

NIGALA

NI Guardian Ad Litem Agency

*A voice for Children and Young People
in Family Courts*

Attendance at Work Policy

2017-2021

(Replaced Absence Management Policy)

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1. Introduction

The Northern Ireland Guardian ad Litem Agency (hereafter NIGALA) recognises that the health and well-being of its workforce is critical to the effective functioning of the organisation. This policy is set in the context of the regional policy framework of best practice for managing attendance, compliance with employment legislation including the Disability Discrimination Act, the relevant terms and conditions and the NHS (AfC) Terms and Conditions handbook.

In developing this policy the NIGALA recognises it has a duty to support staff when they become ill, facilitating staff in so far as possible to safely return to work as early as they can. The NIGALA has a responsibility to actively encourage a culture of health and well-being within the workforce whilst equally expecting employees to take personal responsibility for their own health and well-being. The NIGALA recognises that staff sickness exacerbates service delivery problems and places additional pressure on other staff, as well as carrying a significant financial cost.

2. Purpose

The purpose of this policy is to set out how absence will be dealt with in a fair, consistent and proactive manner by providing clear and effective guidelines on the management and monitoring of absenteeism. This policy (and its associated procedure) also focuses on supporting managers and employees during periods of absence by providing a clear framework for progress. This policy applies to all employed staff.

3. Key Aims

The key aims of the policy are to:

- Deal with absenteeism in a fair, consistent and proactive manner by providing clear and effective guidelines on the management and monitoring of absenteeism;
- Assist in the management of the cost to, and the impact of, absence on the organisation;
- Enable staff to return to work as soon as possible;
- Improve the health and well-being of all staff by facilitating and supporting initiatives, where appropriate, which enable staff to return to or remain in work;
- Clarify roles and responsibilities in relation to the management of attendance; and
- Prevent and deal with instances of abuse of HSC Sick Pay provisions.

4. Roles and Responsibilities

All employees have a fundamental role to play in the management of attendance and it is expected that all staff will undertake their roles and responsibilities, in accordance with the Attendance at Work Policy.

4.1 Manager's Responsibilities

- 4.1.1 To manage absence in accordance with this policy by recording, monitoring and investigating the absence levels of all employees for whom she or he is responsible and by taking appropriate and timely action when required to ensure that all staff are aware of their obligations under the policy and the importance of good attendance management.
- 4.1.2 To respect the confidentiality of any information provided to them through the operation of this policy.
- 4.1.3 To ensure that all employees are aware of their obligations within the Attendance at Work policy and procedure including the correct notification procedures when reporting sick for work and in particular to whom they should report.
- 4.1.4 To maintain regular and effective contact with employees who are on sick leave. The frequency of this will depend upon the circumstances of the absence and normally agreed with the employee.
- 4.1.5 To maintain accurate absence records which includes timely recording of absence on the Human Resources, Payroll, Travel and Subsistence (HRPTS) system, conducting return to work interviews and processing the appropriate medical certification.
- 4.1.6 To seek specialist advice from the NIGALA's Business Service Organisation (BSO) Human Resources (HR) Business Link and Occupational Health (OH) when appropriate.
- 4.1.7 Arrange and participate in case management meetings and all other relevant meetings with OH and HR, the employee and the employee's representative when appropriate. Further information on case management meetings can be obtained from the NIGALA's BSO HR Business Link.

- 4.1.8 To facilitate and support employees when possible in relation to adjustments and rehabilitation programmes as recommended by OH and other medical and allied health professionals.
- 4.1.9 To encourage participation in internal Health Promotion initiatives in line with the health and well-being strategy.
- 4.1.10 To ensure completion of Incident Forms when an employee has suffered an injury or other condition associated with their employment.
- 4.1.11 Where necessary, initiate action in accordance with the Disciplinary or Capability procedures to deal with poor attendance and/ or failure to comply with the Attendance at Work Policy.
- 4.1.12 To reassure staff with genuine medical conditions that where possible reasonable adjustments will be made to facilitate their ongoing employment.

Managers should note the importance of accurate and timely recording on HRPTS as this enables the BSO HR Information Team to produce statistical analysis on both short and long term sickness absence within the NIGALA. The information will also ensure employees are paid appropriately during their period of absence. Managers will be accountable for any recording failures or anomalies. Failure to complete this may result in disciplinary proceedings. Appendix A of the Attendance at Work Procedure provides guidance on how to record and edit absence details on HRPTS.

4.2 Employees' Responsibilities

- 4.2.1 To ensure regular attendance at work in accordance with their contractual obligations.
- 4.2.2 Notify their Line Manager of absence in accordance with notification procedures. Contact must be by telephone. Contact by text or email is not acceptable, nor is someone to contact on your behalf except in very exceptional circumstances i.e. hospitalisation. If you are unable to make contact with your line manager, make contact another manager within the Agency.
- 4.2.3 Agree a timetable for regular appropriate contact with their manager during the period of absence.

- 4.2.4 Ensure they are aware of and meet their obligations under the Attendance at Work Policy (and associated procedure) and recognise the consequences of poor attendance at work.
- 4.2.5 Ensure that relevant sick certificates and medical reports are forwarded without delay **to the manager** for appropriate action, and that they cover the whole period of absence. Payroll cannot pay Occupational or Statutory Sick Pay without the appropriate certification.
- 4.2.6 Comply with requests to attend OH Service on time unless for some exceptional reason they cannot attend. In those exceptional circumstances they must notify their line manager and the BSO Human Resources Department who will re-schedule the appointment. Failure to attend Occupational Health may result salary being withheld and disciplinary proceedings may be initiated. Managers wishing to withhold pay for this reason should only do so following discussion with BSO HR. Staff who have to attend OH outside of their normal work location may claim travel expenses at public transport rate only.
- 4.2.7 Participate, when requested, in meetings relating to their absence and co-operate in the development of return to work and rehabilitation plans with managers, HR and trade union representatives as required.
- 4.2.8 Refrain from any activity (social or sporting) which may be prejudicial to recovery or be likely to bring into question the reason for continuing absence. There may be times when sporting activity/exercise is recommended by a GP as being beneficial to recovery. In these circumstances, advice from HR and/or OH should be sought.
- 4.2.9 Not work elsewhere in paid or **unpaid employment** whilst on sick leave unless prior permission is received from your manager. Staff who are found to be working elsewhere and have not complied with the above requirements may be subject to disciplinary proceedings.
- 4.2.10 Understand that sick pay is for absence due to ill health and not for other purposes such as carrying out caring responsibilities which are covered by other policies.

4.2.11 On a strictly confidential basis to make their managers aware of any issue which may interfere with their normal attendance at work.

4.3 Role of BSO Human Resources (HR) Directorate

4.3.1 Provide a suite of statistical information on a regular basis and as required, to assist the management of attendance within the NIGALA.

4.3.2 Provide specialist advice and guidance to managers on overall absence levels and specific complex cases.

4.3.3 Participate in case management meetings with managers to review and progress complex absence cases.

4.3.4 Assist in the development of Rehabilitation Programmes and reasonable adjustments as recommended by Occupational Health Professionals for staff returning from long term sick leave.

4.3.5 Meet with managers, staff and, if requested, Trade Union Representatives relating to the procedures for ill health termination and/ or ill health retirement.

4.3.6 Develop and deliver training sessions on all aspects of this policy.

4.3.7 To monitor the application of this policy on a regular basis.

4.4 Role of Occupational Health (OH)

OH Professionals will:

4.4.1 Assess employee health (the effects of) in terms of fitness for work considering the effects of work on health/ health on work with the aim being to assist management and employees in (making plans to) facilitating/ supporting a return to work.

4.4.2 Offer support and advice to employees reporting work related health and safety and well-being issues (affecting employees).

4.4.3 Provide advice to managers on employees fitness for work for those who have health or attendance issues which may be affecting attendance,

performance or behaviour in the workplace particularly for those staff covered by Disability Discrimination legislation.

- 4.4.4 Provide reports to managers and BSO HR following the employee's appointment at OH.
- 4.4.5 Advise HR of cases that require their specialist involvement such as complex health and work situations, ill health termination, re-deployment or retirements.
- 4.4.6 Provide appropriate advice to employees regarding their health. This will include guidance for support options such as counselling, stress management and Health Education to employees as required.
- 4.4.7 Provide advice to management regarding workplace adjustments in sickness absence cases, rehabilitation, re-deployment or modification of hours due to other work place.
- 4.4.8 Provide health awareness sessions/ health improvement training in accordance with the Service Level Agreement.
- 4.4.9 Participate in meetings with Managers, HR, Employees and Trade Union Representatives as appropriate.

4.5 Role of Trade Union Representatives

- 4.5.1 Support the implementation of the policy and work with management, HR, OH and other Health Professionals that may be necessary when representing their members during the process.
- 4.5.2 Encourage employees to comply with the Attendance at Work Policy within the NIGALA.
- 4.5.3 Provide support to the employee encouraging compliance with any recommendations made to assist individuals to obtain the maximum benefits from the agreed arrangements.
- 4.5.4 Participate in case conferences and rehabilitation reviews at the request of the employee.

4.5.5 Participate in initiatives and work in partnership with management to reduce absence levels within the organisation.

5. Review

This policy will be reviewed no later than three years from its implementation.

6. Equality Impact

This policy has been screened for an equality implication as required by Section 75 of the NI act 1998 and is assessed as having no serious impact on the Section 75 groups. However, it is recognised that it might bring to attention a number of staff who may have a disability or have difficulty attending work because of carer arrangements and sets out specific actions to address such issues. Each circumstance will be dealt with in accordance with the relevant legislation as it is identified.