

# **WEST DUNBARTONSHIRE COUNCIL**

## **Report by the Director of Corporate Services**

**Corporate and Efficient Governance Committee: 22 June 2011**

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**Subject: Attendance Management Policy and Procedure**

### **1. Purpose**

- 1.1** The purpose of this report is to ask the Corporate and Efficient Governance Committee to approve the new Attendance Management Policy and Procedure which will replace the current Maximising Attendance Policy.
- 1.2** The report provides Committee with the rationale for implementing a revised Policy and a summary of the key elements of the new Policy. Committee is further asked to agree to the proposed implementation arrangements.

### **2. Background**

- 2.1** The Maximising Attendance Policy and Procedure was implemented in March 2002. In line with best practice and service needs, a full review of the Policy was undertaken in consultation with key stakeholders. This review highlighted that the existing framework did not fully support effective and consistent management of sickness absence within the Council, or facilitate a significant reduction in absence levels.
- 2.2** High sickness levels within an organisation can lead to reductions in service delivery, effectiveness and increased costs, and therefore it is important to measure performance. In comparison with other Scottish Councils, the Council performs poorly in terms of sickness absence levels. In relation to Full Time Equivalent (FTE) days lost per FTE employee, in 2009/2010 West Dunbartonshire Council was ranked as follows:
- 29<sup>th</sup> out of 32 – local government employees
  - 18<sup>th</sup> out of 32 - teachers
- 2.3** In the period 2010/2011 an estimated 57,000 days were lost due to sickness absence resulting in an estimated cost of £5.5m. Within the current financial climate this is untenable and positive action requires to be taken to reduce absence levels.
- 2.4** The high sickness absence levels across the Council have been a cause of concern for some time with the number of days lost per local government employee, and Council-wide, resulting in the Council being near the bottom of the Statutory Performance Indicator table compiled by Audit Scotland. A number of initiatives have been undertaken, which resulted in a positive reduction in absence levels for the period 2010/2011 (10.65 FTE days in comparison to 12.28 FTE days the previous year). It has been recognised that

a further reduction could be supported by the development of an effective attendance management policy.

### **3. Main Issues**

- 3.1** The new Attendance Management Policy aims to address concerns raised in relation to the effectiveness of the current Policy. The new Policy has been developed as a result of feedback, benchmarking, best practice, and consultation with key stakeholders. The aim of the Policy and Procedure is to provide a clear framework which will result in a positive improvement in the management of sickness absence.

#### Attendance Management Policy and Procedure

- 3.2** Historically measures to tackle attendance have at times been perceived negatively and unsupportive. Hence a positive change in the new Policy is that absence due to health will no longer be considered as a conduct issue within the disciplinary process. This reflects ACAS recommendations that separate processes should be used for dealing with capability and conduct issues. The Attendance Management Policy deals with employees' capability in relation to health, and the key elements within the Policy are:

- Defined standards of attendance expected, support available to achieve standards and consequences of inability to meet these. New triggers established based on absence over a rolling 12 month basis and clarity on when these apply (pro-rated triggers for part-time employees).
- Clear framework of progression, including a clearly defined informal stage before progression to the formal stage. Structured attendance review meetings and improvement plans.
- Improvement notes to be applied within formal stages, improvement plans discussed and right to appeal against a formal improvement note.
- Full range of support services available to employees and managers.
- Contact arrangements while employee is off sick from work.
- Clear process for managing long term sickness absence and clear points of intervention for mandatory referrals to Occupational Health service.
- Guidance on the application of reasonable adjustments to support employees, and guidance on managing employees with a disability

- 3.3** Supporting procedures provide clear guidance to managers on undertaking return to work interviews and absence review meetings. These meetings encourage communication between the employee and their manager as an aid to identifying support available from the organisation to support a return to work. This will ensure a fair and consistent approach when managing attendance issues whilst acknowledging the importance of considering individual circumstances.

#### Consultation Exercise

- 3.4** The importance of involving key stakeholders as part of a policy review exercise was recognised. A number of stakeholders were consulted during an

extensive review process, and this contributed to the development of the revised Policy.

#### Employees

- 3.4.1** During the 2011/12 budget consultation road shows, employees highlighted concerns about the high levels of sickness absence within the Council, how this impacted on service delivery, morale and the resultant costs. Employees also reported concerns about inconsistent application of the current Maximising Attendance Policy.

#### Managers

- 3.4.2** Managers identified a number of barriers which prevent them from managing the absence process adequately. This included concern that the current Policy was difficult to apply consistently, open to interpretation and did not provide a clear process for managing both short and long term absence. Further barriers to effective absence management were caused through lack of clarity on when to refer employees to Occupational Health service, when to contact an employee who was absent, and the process for dismissing an employee on capability grounds.

#### Occupational Health Service

- 3.4.3** The effectiveness of the “in-house” Occupational Health Service was also considered during the review. This identified that on average it takes 95 days for a referral to be made. This indicates managers are not fully utilising a support mechanism which would provide them with clear, professional, clinical advice in relation to employee’s fitness for work.

#### Trade Unions

- 3.4.4** The Trades Unions recognise the need to address absence levels within the Council and a number of consultation meetings were held with Trade Union representatives. These meetings provided beneficial input into the development of the Policy. At the end of the consultation process the Trades Unions identified areas within the policy they could not support, these were highlighted to the JCF on 24 March 2011. Further Trade Union Issues were submitted to the HR&OD Service for consideration on 7 June 2011.
- 3.4.5** Full consideration was given to all the Trade Union concerns and a number of these resulted in changes to the initial Policy. Where their request for change could not be accommodated full feedback has been provided on the reason for this. Key issues are summarised below:
- Time off for aesthetic/cosmetic medical procedures
  - Duration of paid rehabilitation period
  - Redeployment process, period and line manager support
  - Referral to support through Cognitive Behavioural Therapy (CBT)

- 3.4.6** It is proposed that these issues are monitored over a 6 month period and reported back to a future meeting of the Committee.

Member/Officer Absence Working Group

- 3.4.7** In February 2011 the Council approved the establishment of a short-life Member/Officer Absence Working Group, which included a trade union representative. The remit of the group is to support a robust and joined up focus across the Council in facilitating improved performance in the management of absence. The JCF agreed that the new Attendance Management Policy be referred to the Absence Working Group for further consideration. The Group has met twice and have agreed the attached Policy which is submitted to Committee for approval (Appendix 1).

**4. People Implications**

- 4.1** It is inevitable that people do become ill and need to be absent from work, and the aim of the new policy is to provide a framework to deal with sickness absence fairly, consistently and appropriately.
- 4.2** Following a clear structured process may result in a rise in the number of capability dismissals following implementation of the new policy; however, no action will be taken without the process having been fully followed. The framework provides a right of appeal at all stages, and appeals against dismissal on the grounds of capability will be heard by Elected Members at the Appeal Committee.
- 4.3** To ensure the new Policy is applied fairly and consistently a corporate training programme will be available for all managers with staffing responsibilities and the Trades Unions will be invited to participate in delivering the training. The training is aimed at establishing a positive attendance culture across the workforce. In addition to the technical aspects of the Policy the training will focus on providing managers with the necessary skills and confidence to apply the new arrangements for managing absence. Employee briefing sessions will also be available.

**5. Financial Implications**

- 5.1** Sickness absence results in significant financial costs, in terms of occupational sick pay, overtime payments and cover arrangements.
- 5.2** In 2010/2011 sickness absence within the Council equated to 57,000 days lost. This is an estimated cost of £5.5m, which is equivalent to 237 full-time members of staff. Given the high level and cost of absence and adverse impact on service delivery managing absence is a key priority for the Council.

**6. Risk Analysis**

- 6.1** The absence of an effective absence management framework adversely impacts upon our service delivery and employee morale. Significant financial

costs associated with high absence levels are a particular risk to the Council in the current financial climate.

## **7. Equalities, Health & Humans Rights Impact Assessment (EIA)**

- 7.1** An initial impact screening identified a potential negative impact on specific equalities groups: disability; pregnancy/maternity & health, gender. The Policy has been developed to ensure a range of reasonable adjustments have been incorporated to alleviate any negative impact.

## **8. Conclusions and Recommendations**

- 8.1** The ongoing high level of sickness absence has a negative impact on service delivery, financial costs and employee morale. A number of initiatives resulted in a positive improvement in absence levels for the period 2010/11. This improvement could be further supported by the development of an effective attendance management policy.
- 8.2** A new Attendance Management Policy and Procedure has been developed following consultation and feedback from a range of key stakeholders. The aim of this Policy is to provide a positive, consistent and effective framework for supporting management of absence within the Council
- 8.3** Committee is asked to approve the implementation of the new Attendance Management Policy and Procedure with effect from 1 September 2011, with a recommended review of the effectiveness of the Policy in March 2012.

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Date: 9 June 2011

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**Appendices:** Appendix 1 – Attendance Management Policy

**Background Papers:** N/A

**Wards Affected:** N/A