

EAST AYRSHIRE COUNCIL

CABINET – 2 JULY 2008

REVISED ABSENCE MANAGEMENT PROCEDURES FOR ALL COUNCIL EMPLOYEES

Report by Depute Chief Executive/Executive Director of Corporate Support

1. PURPOSE OF REPORT

- 1.1** The purpose of this report is to ask Cabinet to approve proposed amendments to the Council's Absence Management Procedures, subject to consultation with Trade Unions.

2. BACKGROUND

- 2.1** The Council's Managing Absence Policy has been in place since 1996 and was last formally updated in July 2003 and communicated to employees in PER Circular 6/03. The current Procedures are applicable to Local Government Employees, Craft Operatives and Chief Officers. They do not apply to Teaching Staff who have their own policies in this area which are contained in Standard Circular 73.
- 2.2** The Internal Audit Section in August 2007 completed a review of adherence to the existing Absence Management Policy and Procedures and made a number of recommendations within its Action Plan. In addition, the Internal Audit Section in August 2007 also completed a Cross Boundary Review of Absence Management involving the three Ayrshire Councils and NHS Ayrshire and Arran. The proposed revisions to the current Absence Management Policy and Procedures take account of the recommendations contained in the Internal Audit reports.
- 2.3** A review of Absence Management has been necessary as absence levels within the Council continue to exceed the targets of 4% for former APT& C and 5% for former Manual Workers and also to ensure that the Council continues to reflect best personnel practice.
- 2.4** The revised Absence Management Procedures were circulated previously to Executive Directors and Heads of Service, account has been taken of comments received and the revised procedures have been approved by the Corporate Management Team. Copies of the revised Absence Management Procedures will be made available in the Members' Information Point. The main changes proposed are summarised below in Section 3.

3. PROPOSED CHANGES

- 3.1** The main changes to the existing Absence Management Procedures along with the previous provisions are as follows:-

a. **Single Managing Absence Policy and Procedures**

There should be a single corporate Managing Absence Policy and Procedures applying to all employee groups viz: Teachers, Chief Officials, Local Government Employees and Craft Operatives. This will ensure that a consistent approach is adopted for the management of absence for all employees within the Council and will allow more accurate comparison of absence rates and interventions between employee groups. Teaching Standard Circular No 73 will require to be amended to reflect the revised Corporate Absence Management Policy.

Previous provisions

Separate Policies applied to Teachers, Local Government Employees, Craft Operatives and Chief Officers.

b. **Absence Target**

The Council target for absence levels for all employee groups within the Council is now 4%.

Previous provisions

Target levels were 4% for former APT&C Staff and 5% for former Manual Workers. There was no target set for teachers.

c. **Absence Review Meeting**

A Follow Up Absence Review Meeting must be held no later than 3 months from the date of the initial meeting or earlier if considered necessary by the manager or supervisor. The timing of this meeting will be at the manager's discretion having regard to the circumstances of each case. Thereafter, Follow Up Absence Review Meetings to be held as frequently as determined by the Manager within the maximum period of 12 months from the date of the initial review meeting to ensure that the employee continues to achieve a satisfactory level of attendance at work.

Previous provisions

Follow Up Absence Review Meetings to be held within a period of 3 months from the date of the initial meeting.

d. **Absence Review Meeting Checklist**

A checklist of actions to be taken by managers relating to Absence Review Meetings has been developed.

Previous provisions

No checklist was provided to managers.

e. **Definition of unacceptable level of short term absence**

6 spells of absence (each of less than 28 days duration) or 22 working days (cumulative and not one continuous period) over a 2 year period whichever is less is deemed to be an unacceptable level of short term absence.

Previous provisions

No guidelines were given on what the Council considers to be unacceptable level of absence.

f. **Absence Review**

As part of the normal review process when an employee meets a Council trigger, managers will require to review the employee's short term sickness absences over the previous 2 year period in terms of the Council's short term absence criteria and agree an employee Action Plan to improve attendance. Employees will be given a copy of the Action Plan.

Previous provisions

There were no review periods given outwith Council triggers.

g. **Disciplinary Action**

In the course of further reviews where it is clear that there has been no significant improvement in attendance since the previous Absence Review Meeting then this non improvement may result in disciplinary action being taken, following a Disciplinary Hearing arranged in accordance with the Council's Disciplinary Policy and Procedures.

Previous provisions

Disciplinary action was about abuse of the system and not about absence levels.

h. **Absence Notification arrangements**

On first day of sickness absence, before the start of the working day if possible or within 1 hour of normal start time, the employee must speak directly to their Line Manager or appropriate alternative managerial contact when reporting absence or in extreme circumstances (e.g. hospitalisation) arrange for someone on their behalf to speak directly with the appropriate Manager. Where the relevant Manager is not available then the employee should leave a contact number to enable the Manager to contact them later that day, wherever practicable or as soon as possible thereafter.

Previous provisions

Employees to inform their manager within 2 hours of normal start time on first day of sickness absence. In the absence of their manager they must telephone a work colleague to advise them of their absence.

Departments will establish and publicise a list of appropriate managerial contacts for employees to telephone on their first day of absence.

i. **Contact during absence**

Managers to contact employees frequently during their initial four weeks of absence dependant upon individual circumstances and thereafter with minimum contact on a weekly basis during the period of absence. It is accepted that there can be sensitivities around this aspect but guidance on this will be contained in the Employee and Managers' Guidelines and will be covered in the relevant training.

Previous provisions

Contact at four weekly intervals.

j. **Occupational Health referral**

In addition to the current provision, in cases of musculoskeletal and stress issues, departments to contact Occupational Health via the Departmental Personnel Officer after receipt of employees' first medical certificate (Med 3 or self certification form). On notification from the Departmental Personnel Team, Occupational Health to immediately phone employee to discuss position, related support measures and/or arrange medical examination.

Previous provisions

In work related stress cases only, Occupational Health advised after receipt of medical certificate.

Notwithstanding the above, departments have the right to arrange for any employee to have an early intervention after discussing the position with the Departmental Personnel Officer. It will be the role of the Departmental Personnel Officer to lead this action also and to engage with managers to discuss each case and to promote good practice.

k. **Withdrawal of self certification**

An unacceptable level of absence may result in the withdrawal of the self-certification facility or in disciplinary action being taken where there has been no significant improvement in attendance. A Disciplinary Hearing will be arranged in accordance with the Council's Disciplinary Policy and Procedures.

Whilst not explicitly a disciplinary matter, managers and supervisors will have the option to remove the facility for self-certification as part of the overall management of an employee's absence.

Previous provisions

Provision existed for the withdrawal of self-certification but it was rarely used.

i. Occupational Health assessment

The Council's Occupational Health Service to determine as early as possible whether there are any underlying health issues contributing to the absences or whether an employee is no longer fit to undertake the duties of their post. Where an employee is so identified and no reasonable adjustments can be made to their existing post, attempts will be made to redeploy them in accordance with the Council's Redeployment Policy. In cases where an employee is not redeployed within an appropriate timescale they will be dismissed from the Council's service due to capability. Similarly where there are no underlying health issues affecting an employee and there is no improvement in attendance patterns following the drawing up of an action plan then the matter will be considered under the appropriate Disciplinary Procedure.

- m. Occupational Health Service to be more challenging in their approach to improve absence levels by working in improved partnership with departments. The current documentation submitted to Occupational Health to be revised with more defined questions being developed in respect of the specific demands of the job. In addition Occupational Health to advise whether the employee is able to return to work to carry out other duties within the remit of the job or similar jobs. The revised standard questions to be developed in conjunction with the Council's OHS.

The employee's job overview document and the teacher's job description will be included as part of the standard documentation forwarded to OHS.

Managers to be reminded of the facility for them to discuss referrals with Occupational Health prior to the employee being seen by Occupational Health. These discussions to be supported by Departmental Personnel Officers.

n. Unpaid leave of absence

The period of unpaid leave of absence to be reduced from 12 months to a maximum of 6 months. Employees will be granted a block of 3 months unpaid leave in the first instance where the Council's Occupational Health Service states that there is a prognosis of an employee's return to work within the 6 month period. Discretion to extend the period of unpaid leave of absence will only be exercised by Heads of Service in consultation with the Head of Personnel taking each case on its own merits.

The extent of the provision of unpaid leave of absence for employees who are suffering from terminal illness will be considered on a case by case basis having regard to the particular circumstances applying.

Teaching Staff

Because of the length of process for effecting the ill health retiral of Teachers through the Scottish Public Pensions Agency, teachers will be entitled to a maximum period of 12 months unpaid leave of absence.

o. **Holidays during sickness absence**

Employees will be advised that if they wish to go on a holiday whilst on sick leave then they will require to obtain from their GP a medical certificate or letter confirming their fitness to travel and confirmation that the holiday will not be prejudicial to their recovery.

Previous Provisions

There was no requirement for a medical certificate to confirm fitness for travel or that the holiday would not be prejudicial to recovery.

p. **Absence reporting**

In accordance with arrangements laid down by Audit Scotland, sickness absence to be recorded and reported on the basis of number of days absence which will enable consistent comparisons to be made with other sectors.

Previous provisions

Absence was reported on a percentage basis.

q. **Return to work interview**

Managers to formally carry out a documented process with the employee on their return to work. The return to work interview with the employee will take place on their day of return to work. This will normally be face to face but may in certain circumstances be by telephone. A template of questions to be asked by managers will be developed by Personnel Services to ensure that a consistent approach is adopted throughout the Council.

Previous provisions

No template was provided for managers.

r. **Technical support**

A dedicated project team to be established to develop the absence reporting part of the Cyborg system and to report in early course. The continuing support and direction of the system to be determined between the Head of IT

and the Head of Personnel. All of the foregoing to ensure that relevant and timely management information is available for managers and supervisors.

s. **Cost of absence**

Given the current systems, it would be administratively cumbersome to accurately cost sickness absence in all departments. However, it is proposed that the indirect costs be determined based on the maximum hourly rate of the employee's grade. This will enable an indicative indirect cost of lost production to be reported as part of each department's absence statistics.

When the Council's computerised absence system is developed further, the formulae for determining the cost of absence will be reviewed at that time.

t. **Levels of responsibility**

The current Absence Management Policy does not clearly define responsibilities at the different levels within the Council and to ensure that everyone is aware of their individual and collective responsibilities, definitions of the Council, Executive Directors and Heads of Service, Managers, Personnel Services, Departmental Personnel Officers, Occupational Health Service and employees responsibilities have been developed which will be communicated to all employees.

Previous provisions

No definition was provided of responsibilities for Executive Directors and Heads of Service and Occupational Health Service.

u. **Recognising perfect attendance**

All employees with no recorded absences during the calendar year 2007 be entered into a prize draw at the Employee Excellence Awards Ceremony.

Previous provisions

Employees' attendance was not recognised.

v. **Strategic monitoring**

A corporate group of appropriate senior managers from each department and including representatives from the Occupational Health Service be established to meet on a quarterly basis. The Group to be chaired by the Depute Chief Executive/ Executive Director of Corporate Support.

Previous provisions

There is currently no corporate group specifically reviewing absence levels.

- 3.2 The above new arrangements will be reviewed after 6 months operational experience.
- 3.3 All documentation used in the absence management process will be updated to reflect the proposed changes.
- 3.4 The revised Procedures will continue to assist the Council to achieve and sustain a corporate and consistent approach to managing employees' sickness absences thereby assisting the Council to operate effectively and deliver quality services.

4. COMMUNICATIONS

- 4.1 Employees will be advised of the revised Absence Management Procedures via an updated employee leaflet and managers' guide, the Council's intranet site, Eastwords and the issue of a relevant PER Circular. In addition, a concise leaflet highlighting the key steps in the reporting and notification of sickness absence will be issued to all employees. The Booklets and leaflet will be included in the Job Induction pack for all future Council employees.

5. TRAINING

- 5.1 The Corporate Managing Absence Training Course will be updated to reflect the revised Policy and Procedures and Toolbox Talks for employees and Managers will be provided to emphasise the Council's guidelines on unacceptable levels of short term sickness absence and to upskill managers in dealing with absence management issues.

6. FINANCIAL IMPLICATIONS

- 6.1 Any additional costs arising from the proposed changes to the Absence Management Procedures during the initial six months period of introduction will be met from within the existing budget of the Department of Corporate Support. This arrangement will be reviewed after 6 months operational experience.

7. POLICY/LEGAL IMPLICATIONS

- 7.1 The proposed changes will ensure that the Council meets its legislative requirements as an employer and continues to follow leading practice. The proposals meet the pursuit of continuous improvement and Best Value and contribute to the achievement of the Community Plan Theme –Improving Health by promoting well-being amongst the Council workforce, the majority of whom live within the Council's boundaries.

8. TRADE UNIONS

- 8.1 The proposed changes are subject to Trade Union consultation including the Teaching Trade Unions.

9. RECOMMENDATIONS

9.1 Cabinet is asked to

- (i) approve the above changes to the Council's Absence Management Procedures, subject to consultation with Trade Unions;
- (ii) note that absence management is a standing item on Corporate Management Team agendas; and
- (iii) note that quarterly and annual absence statistics will be reported to the Governance and Scrutiny Committee.

Elizabeth Morton
Depute Chief Executive/
Executive Director of Corporate Support
23 June 2008

LIST OF BACKGROUND PAPERS

1. Current Managing Absence Policy and Procedures (July 2003).
2. Teaching Standard Circular No 73.
3. Internal Audit Section Review of Absence Management: Adherence to Policy (August 2007).
4. Internal Audit Section Cross Boundary Review of Absence Management (August 2007).

Any person wishing further information should contact Martin Rose, Head of Personnel (Telephone 01563 576092).