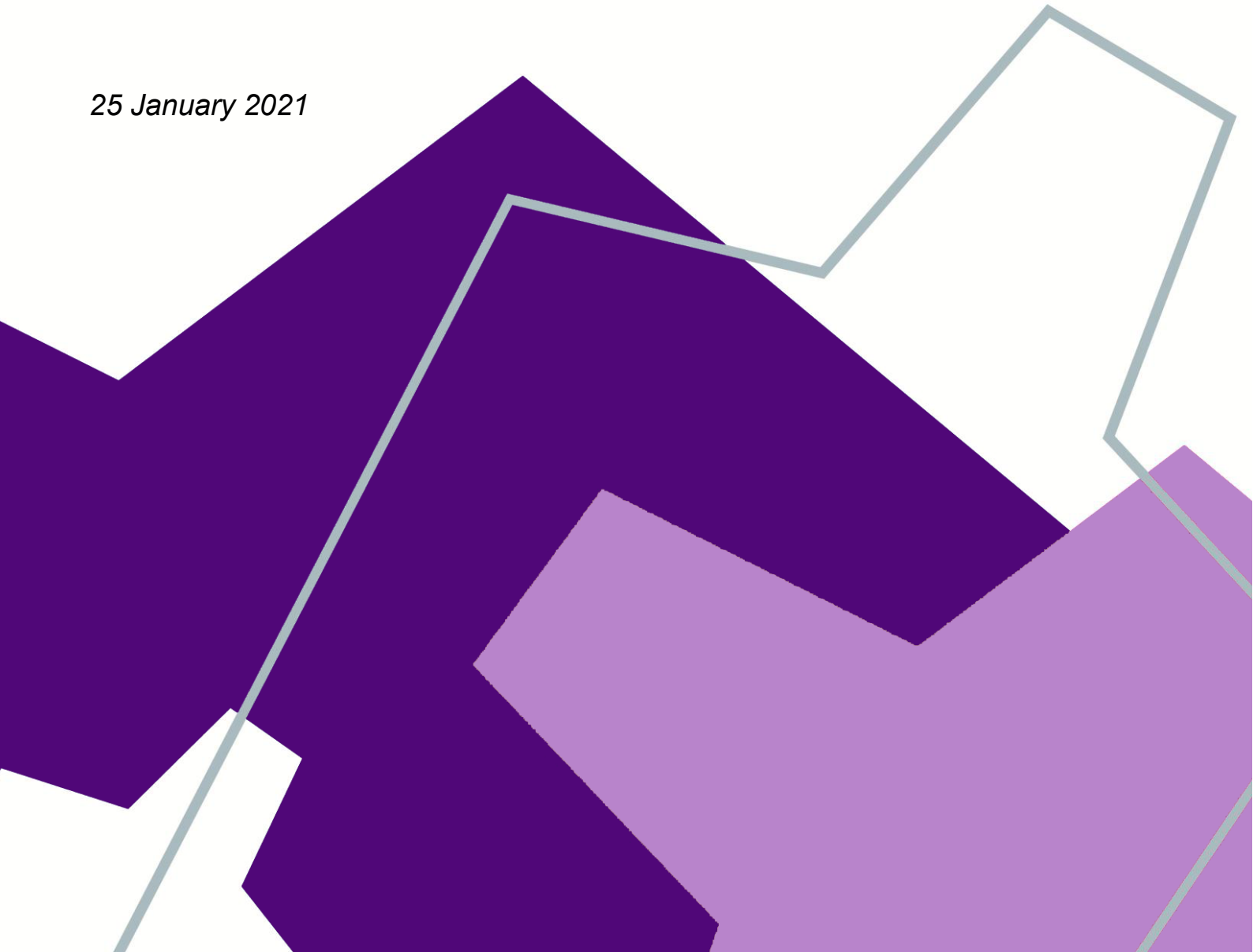
The Scottish Parliament
Pàrlamaid na h-Alba

Attendance Management Policy

Poileasaidh Stiùireadh Frithealaidh

25 January 2021



Attendance Management Policy and Procedure

Introduction

The SPCB is committed to providing high-quality professional advice and support services focused on meeting the needs of Members and of the Parliament. The SPCB recognises that a healthy, highly skilled and motivated workforce can contribute to that and has in place progressive employment policies and practices, one of which is an effective Attendance Management Policy to help it achieve its goal

The SPCB will be sympathetic to staff who experience ill-health and will treat staff in a fair, responsible and caring manner.

Aims

The aim of this policy is to ensure that a clear framework is in place in order that:

- staff and managers are aware of the standards of attendance required and recognise their responsibilities in relation to attendance at work;
- a proactive approach to the management of attendance is adopted so that any possible issues or underlying causes are identified and addressed at an early stage;
- attendance is managed in a fair and consistent manner.

Scope

This policy and procedure applies to all members of staff employed by the SPCB. Separate procedures exist if you are on probation, details of which are in your letter of appointment.

General Principles

The main principles governing the attendance management procedures are that:

- In accordance with the Health and Safety Policy, the SPCB will provide a safe working environment for you. Arrangements are regularly reviewed and appropriate information and training provided to ensure that safe methods of work are adhered to and risks minimised;
- the SPCB will provide you with information and support to help you to adopt a healthy and balanced lifestyle through a range of health and wellbeing services and a confidential Counselling and Information Service;

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General Principles (continued)

- the SPCB will provide managers with regular training and guidance to support the application of this policy and to help them motivate staff to achieve high levels of attendance;
- in line with its commitment to equality, diversity and inclusion, the SPCB will not discriminate in the application of these procedures in respect of age; disability; gender; marriage and civil partnership; pregnancy and maternity; race (which includes colour, nationality and ethnic or national origins); religion or belief; sexual orientation; trans status; trade union membership or non-trade union membership. Reasonable adjustments will be put in place, as appropriate, to support staff with a disability;
- the SPCB encourages you to share with your managers any relevant information which may affect your work to enable your employer to provide you with any appropriate support to overcome these issues; and
- the SPCB will collect and analyse information on absence levels, including the reasons for the absence, to provide regular management information reports at organisational and office levels, and will take action to identify and resolve the root cause of any emerging trends of unacceptable attendance.

Roles and Responsibilities

We will achieve a positive attendance culture and effective attendance management through the combined efforts of the following:

- The SPCB Leadership Group have overall responsibility for providing a safe working environment and directing positive action to support staff wellbeing and optimum attendance;
- Line managers are responsible for supporting staff to achieve high levels of attendance and for managing absence in accordance with this policy and procedure;
- Heads of Office/Group and managers are responsible for monitoring attendance within their teams and for taking early action in response to any issues identified; they will also actively contribute to the management of systems and practices that help to minimise absence levels;
- the Human Resources Office is responsible for providing professional guidance and advice in relation to the application of this policy and procedure. It also has responsibility at a corporate level for collecting, analysing and reporting absence data;
- the Occupational Health Service is responsible for providing impartial advice, support and guidance to management and staff on health and wellbeing issues and for conducting health assessments and liaising with medical professionals as appropriate; and
- you are responsible for attending work in accordance with your terms and conditions of employment, unless prevented from doing so by illness or another reason. It is up to you to ensure that your lifestyle does not adversely affect your ability to attend work. You are required to comply with the terms of this policy and procedure, including notification of absence arrangements and absence certification requirements.

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Absence Notification Arrangements

If you are prevented from attending work through ill health, you must arrange to speak to your line manager before 10 am (or prior to shifts, rostered commitments or your agreed start time if you operate a flexible working pattern), indicating the reason for absence and the likely duration. It is important that you speak to your line manager as early as reasonably practicable so that he or she can reassign your workload if necessary. In exceptional circumstances, it may be necessary for you to make contact through a different route or for a relative or friend to speak to your manager on your behalf. If your line manager is not available, you should speak to the next most senior manager in the office.

You must keep in regular contact with your manager during your absence and keep them informed about the expected length of your absence and your progress.

Absence Certification Arrangements

You can self-certify for up to seven calendar days. Your manager will update your sickness absence on TRS. Following your return to work, at the point at which your clockings are entered to the system, your manager will receive an email alert prompting them to close the absence and hold a Return to Work Interview. Further guidance is available on TRS.

If you are absent for eight calendar days or more, you will be required to submit a medical certificate from your General Practitioner or hospital covering any absence from the eighth calendar day. It is important that you submit the medical certificates on the day your preceding certificate runs out, to ensure that your absence is properly authorised and that you receive the correct rate and type of payment.

Statutory and Occupational Sick Pay

If you are unable to attend work due to ill health, you are normally entitled to sick pay.

Provided that there is a reasonable prospect of eventual recovery and return to duty, the SPCB may grant you sick absence on full pay for a maximum of six months in total during any period of 12 months. You may also be paid sick absence at half pay subject to a maximum of 12 months' sick absence in any 12 month rolling period. Depending on the level of sick absence you have incurred over the previous 12 months, half-pay or no-pay rate may commence at any time during a particular period of sick absence. You should contact the Human Resources Office (ext: 86500) if you need any further information in relation to your particular circumstances.

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Statutory and Occupational Sick Pay (continued)

Each normal workday you are sick (Monday to Friday) or other rostered workday counts as a day's sick absence. Weekends, public and privilege holidays and rest days also count if your absence begins before them and continues after them. For example, in the case of a weekend for Monday to Friday workers, if you are absent on both Friday and Monday you will be recorded as being absent for four days, not two. On the other hand, if you are absent on a Friday but return to work on the following Monday, you will be recorded as being absent on only one day.

If you fail to comply with absence notification and certification requirements, we will stop payment of statutory or occupational sick pay and you may be subject to disciplinary action. We will also consider disciplinary action if you are absent without authority; provide false information to a manager in relation to a self certificate or on a medical certification form; or take sick absence without legitimate reason. If you are absent from work without authority, your salary will be reduced accordingly and you may be subject to disciplinary action.

Contact

Your manager will arrange to maintain contact with you at agreed regular intervals in order to:

- check on your wellbeing;
- assess what support they can provide;
- discuss with you a likely return to work date;
- get information to help him or her plan to cover your absence;
- check your understanding of the Attendance Management Procedures; and
- keep you abreast of developments at work.

You have a responsibility to respond to contact from your manager and to provide him or her with reasonable information to allow them to manage your absence effectively.

If your absence extends beyond a period of four weeks, your manager might arrange to meet you at a mutually agreed location. A representative from the Human Resources Office may accompany your manager. The purpose of the meeting is to find out your current state of wellbeing and progress, to offer support and to discuss a timeframe for your return to work.

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Return to Work Discussions

After each period of absence, regardless of length, your line manager or someone in your management chain will arrange a return to work discussion with you at the earliest opportunity. A return to work discussion provides an opportunity for your manager to:

- establish that you are well and fit to return to work;
- acknowledge your absence and confirm that your contribution has been missed;
- confirm that the record of your absence is accurate;
- determine whether there is any underlying medical condition or other contributory factor to your absence, including work-related factors;
- review your attendance record and highlight any concerns;
- consider what support is appropriate, including any reasonable adjustments;
- explore the impact your absence has on work and establish priorities of work;
- confirm the details of an agreed return to work plan, if applicable.

Your manager will record a summary of the discussion on TRS.

If your levels of attendance give your manager cause for concern, he or she will bring this to your attention at the return to work discussion and arrange a further meeting with you to explore matters in further depth. It is at this stage that managers should ensure that medical information, any known disability and any other mitigating factors are taken into consideration before they decide to invoke the formal procedures. This further discussion will be recorded, together with a note of any changes/ improvements you require to make to bring your attendance to an acceptable level. You will be asked to confirm that it is a true record of your discussion. This meeting will constitute the informal stage of the Improving Attendance Procedures.

Phased Return to Work

The Phased Return to Work Policy is available to support staff who have experienced a prolonged period of absence from work to return to their normal hours and duties of work in an effective and productive way that does not compromise their recovery or long-term health. The Phased Return to Work policy and procedure sets out the broad parameters within which a phased return to work programme will be supported and managed.

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Absence Flags for Consideration of Formal Management Action

To ensure that absence is managed in a fair and consistent manner, your manager will consider whether he or she should take further action in accordance with this policy and the Improving Attendance Procedures, if:

- you have had more than ten days' self-certificated absence in total within a rolling twelve-month period;
- you have had four periods of absence (including single days) within a rolling six-month period;
- any unacceptable patterns of absence emerge, for example, regular absences on Mondays and/or Fridays or immediately before/after rest days; absences occurring in the same week;
- each year coinciding with periods of particularly intense parliamentary activity; absences that fall during months when no public holidays/annual leave are taken; regular absences at the start of night shifts etc.;
- you have had a continuous period of absence exceeding four weeks; or a Bradford Factor Score of 125 in a rolling six-month period.

These flags may be adjusted for staff whose absence is related to disability. Pregnancy related illness will not be counted towards the flags.

The primary purpose of setting flags is to allow your manager to manage any unacceptable attendance including investigating the cause and frequency of the absences at an early stage to see whether there is any underlying medical condition; it is not to try to prove that the absences are not genuine. If there is an underlying medical condition, your manager will work with the Human Resources Office to establish whether the employer can put in place any support mechanisms to help you to attend work to a level that is acceptable. That will include seeking professional advice from our Occupational Health Adviser.

The Occupational Health Adviser may wish to seek information from your General Practitioner or other medical adviser and will do so only with your informed consent in accordance with the Access to Medical Reports Act 1988.

You should be aware that if you do not give consent, your manager will have no choice but to proceed based on the information available. You should also bear in mind that if you refuse to co-operate in the application of any the SPCB's policies or procedures, including the Attendance Management Policy and Procedure, this may be treated as misconduct and dealt with under the disciplinary procedures.

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Absence Recording

The Human Resources Office maintains an individual attendance record for each member of staff to enable levels of attendance to be monitored and to facilitate the identification of any particular absence patterns. Information recorded includes the reason, duration and frequency of absence. Accurate records assist with an early assessment of potential issues and allow your manager to determine what action he or she should take, in partnership with you, to improve attendance. Your manager may also use the data to initiate formal action under the Improving Attendance Procedures if necessary. Information relating to your health will be restricted to staff who require access to the data in fulfilling the responsibilities of their job roles.

In accordance with the Data Protection Policy, you may request access to your attendance record. If you wish to exercise that right, you should contact the Human Resources Office on ext 86500.

Absence Statistics

The Human Resources Office will provide Leadership Group with statistical information detailing the overall work attendance of SPCB staff. This allows LG to monitor absence levels and trends in the organisation as a whole and to consider whether there is any need for a wider programme of positive action to address any areas of concern. Regular statistical analysis also facilitates measurement of the impact of any absence reduction initiatives and provides a useful means of benchmarking absence levels against national averages.

Heads of Office/Group and managers are responsible for monitoring and reviewing attendance levels within their business areas on a regular basis and the Human Resources Office will provide statistical data to assist in that process and to allow your managers to identify and take prompt action on any incidence of unacceptable attendance.

Monitoring and Review

The SPCB will review and monitor this policy on an ongoing basis, taking into account legislative requirements and identified good practice.

Enquiries

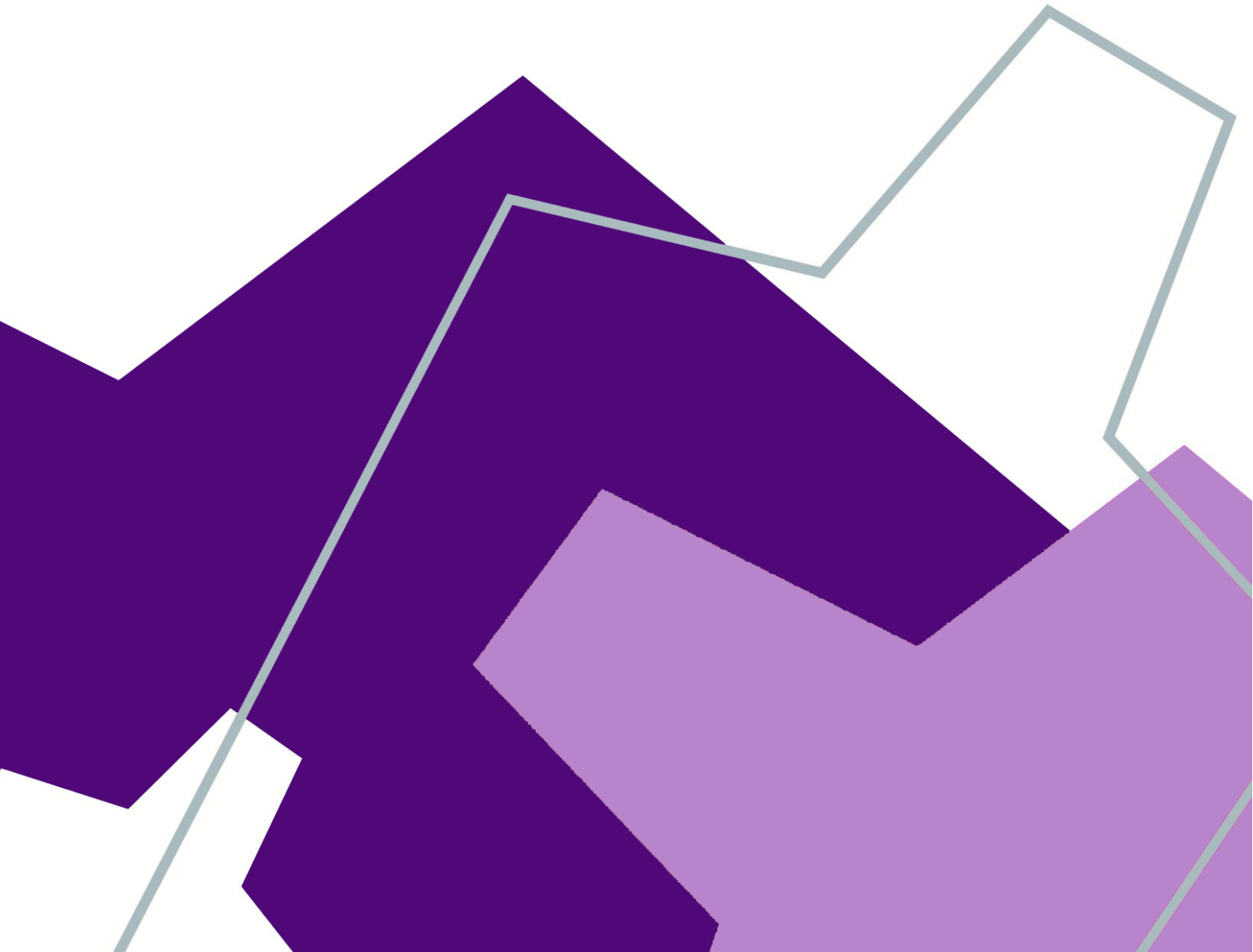
you have any enquiries in relation to this policy and procedure, please contact the Human Resources Office on extension 86500.

Absence due to Injury, Disease, or Assault at Work

If you are absent due to an injury sustained or a disease contracted at work, you should report the matter immediately to the Human Resources Office since special arrangements may apply in certain cases.

Attendance Management (English only)

For further information contact:

HumanResources@parliament.scot

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