- Total of 10 separate absences in 12 months

Formal Attendance Review Meeting (page 11):

- LM invite EE using Appendix 3 letter (not less than 5 days, EE right to be accompanied by Union rep/colleague).
- LM record on Appendix 4. Further attendance target set on appendix 5 and sent to EE & copy to HR. After consideration of facts may be issued **first** written warning.
- EE informed may lead to second **formal** review if no improvement.

Second Formal Review Meeting (page 12):

- LM invite EE using Appendix 3 letter (not less than 5 days, EE right to be accompanied by Union rep/colleague).
- LM record on Appendix 6(stage 2). Further target set and sent on Appendix 7 to EE & copy to HR. After consideration of facts may be issued **final** written warning.

Ill Health Capability Meeting (page 15 & 16):

- HR to inform EE of meeting (7 days prior). (EE right to be accompanied by Union rep or colleague).
- Information recorded on Appendix 9 Ill Health proforma.
- Outcome given to EE on appendix 10 not more than 5 days later & given right to appeal.

Right to Appeal (page 16):

- EE to write appeal to HR within 10 days of receiving outcome.
- Panel – CEO, Chair Resources Committee, 1 SMT member & HR as advisory to consider appeal.
- EE notified within 10 days of outcome of appeal (Decision is final & concludes Att. Management Policy)

APPENDIX 2 – INVITATION TO INFORMAL ABSENCE REVIEW MEETING

STRICTLY PRIVATE AND CONFIDENTIAL

Date

Dear

Re- Informal Absence Review Meeting

I would be grateful if you would attend an informal absence review meeting in accordance with the Addysg Oedolion Cymru | Adult Learning Wales Attendance Management Policy and Procedure, with myself on [insert date, time and venue].

Please be aware that this is not a disciplinary interview but an absence review meeting under the Addysg Oedolion Cymru | Adult Learning Wales Attendance Management Policy and Procedure which is conducted with the intention to provide you with support in relation to achieving the required level of attendance.

Yours sincerely

Manager

Encl: Attendance Management Policy and Procedure

APPENDIX 3 – OUTCOME OF INFORMAL ATTENDANCE REVIEW MEETING

STRICTLY PRIVATE AND CONFIDENTIAL

Dear

Re – Informal Attendance Review Meeting

I write with regards to your Informal attendance review meeting on [date].

At this meeting an attendance target was of

I hope you found the meeting beneficial and if you require any further support please do not hesitate to contact me.

Yours sincerely

Manager

Encl: Attendance Management Policy and Procedure

APPENDIX 4 – LETTER TO INVITE EMPLOYEE TO FIRST/SECOND FORMAL ATTENDANCE REVIEW MEETING

STRICTLY PRIVATE AND CONFIDENTIAL

Date

Dear

Re- First/Second Formal Attendance Review Meeting

I write with regards to your informal/first formal attendance review meeting held on [date].

As you will recall at this meeting it was agreed you would be referred to the first/second stage of the Attendance Management Policy and Procedure in the event that your attendance should continue to fall below the defined standard. Please accept this letter as formal notification that you will progress to the first/second formal stage of this policy.

I would be grateful therefore if you would attend a first/second formal interview in accordance with the Organisation's Attendance Management Policy and Procedure with myself and [second nominated manager] at [date, time, venue].

Please be aware that this is not a disciplinary interview. However, in accordance with the Organisation's Attendance Management Policy and Procedure, you are entitled to be accompanied by a Union Representative or colleague of your choice.

Please be aware that an outcome of this meeting may be that you receive a formal/final warning regarding your attendance.

You must make every effort to attend this meeting. Should you consider that you are unable to attend for any reason, you must contact me immediately.

Yours sincerely

Manager

Encl: Attendance Management Policy and Procedure
Copy of Attendance Review proforma/letter following informal meeting

APPENDIX 5 – FORMAL ATTENDANCE REVIEW PRO-FORMA – FIRST STAGE

Meeting to review and monitor situation and decide action to help.

Name of employee..... Post Held.....

Line Manager.....

Date of Meeting.....

Absence Details previous 12 months		Absence from		Absence to		No of working days
	Absence Details		AM		PM	
			AM		PM	
			PM		PM	

Discussion Details

Reason for absence and advice as recorded on the Statement of Fitness for Work:

Is the absence related to disability? (if yes please state):

Is the absence due to an Accident/Incident/Stress/Work related ill health? (if yes please state):

Return to work timetable/barriers to return to work:
Help offered to overcome these barriers where applicable:
Non-medical Problems Contributing:
Occupational Health Involvement applicable?:
Summary/targets/further review date

Signed employee.....

Signed line manager.....

APPENDIX 6 – LETTER FOLLOWING A FIRST FORMAL ATTENDANCE REVIEW MEETING

STRICTLY PRIVATE AND CONFIDENTIAL

Dear

Re First Formal Attendance Review Meeting

I write with regards to your first formal attendance review meeting on [date] in line with the Organisation's Attendance Management Policy and Procedure.

At this interview it was agreed that you would need to meet the improved attendance target of

As you were informed at the interview, where there is a failure to achieve or maintain the required improvement within the agreed timescale you may progress to the second formal stage of the Attendance Management Policy and Procedure.

If you wish to discuss this matter further or I can be of any further support please do not hesitate to contact me.

Yours sincerely

Manager

Encl: Attendance Management Policy and Procedure
Copy of Formal Attendance Review Proforma

APPENDIX 7 – FORMAL ATTENDANCE REVIEW PRO-FORMA – SECOND STAGE

Meeting to review and monitor situation and decide action to help.

Name of employee..... Post Held.....

Line Manager.....

Date of Meeting.....

Absence Details previous 12 months		Absence from		Absence to		No of working days
	Absence Details					
			AM		PM	
			AM		PM	
			PM		PM	

Discussion Details
Matters arising from previous Formal Attendance Review Meeting:
Current Position:
Return to Work Timetable/Barriers to a return to work?:
Help offered to overcome these barriers (consider feasibility of advice on

Statement of Fitness for Work):

Non-medical Problems Contributing:

Occupational Health Advice:

Summary/targets/further review date

Signed employee.....

Signed line manager.....

APPENDIX 8 – LETTER FOLLOWING A SECOND FORMAL ATTENDANCE REVIEW MEETING

STRICTLY PRIVATE AND CONFIDENTIAL

Dear

Re Second Formal Attendance Review Meeting

I write with regards to your first formal attendance review meeting on [date] in line with the Organisation's Attendance Management Policy and Procedure.

At this meeting an attendance target was set of.....

As you were informed at the interview, where there is a failure to achieve or maintain the required improvement within the agreed timescale you may progress to the final stage of the Attendance Management Policy and Procedure which may result in termination of your employment with the Organisation.

If you wish to discuss this matter further or I can be of any further support please do not hesitate to contact me.

Yours sincerely

Manager

Encl: Attendance Management Policy and Procedure
Copy of Formal Attendance Review Proforma

APPENDIX 9 – LETTER TO INVITE EMPLOYEE TO ILL HEALTH CAPABILITY MEETING

STRICTLY PRIVATE AND CONFIDENTIAL

Date

Dear

Re- Ill Health Capability Meeting

I write with regards to your second formal attendance review meeting held on [date].

As you will recall at this meeting it was agreed you would be referred to the final stage of the Attendance Management Policy and Procedure in the event that your attendance should continue to fall below the defined standard. Please accept this letter as formal notification that you will progress to the final stage of this policy.

I would be grateful therefore if you would attend an ill-health capability meeting in accordance with the Organisation's Attendance Management Policy and Procedure with myself and [second nominated manager] at [date, time, venue]. [...will attend this meeting in an advisory capacity].

Please be aware that your employment could be terminated on the grounds of capability at this meeting.

You are entitled to be accompanied at this meeting by a union representative or work colleague.

You must make every effort to attend this meeting. Should you consider that you are unable to attend for any reason, you must contact me immediately.

Yours sincerely

Manager

Encl: Attendance Management Policy and Procedure
Copy of Attendance Review proforma/letter following informal meeting

APPENDIX 10 – ILL HEALTH CAPABILITY MEETING – PRO-FORMA

Meeting to review and monitor situation and decide action to help.

Name of employee..... Post Held.....

Line Manager..... HR representative.....

Date of Meeting.....

Absence Details previous 12 months		Absence from		Absence to		No of working days
	Absence Details					
			AM		PM	
			AM		PM	
			PM		PM	

Discussion Details
Matters arising from previous review meetings:
Current Position:
Occupational Health Involvement:
Arrangements/adjustments to aid return to work – including any adjustments

related to disability related absences:

Alternative Options to a return:

Summary and comments

Signed employee.....

Signed line manager.....

Signed HR Representative.....

APPENDIX 11 – LETTER FOLLOWING ILL HEALTH CAPABILITY MEETING

Date

Dear

Re – Outcome of Ill Health Capability Meeting

On [date] you attended an ill health capability meeting in the presence of [insert manager] and [insert Resources Committee representative]. Also in attendance was [insert member of HR team] in an advisory capacity. You were accompanied by [insert trade union representative or colleague] throughout the interview.

The final interview was convened in order to consider the relevance of all the facts pertaining to your case.

Either:

After giving this careful consideration, the Organisation has no alternative but to provide you with [insert notice period] weeks' payment in lieu of notice of termination of employment from the date of this letter. You will also receive a payment in lieu of any accrued but untaken statutory holiday entitlement for the current holiday year.

Please note that all benefits under your contract will therefore come to an end on [date of termination].

Or:

Give details of any decision made as an alternative to dismissal.

Under the terms of the Organisation's Attendance Management Policy and Procedure you have the right to appeal to against this decision. If you do wish to appeal against the above decision, you should do so in writing to the Head of HR and Workforce Development within 10 days of the receipt of this letter.

In your letter of appeal you are required to outline the grounds for your appeal and whether or not you wish to be accompanied at the hearing and if so by whom. In accordance with the Organisation's Attendance Management Policy and Procedure you may be accompanied by a trade union representative or work colleague. You must also provide the names of any witnesses you intend to call at the appeal hearing.

Yours sincerely,

Manager