

Supporting Attendance - Manager's Guide



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1. Introduction

Our policy

Every day, our employees act as the 'face' of Glasgow City Council, often coming into contact with the people who live in and visit the City. Our reputation and success depends on the services we deliver. As a result, we expect a high level of attendance from employees in order to deliver an efficient and effective service to all our customers.

We recognise the importance of the health, safety and wellbeing of all employees. Our supporting attendance policy provides a framework which allows us to support employees' attendance, and to provide assistance to employees with health problems at an early stage. We're committed to supporting employee attendance and improving employee health and wellbeing. This is demonstrated by the professional services we have available, such as our [employee assistance programme](#) and [occupational health service](#).

As an introduction to managing attendance, you should undertake the relevant e-learning course '**Maximizing Attendance – Effective Communication**' to ensure that employees are managed in line with Council policy and procedures.

Purpose of the guide

The purpose of this guide is to outline your responsibilities as a manager under our policy, and to take you through the processes you'll need to follow if an employee reports absent due to sickness. It also outlines the support you should consider, and the options you can use in helping the employee to return to work at the earliest stage and the steps that you'll need to take in helping employees to maintain high levels of attendance at work.

You'll also find details of what you, as a line manager, should do where an employee's attendance is giving cause for concern and has reached an

unsustainable level or where an employee is unable to return to work, and the process you'll need to follow.

2. Why Manage Attendance

Sickness Absence is one of the council's Statutory Performance Indicators and is used for benchmarking and performance review. High levels of sickness absence are costly and if you don't manage attendance properly, it could:

- Have a detrimental impact on the level of service and support that we provide to citizens who rely on Council services.
- Impact on service delivery and reputation of the Council.
- Cause additional staff pressures affecting morale and levels of stress, impacting on staff engagement levels.
- Cause a lack of interest or concern among people who have a pattern of short term intermittent absences. They may think that it's acceptable to be absent from work no matter the circumstances.
- Lead to employees who are long term absent feeling cut off and out of touch.

It's very important that all line managers take an active role in managing attendance and in supporting employees to maintain regular attendance. This allows managers to:

- Support employees with health problems at an early stage.
- Create a culture of wellbeing for employees across the Council.
- Respond well to problems with service delivery that could or do happen.
- Reduce the impact on service delivery and colleagues who continue to provide support to service users who continue to rely on Council services.

Adopting a proactive approach to managing attendance and supporting staff who may experience ill health, will require managers and staff to have

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open and honest discussions about any health conditions impacting on their ability to perform their duties. This will help to identify any adjustments that could be put in place to support staff.

- Ensuring discussions take place with staff at an early stage is very important and will help to deliver benefits of improved employee health and wellbeing.
- Providing the right help and support.
- Increased productivity.
- Reduced costs.
- Ability to plan and manage workloads and how we deliver the service.
- Improved customer service and satisfaction.

3. Your Role and Responsibilities

As a manager, you have a key role to play in monitoring and managing employees' attendance. You should:

- Be proactive in managing the health and wellbeing of your team, establishing a positive working environment where employees can raise concerns at an early stage. This includes the legal duty of care to protect employees from risks of ill health/injury at work.
- Communicate council and service attendance targets to employees and the impact of poor attendance.
- Regularly review attendance levels within your section or team.
- Treat employees fairly and consistently.
- Encourage them to seek help at an early stage if they have any issues that may affect their health or ability to attend work. For example, promotion of Employer Assistance Provider (EAP) services or consideration of an Occupational Health referral.

You should adopt a robust approach, when managing an employee's attendance. However, in line with our policy, you are required to take management action in the following circumstances:

- Has unauthorised absence.
- Fails to comply with absence reporting procedures.
- Abuses the council's sick pay provisions.
- Demonstrates fraudulent conduct.
- Has an unacceptable and unsustainable attendance record.

When managing attendance, you should:

- Make sure that employees are aware of and follow the correct procedures for reporting absence, and the forms they'll need to submit, such as a fit note.
- Discuss any periods of absence with employees, carrying out return to work discussions and Attendance Reviews as required.
- Encourage employees to seek appropriate help at an early stage if they have any issues that may impact on their health or ability to attend work.
- Be aware of and where appropriate, promote and utilise the wide range of support services in place to assist employees.
- Consider other leave arrangements that may be appropriate such as Bereavement Leave, or Dependents Leave. Please refer to the [Leave Conditions of Service](#).
- Consider reasonable adjustments (temporary or permanent) to support employees in the workplace.
- Advise employees of your concerns about their level of attendance and if appropriate, outline the potential consequences of this.
- Arrange a referral to our occupational health provider as appropriate.
- Provide written outcome of the discussions, and any action points to the employee.

You should also be mindful of any other consequences of absence and take appropriate steps to address those issues. Consequences of absences include:

- demotivated colleagues who have to take on extra responsibilities
- disruption to productivity and the services we deliver

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- reduce customer satisfaction.

4. Supporting Employees Wellbeing

We are committed to the health and wellbeing of our staff with our supporting attendance policy and partnership arrangements in the form of Occupational Health, Employee Assistance Programme, Access to Work/Able Futures, See Me at Work Programme and Healthy Working Lives framework.

Whilst we recognise some periods of absence due to sickness are inevitable, we believe the promotion of targeted initiatives and events together with our established partnership working arrangements, will better support employees to manage their own health and wellbeing. As a manager, you should promote all available resources and events as advertised on the [health, wellbeing, equality and diversity training and events training pages](#).

The Council's Staff Health and Wellbeing Handbook brings together a wide range of recommended internal and external health and wellbeing information, guidance and support - all in the one place for ease of reference. To find out more, please visit [here](#).

EAP Services

Our 24/7 confidential employee assistance provider, PAM Assist on 0800 247 1100 delivers a free and confidential life management and personal support service, across areas such as:

- **Legal matters**, such as consumer rights, property, landlord/tenant, family and motoring law
- **Money matters**, including managing creditors, budgeting and debt management plans
- **Health and wellbeing** information on lifestyle issues such as diet, exercise, sleep, health, and medical concerns

Support is available to all staff and available supports include:

- One off support calls
- Face to face/video/telephone or e-counselling
- 6 sessions structured counselling
- Legal and debt support
- Online and app based wellbeing tools
- Wellness dashboard
- Live Chat on new portal

Services offered by PAM Assist are **confidential**. They adhere to the strictest standards of data protection, and counsellors are bound by BACP guidelines to protect confidentiality.

Contact details

PAM Assist:
Telephone (counselling, information
and Guidance for Managers): 0800 247 1100

Email: info@pamwellbeing.co.uk or counsellingteam@pamassist.co.uk

Online: [PAM Assist \(pam-assist.co.uk\)](https://pam-assist.co.uk)
Click on member login and enter:

- **Username:** GCC
- **Password:** employee

How can EAP help you as a Manager?

As well as being available to all employees to utilise, PAM Assist provide dedicated resources for supporting managers, supervisors, and team leaders to effectively address issues impacting the wellbeing of their staff. The PAM Assist team provide a confidential source of guidance and information to help you:

- Provide encouragement and support to your employees during difficult situations.

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- Develop a plan to deal with employee performance /conduct/attendance issues.
- Save valuable time by providing solutions to a wide array of employee issues.
- Support personal issues that interfere with workplace functioning and productivity.
- Develop your skills as a line manager.

Click [here](#) to find out more information that you should know about using the PAM Assist employee assistance service as a management resource.

Referrals

You should remind employees of the services available through our EAP, particularly in cases where they're experiencing psychological problems such as stress, depression, or anxiety, or problems of a personal nature.

There are three types of referral:

- **Self-referral** – this is where the employee makes contact, and is the preferred option.
- **Management referral** – you can contact the employee assistance provider on the employee's behalf, with their consent.
- **Disciplinary referral** – this is where the employee is referred to employee assistance as part of the disciplinary process. This could be in cases where the employee is experiencing problems with alcohol, for example. You can find more information on this in our Alcohol and drug support policy.

Able Futures

Long term mental health support for staff

Able Futures provides access to free, confidential work-focussed support from a qualified mental health professional – the Access to Work mental health support service.

It provides:

- Nine months personalised advice and guidance and regular appointments with a mental health professional
- A plan to support your mental health by making adjustments, developing coping strategies and learning ways to look after your wellbeing
- Confidential, no cost support with no waiting list and no need for a mental health diagnosis - you can refer yourself and get help with whatever is on your mind.

Contact details

Able Futures:

Telephone No: 0800 321 3137

Website: www.able-futures.co.uk

Access to work

If your employee has a disability, they may find practical obstacles that stop them from making the most of opportunities at work. Access to Work (ATW) is a Government grant-funded programme. If an employee's health or disability affects the way they do their job and is likely to last for at least 12 months then they may be able to receive help from ATW.

ATW might contribute towards the cost of any equipment needed at work, or adapting premises to meet their needs. It can also help pay towards the cost of getting to work if they can't use public transport. You can find more information on the Government's Access to Work website [here](#).

Occupational health

Our occupational health service is in place to help us promote and maintain the health, safety and wellbeing of all our employees. The service is provided independently by People Asset Management (PAM) who are equipped with a team of occupational health professionals to

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provide specialist advice and support to managers and HR to help them effectively manage health matters at work such as:

- Determining fitness to work.
- Supporting employees with health problems.
- Assisting employees returning to work after illness or injury.
- Identifying and managing work related health risks/surveillance and hazards.

Assessing when to make a referral

A referral to occupational health should be considered if there are concerns that an employee's work may be having a negative impact on their health, or that their health may be affecting their performance or attendance at work. Referrals should always be viewed positively as a means of sourcing practical advice, guidance and support in addressing any employee health issues at work. These are made via the Council's OH portal – OHIO. If you are a referring manager, and do not have access to OHIO, you should contact your Service Strategic HR team.

You should gather as much information as possible from the employee before making a referral to the occupational health service (OHS) about:

- The nature of their illness or disability.
- How long the absence is likely to last.
- Whether they're likely to make a full recovery and, if not, what work they're able to do, job and working conditions.
- Sickness absence history.

In some circumstances, the prognosis of the long term absence may mean that a referral isn't necessary in the early stages. For example employee tells you about their treatment plan and that they're due to attend a hospital consultation the following month. You may find it of more benefit to make the referral after the hospital appointment in such cases, as it will allow you to get more up to date information about their condition.

You may not need to refer the employee to OHS where they indicate that they'll be fit to return to work within a particular period of time. However, where an absence reaches a duration of 8-12 weeks, with no expected date of return, a referral should be considered.

You could also consider a referral where the employee wants to return to work before the end date given in their statement of fitness for work. However, you should only do so in exceptional cases where you feel that you need a medical opinion to confirm that the employee is fit to return.

OHS advice line – 0141 428 3900

Our OHS provider operates an advice line where you can get general medical guidance from an occupational health practitioner about employee health issues. You can contact the advice line for guidance if you're unsure whether a referral is necessary. You can find more information, including contact details, in [supporting attendance: ohs guide for managers](#).

Making a referral

You should refer an employee to occupational health to:

- clarify when they'll be able to return to work; and
- establish what duties they can carry out.

You may also find a referral beneficial in cases where the employee doesn't agree with the reasonable adjustments suggested by their doctor in their statement of fitness for work.

You should tell the employee that you're referring them to the OHS and the reasons why before making the referral. The referral process is explained in further detail in [Supporting attendance: making referrals using OHIO](#).

You should provide details to OHS about the employee's:

- The nature of their illness or disability.

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- How long the absence is likely to last.
- Whether they're likely to make a full recovery and, if not, what work they're able to do.
- job and working conditions; and
- sickness absence history.

You should make sure that the information you provide is accurate and up to date, as the employee is able to access this form.

You should ask relevant questions to ensure that you get the information you require. You may also want to ask specific questions that will help you to assess the employee's disability status under the Equality Act 2010, where appropriate. You can find further details on the Act and what it means in [supporting attendance: manager's guide to disability, mental health problems and stress](#).

Appointments may be conducted by telephone or face to face, as clinically appropriate.

The consultation appointment

The employee will be required to take part in the consultation process, either by telephone or face to face and discuss their health situation with a nurse or doctor. The employee may be charged a fee if they don't attend the appointment or are late, depending on the circumstances.

Third party medical reports

Occasionally, there may be a need to obtain up to date medical information from an employee's GP and /or hospital specialist for an employee who isn't well enough to take part in the appointment process or in cases, where the OH Adviser or Physician require additional information.

For an employee unable to take part in the appointment process, you should arrange to make a medical report request via OHS. Employee consent is required to this information being released and OHS will

arrange to send a consent form to employees, in accordance with General Medical Council guidelines.

The report

You will receive a report from OHS once the employee has undertaken the consultation. This will contain information about the employee's condition, as well as answers to any questions you have asked. You should provide a copy of the report to the employee.

You should arrange to meet with the employee to review the information contained in the report and to discuss its contents. You should agree any relevant actions or supports identified within the report.

OHS review referrals

You may need to refer the employee to OHS more than once during their absence in order to get the most up to date medical information on their condition. You should arrange to meet with the employee after each consultation to discuss the content of the report. A further referral to OHS may be appropriate in cases where, for example, the employee has not returned to work during the time indicated by OHS in an earlier report.

5. Absence Reporting

Reporting absent

If an employee is ill and can't attend work, they must contact you as soon as possible on the first day. The latest time they can do this will depend on local arrangements operating within your Service, which you will have communicated to all staff.

The employee must contact you directly by telephone to report absent. If you're not available, they should leave a message and provide contact details for you to call them back.

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Only in exceptional circumstances, such as hospital admission, a family member or friend may make contact on the employee's behalf.

Where you have been unavailable to take a call from an employee, you should make a return call at the earliest opportunity, where the employee has:

- left a message with a colleague;
- left a recorded message on an answer phone; or
- sent an e-mail or text message.

Questions you should ask

You'll need to establish the current situation from the employee when they report sick. The following questions should be asked in order to establish the nature and reason for their absence and any issues you need to be aware of while they're off.

- What is the reason for the absence and expected duration of the absence?
- Has any medical advice been sought?
- Is there anything you can do to help?
- Are there any workplace issues contributing to their absence?
- Are there any outstanding work items, such as tasks or upcoming meetings, that require to be completed,?
- What is their expected return date if known?
- Are further supports required such as [Employee Assistance Provider \(EAP\)](#)?

You should ask if there's anything else that they need to make you aware of and confirm when they should next make contact. You should also consider if a wellbeing support meeting is appropriate, for absences due to a musculoskeletal or psychological condition. In this is the case, you should meet with them at a very early stage, usually within the first week of absence, to establish what forms of support can be offered to assist their recovery. Further details can be found in section 6.

Continuing sickness absence

Maintaining contact

If the employee's absence from work continues, they should contact you on the 4th day and again on the 7th day of their absence, or the next available working day. These are based on calendar days and not workdays. Local arrangements for reporting such as phoning within the first hour of their shift, should be made clear to the employee and may also be in place for non-standard working patterns.

Where their absence continues beyond a calendar week, they must contact you every 7 days. They'll also need to submit a statement of fitness for work from their doctor for any absence that lasts for more than 7 days. The employee must maintain contact with you during their absence and submit medical statements on time. If they don't do this, their absence may be considered unauthorised and may result in their Occupational Sick Pay entitlement being suspended.

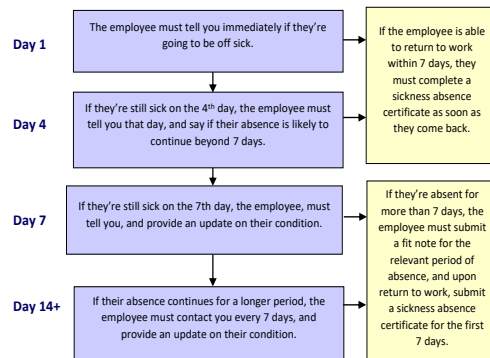
In your role as a line manager, you have a duty of care towards your employees. Therefore, you should take all reasonable management steps to ensure there are no safety or welfare issues resulting in their non-contact. These include, but are not limited to:

- Attempt to make contact by telephone with the employee.
- Contact the employee's next of kin.
- Visit the employee's home.

However, in some circumstances, an employee may have a condition that you know will result in an extended period of absence. You should discuss and agree appropriate contact arrangements in such cases.

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We've summarised this process, as follows:



Self-Certification

Where an absence is less than 7 calendar days, an employee should complete a [sickness absence certificate](#) (also known as 'self-certification'). This should be completed by the employee as part of the return to work discussions and would remain in their employee file.

The statement of fitness for work

The employee needs to submit a copy of [statement of fitness for work](#) (or 'fit note' as it's commonly known) after the 7th calendar day of absence. This form allows a GP or authorised healthcare professional to advise whether an employee is not fit for work, or if they may be fit for work.

- **Not fit for work** – It has been assessed that they have a health condition that prevents them from working for a stated period of time.
- **May be fit for work** - It has been assessed that they have a condition that doesn't necessarily stop them from returning to work. In other words, they could return to work but may not be able to do all of their normal duties.

If the employee may be fit for work, it will have been noted on the statement of fitness for work whether the employee would benefit from:

- a phased return to work.
- altered hours.
- amended duties.
- workplace adaptations.

The GP or authorised healthcare professional will also:

- Provide written comments on the form offering a more detailed view of the kind of things that may help (for example, how your employee's condition will affect what they do and some of the things that could help your employee return to work).
- State the period of time that the advice is valid for.

The statement of fitness for work will state the period of time that the advice is for. You should discuss this with the employee and be clear about the length of time any amended duties or support will be in place for. This will be a temporary measure in most cases. You should meet with the employee while they're doing the adjusted duties to review and assess how it's working.

The medical statement doesn't include the option for the GP or authorised healthcare professional to advise that the employee is fully fit for work. This means that an employee is expected to return to work following expiration of their fit note.

However, if an employee wants to return to work and you agree that this is appropriate, then you don't need to wait until the end of the statement period for them to do so.

Alternatively, if you don't think it's appropriate for the employee to return, you may wish to seek guidance from our occupational health service (OHS) advice line of – **0141 428 3900**, where the employee feels fit to return to work before the end of the period specified in their medical statement.

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You can find more details on the advice line in [supporting attendance: Occupational Health Service guide for managers](#). You may also want to consult with your Service Strategic HR team.

During the long term absence

The employee must maintain regular contact with you during any continuing period of sickness absence. Regular contact ensures that:

- They have an opportunity to update you on their health situation.
- You can offer all appropriate forms of help and support to help aid a return to work.
- You can keep the employee up-to-date with any work developments or changes.
- You can advise the employee of any management decisions in relation to their attendance.

You should arrange to meet with the employee regularly on a face-to-face basis during their absence, typically, every 4/6 weeks unless this is deemed inappropriate. For example, the employee is undergoing treatment for a long term illness, whereby meeting may impact on their health. The employee should also contact you weekly by telephone to update you.

Occupational Sick pay

Employees may receive full and half pay, each up to a maximum of 26 weeks, depending on their length of service as shown in the following table:

Length of service at start of absence	Full allowance	Half allowance for
Less than 1 year	5 weeks	5 weeks
1 year, but less than 2 years	9 weeks	9 weeks
2 years, but less than 3 years	18 weeks	18 weeks
3 years, but less than 5 years	22 weeks	22 weeks
5 years or more	26 weeks	26 weeks

Previous absences within the rolling year will be taken into consideration. You can find more information in our [sickness absence: leave and pay condition of service](#).

Return to work discussions

In line with policy, you are required to carry out a return to work discussion when an employee returns to work after any period of absence. Before the meeting, you should have details of the employee's attendance record and be familiar with our policy and the thresholds for an attendance review. You should normally do this on the day of their return.

The purpose of the return to work discussion is to:

- Welcome them back and confirm that they're fit to be back at work.
- Confirm and discuss the nature and reason for their absence, and if this is likely to happen again.
- Offer any relevant help and support.
- Update them on any developments or changes that may have taken place while they were absent.
- Confirm whether any further action is required, for example, a wellbeing support meeting or referral to occupational health.
- Advise them of the consequences of further absences where you consider that their attendance is giving cause for concern and is reaching an unsustainable level.
- If necessary, agree with them any actions they will take to improve their attendance.
- Where appropriate, ensure that the employee completes a sickness certificate form (self-certification).

Note: Although this is an informal meeting which does not require notification in writing, an employee has the right to be accompanied by a colleague or trade union representative.

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Self Certification Form (RTW)

The purpose of the return to work form is to record details of the employee's absence and confirm that they're fit to be back at work. Both you and the employee should complete the relevant sections of this form at the meeting.

You should record whether you intend to take any further action, for example, arrange an Attendance Review, on this form. Both you and the employee should sign this form, and you should then ensure that it is scanned and sent to CBS to be kept in the employee's personal file.

Claims against a third party

In cases where an employee has been absent from work due to an injury involving a third party (whiplash following a road traffic accident, for example), you should ask the employee whether they intend to make a claim against a third party. You should record these details on the sickness absence certificate.

If the employee successfully pursues a claim against the third party, the Council expects to be reimbursed for all sickness allowance paid for that absence.

6. Managing Attendance

Absence categories and Equality Act considerations

There are two categories of sickness absence within our policy:

- **Short term intermittent absence** - this is defined as any period of sickness absence of up to 19 days. It can include absences that

are covered by a sickness absence certificate and/or a statement of fitness for work.

- **Long term absence** - this is defined as any period of absence lasting over 19 days.

Throughout the supporting attendance process, and where required, consideration should be given to the use of appropriate interventions to support recovery and return to work for employees.

When managing either category of absence managers must be mindful of the requirements of the Equality Act 2010 (Amendment) Regulations 2023 which makes specific provisions to prevent discrimination against any employee on the grounds of a protected characteristic. Of particular relevance to attendance is "disability". The Equality Act 2010 identifies a person as disabled if they have 'a physical or mental impairment' which has 'a substantial and long-term adverse effect' on their 'ability to carry out normal day-to-day activities':

- **Impairment** - may be a physical or mental impairment, or both.
- **Long-term** - lasting at least a year, or likely to be for the rest of the person's life or recur
- **Substantial adverse effect** - more than minor, but it may fluctuate or change, and may not be present all the time
- **Normal day-to-day activities** - not defined by the Act, but includes things people do in their own time, and are still able to fully participate in their working life.

Note: Additional information regarding the Equality Act and protected characteristics may be found in the Equalities Library.

Managing disability related sickness absence can be complex and managers should consult with their Service Strategic HR teams in relation to such situations.

Types of absence

In certain situations, the nature of an employee's absence will determine how you should manage it. We have developed additional guidance to help you where the absence is due to reasons such as pregnancy, alcohol

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and drugs and violence at work. You can find more information on managing these specific types of absence in our [manager's information sheet: specific types of absence](#).

We've also developed specific guidance where absences are due to disability, mental health problems or stress. This includes guidance on our duties under the Equality Act 2010 (Amendment) Regulations 2023. You can find more information in [supporting attendance: manager's guide to disability, mental health problems and stress](#).

Wellbeing Support Meeting

What is a Wellbeing Support Meeting?

A Wellbeing Support Meeting is about identifying supports and providing assistance to an employee at the earliest possible stage of their absence. It is crucial that you meet with an employee in the early stages of their absence as this can increase the likelihood of a full recovery and can shorten the period of absence. It will apply for specific circumstances as below.

When is a Wellbeing Support Meeting appropriate?

Where an employee is absent due to a musculoskeletal or psychological condition, you should meet with them at a very early stage to establish what forms of support we can offer to assist their recovery. In certain cases, early intervention can greatly improve the chance that the employee will make a full recovery more quickly.

You should meet with the employee as soon as possible, within the first 2 weeks of the absence starting. As this is a formal attendance meeting, the employee should be invited to attend, in writing, advising them of their right to be accompanied by a colleague or trade union representative. For template letters, please contact your Service Strategic HR team.

The employee should be issued with a letter after the meeting, confirming the details of the discussion and any actions agreed.

Musculoskeletal conditions

A musculoskeletal problem may include:

- Back pain.
- Neck and shoulder pain, including whiplash.
- Upper limb problems, including shoulder, elbow, wrist and hand.
- Lower limb problems, including groin, hip, knee, ankle and foot.

In such cases, a physiotherapist may help the employee to recover and speed up a return to work by providing effective assessment and treatment of musculoskeletal conditions, or injuries.

You should establish whether the employee meets the criteria for a musculoskeletal referral via OHS at the meeting. This will be in cases where:

- the employee has a musculoskeletal condition; and
- attendance is currently or is likely to be affected, or work performance is being affected.

We will normally give priority to employees with a musculoskeletal problem as a result of an industrial injury:

- who are absent; and
- which would improve following treatment and allow an earlier return to work.

You will receive a report from OHS when you refer an employee to physiotherapy, normally after the first and the last session. The report will provide advice in relation to:

- The impact the employee's condition has on their ability to perform their full range of duties.
- The length of the course of treatment being provided.

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- The likely level of recovery.
- Any reasonable adjustments or adaptations that could be made.
- The employee's recovery (details of this will be covered in the final report).

Physiotherapy support won't be provided in cases where the employee is receiving physiotherapy from another source.

Further information

Our occupational health service provides a wide range of services. You can find further information on these, including further details of the referral process, in [supporting attendance: ohs guide for managers](#).

You can also get advice and guidance from OHS on the range of duties the employee is fit to do. You may find this information helpful in making temporary adjustments to the employee's duties. This could help the employee to return to work while still receiving treatment.

Psychological conditions

A psychological condition may include:

- stress;
- depression;
- anxiety; or
- some other recognised psychiatric disorder, such as bipolar disorder.

In such cases, you should:

- discuss the services available through our [employee assistance provider](#); and
- establish what other forms of help and support could be provided referring to the [Health and Wellbeing Resource Guide](#).

You should explore and discuss possible solutions with the employee where they feel that the workplace is the source of the problem.

You can find further information on this in [supporting attendance: manager's guide to disability, mental health problems and stress](#).

Note: Long term, clinically diagnosed mental health problems generally require longer term clinical support than can be offered via the Employee Assistance Provider.

Preventing Stress Related Absence

As a line manager you have a legal duty to protect your team members from stress at work by assessing the risk of work-related stress and taking reasonable steps to remove or minimise the risks. This is the same duty you have to protect your team members from other health and safety risks.

Ensure that you understand your role in the prevention of work related stress by taking the 'Stress Course for Managers' on the Council's GOLD eLearning platform, and by familiarising yourself with your Service Health and Safety Policy and Management Standard arrangements, found [here](#).

If your team member tells you that they are experiencing work-related stress, or they are on sick leave because of work-related stress, you must carry out an individual stress risk assessment. This will help you to understand:

- what's causing the stress or any potential issues
- what you can do to tackle the causes

Managing Short Term Intermittent Absence

Where an employee regularly meets the threshold for review as shown below, offers of appropriate interventions and support should be made to assist the employee to sustain an acceptable level of attendance.

- 3 certified absences within 6 months or 5 certified absences within 12 months. **Note:** This criteria is not applied on a pro rata basis.

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- 6 working days (or hours equivalent) within 6 months or 8 working days (or hours equivalent) within 12 months (applied on a pro rata basis); or
- any period of unauthorised absences*

*Note unauthorised absence will be managed in line with the [Discipline & Appeals Procedure](#).

Short term absences should be managed through the Attendance Review process. You will meet with an employee where they meet each of the aforementioned review thresholds.

Attendance Review

The purpose of this meeting is to allow you and the employee to share information about their attendance record. You are responsible for conducting an attendance review with the employee.

The employee has the right to be accompanied by a colleague or trade union representative at this meeting. You can find more information on carrying out the attendance review, including what to do before and at the meeting, in our [manager's attendance review meeting checklist](#).

Attendance Review

The purpose of the [attendance review meeting checklist](#) is to record details of the discussion and the outcome of this. You should complete the relevant sections of this form at the meeting, making sure that you capture the main points of the discussion. Both you and the employee should sign this form as an accurate record of what was discussed. If the employee refuses to sign the form, you should note this and any reasons given. You should then arrange for the completed form to be scanned and sent to CBS to be kept in the employee's personal file.

Attendance Review Outcomes

You must ensure you apply our supporting attendance policy fairly and consistently when deciding on the appropriate outcome. You can find the range of options available to you on the [attendance review meeting checklist](#).

You must arrange to record any further action that you intend to take on the Attendance Review checklist and follow it up in writing, where appropriate.

Appropriate management interventions or supports should be put in place to support an employee to sustain attendance and have an acceptable level of attendance. Where supports have been put in place, and an employee continues to have an unacceptable level of attendance, an employee may require to be managed under the capability process.

Managing Long Term Absence

The employee should maintain regular contact with you during their absence. They'll also need to submit a copy of their [statement of fitness for work](#), or 'fit note' once they've been absent for over 7 calendar days. You should manage long term absence through a series of Long Term Absence Meetings as detailed below. The purpose of this is to provide the appropriate help and support to enable the employee to return to work within a reasonable timescale. It may be that early intervention through a Wellbeing Support Meeting can assist the employee at an early stage.

You should seek advice and guidance from your Service Strategic HR team when dealing with long term absence cases. You may also wish to seek advice from Occupational Health, and can find full details of the referral process and the services available in our [supporting attendance: Occupational Health Service guide for managers](#).

Long Term Absence Meeting

You should arrange to meet with the employee around the fourth week of their absence. In cases where the employee is absent due to a musculoskeletal or psychological condition, you should meet with them as

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soon as possible through a wellbeing support meeting to establish what support and assistance may be required.

You should meet with the employee on a regular basis if they remain absent, unless deemed inappropriate. For example, the employee is undergoing treatment for a long term illness, whereby meeting may impact on their health. As a guide, this will typically be every 4-6 weeks, depending on the circumstances. This provides an opportunity to fully discuss their health situation and any support that may be available. In cases where the employee has attended Occupational Health, they should be provided with a copy of the report and this should be discussed in the meeting.

As this is a formal attendance meeting, the employee should be invited to attend, in writing, advising them of their right to be accompanied by a colleague or trade union representative.

Meetings can take place at the employee's work location, another Council building or via Microsoft Teams. The location of the meeting should be agreed to beforehand. However, it's not appropriate to meet in public places, such as cafes, due to the sensitive nature of the issues being discussed.

Conducting the meeting

The main purpose of the meeting is to:

- Discuss the matter fully with the employee.
- Ensure steps are taken to determine the nature of the medical condition.
- Offer support and assistance to the employee which may aid a return to work.

You must capture details of the discussion and may wish to use the [long term absence interview record sheet](#) to do so. You can find full details of what you should discuss at the meeting in our [manager's information sheet: conducting the long term absence meeting](#).

Confirming discussions in writing

You'll need to confirm details of your discussions, including the outcome, in writing after the meeting. You can seek advice and guidance on this from your Service Strategic HR team.

7. Facilitating a Return to Work

Management actions

You should try to assist the employee to return to work by:

- Continuing to provide support and assistance in line with our supporting attendance policy and procedures.
- Consulting with them in considering all reasonable adjustments, taking into account any recommendations made by OHS or the employee's doctor in the statement of fitness for work (or 'fit note').

Types of Supports and Reasonable Adjustments

You should try, where possible, to accommodate any adjustments suggested, bearing in mind your duty to make reasonable adjustments for employees who are classed as disabled under the Equality Act.

You should fully explore all types of reasonable adjustments to assess whether they may be appropriate, either on a temporary or long term/permanent basis. You should also ensure you confirm these discussions in writing to the employee. Where any arrangements are made on a temporary basis, you'll also need to confirm this in writing to the employee. You'll also need to review these on a regular basis, with specific agreed timescales built in, depending on the circumstances.

You may consider:

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- Flexible working hours.
- Redesign the job and/or give some duties to another employee.
- Phased return to work.
- Lighter duties.
- Alternative work.
- Additional training and/or retraining.
- Hybrid working

You can find full details of these options and how they work in practice in our [manager's information sheet: types of reasonable adjustments](#). This list is not exhaustive, however, and you may need to look at other measures to make sure that you have considered all reasonable adjustments. You should contact your Service Strategic HR team for advice and guidance in such cases.

Redeployment

Even with reasonable adjustments an employee may not be fit to return to their existing role due to disability or ill health. In such cases, redeployment to an alternative role should be considered and the [Redeployment guidance and information](#) utilised.

Unpaid leave of absence

Following exhaustion of sickness allowance, Heads of Service may grant a period of unpaid leave of absence in line with our conditions of service in relation to [sickness absence: leave and pay](#). For example, in cases where an employee is long term absent due to a treatment plan with an expected timescale of return.

You should review this arrangement on a regular basis (at least every three months), and it shouldn't last for longer than 12 months, unless in exceptional circumstances. You should confirm any such agreement in writing to the employee.

The employee should continue to submit a statement of fitness for work and maintain regular contact with you in line with our absence policy, advising when they're likely to return to work.

8. Return to work considerations

When the employee is able to return to work

You should carry out a return to work discussion when the employee returns to work. You can find details on what to do before and during the meeting in our [manager's return to work discussion checklist](#).

The meeting provides you with the opportunity to:

- Welcome the employee back to work following their long-term absence.
- Check that they're fit to return to work.
- Update them on any workplace developments.
- Discuss how any agreed actions will work in practice, for example, where the employee is returning on lighter duties, or a retraining programme has been agreed.

You should have regular follow up meetings with the employee to review their progress, depending on the reason for the employee's absence. It also provides an opportunity for the employee to express how they're finding being back at work. This may be particularly important where the employee has been absent due to work related stress or another psychological condition. You should take a note of these meetings in helping you to review their progress. You can find further information on psychological conditions in [supporting attendance: manager's guide to disability, mental health problems and stress](#).

Pay

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You should confirm any changes to the employee's pay, if appropriate. This may be in cases where, for example, the employee has returned to work on a part-time basis.

Reduction of annual leave

Under the Working Time Regulations 1998 (as amended), all workers are entitled to a statutory minimum of 5.6 weeks (28 days) paid leave each year. This can include paid public holidays. This entitlement is pro-rated for part time workers.

Where an employee is absent from work through sickness absence for a single period of over 13 weeks in a single leave year or spanning leave years, their entitlement to leave within the leave year should be reduced proportionately, providing that the employee receives the statutory minimum annual leave entitlement in each leave year. If you have queries in relation to the calculating the reduction, you should contact your Strategic HR.

Examples:

Jim was absent between 3rd January and 10th April and has 7 years' service. As the absence duration was 14 weeks, he would face a reduction. Jim's complete months worked would total 8 as he was only absent between January and April. Therefore, his entitlement according to the grid is 19.5 days (+11.5 public holidays). Jim's total entitlement for the leave year is 31 days. So, Jim has met the statutory minimum requirement.

Pam was absent between 1st March and 2nd August meaning that her complete months worked was 5 months and has 2 years' service. Therefore, she would face a reduction to 11 days (+11.5 public holidays). Pam's total entitlement for the year is 22.5 days. Pam has not reached the statutory minimum of 28 days. So, this would be adjusted to 28 days.

For term-time staff, please refer to the appropriate management circular.

Where an employee is unable to use their entitlement to statutory leave due to sickness absence within the leave year, the employee should be

allowed to carry forward the untaken balance of statutory entitlement into the next leave year. The carry forward of leave into the new leave year only applies to the untaken balance of statutory leave, not the balance of untaken contractual leave provided for in the Council's conditions of service. You should contact your Service Strategic HR team for advice and guidance in such cases.

Disciplinary considerations

Disciplinary action may be considered if there are breaches of conduct at any stage of the supporting attendance procedure (including the return to work process) in accordance with the Council's Discipline and Appeals Procedure such as;

- unauthorised absence,
- a failure to comply with absence reporting procedures,
- an abuse of the sick pay provisions,
- fraudulent conduct

9. Capability considerations & Ill health retiral considerations

When the employee is unable to return to work or sustain an acceptable level of attendance

You should fully explore all options in helping an employee to return to work or sustain an acceptable level of attendance, as outlined in section 9 of this guide. You should discuss this regularly with the employee during the course of their absence, confirming the details in writing.

You should also, where appropriate, advise the employee of the potential outcome in cases where they're unable to return to work and improve their attendance. You'll have to consider their continued employment with us in such cases.

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While you should make every effort to help and support an employee who is absent or unable to sustain an acceptable level of attendance, there are times when they remain unfit for work. If so, you should first explore whether ill health retiral may be an option.

Ill health retiral

Ill health retiral (excluding teachers)

Ill health retiral is only available to employees who are members of Strathclyde pension fund. You'll need to make a referral to OHS to determine whether the employee meets the criteria for ill health retiral.

OHS will also assess how likely it is that the employee will be capable of working at some point in the future. Ill health retiral has two tiers:

- Tier 1 – where the employee is unlikely to work again before age 65.
- Tier 2 – where the employee has a reasonable prospect of working again before 65.

The option selected affects the benefits paid to the employee by the pension fund.

Granting ill health retiral

Approval must be sought from an approved qualified medical practitioner on whether the employee meets the eligibility criteria. You should contact your Service Strategic HR team as soon as possible for advice.

Appeals

An employee can appeal against a decision not to grant ill health retiral. If we can't resolve the complaint, the employee can use the Internal Disputes Resolution Procedures (IDRP). You can get further information on the procedure from the [Strathclyde pension fund](#), or by contacting your Service Strategic HR team.

Teachers

If the employee is a teacher, then an application should be made to the [Scottish Public Pensions Agency](#) (SPPA), together with supporting medical information. You can get further details on this from the SPPA, or by contacting the HR team within Education Services.

Capability dismissal

Where all reasonable options have been explored, and the employee cannot return to work, or maintain a satisfactory level of attendance, the employee should be progressed to a lack of capability hearing. You may have to consider the option of dismissal on capability grounds where:

- the employee doesn't meet the criteria for ill health retiral;
- you have explored all options of support; and
- the employee is still unable to return to work or sustain an acceptable level of attendance.

This means that an employee's contract of employment is terminated as they're not fit to carry out their duties or attend work on a regular basis due to ill health.

Dismissal due to ill health is a potentially fair reason for dismissal.

Before considering capability dismissal, you will have:

- Sought advice and guidance from your Service Strategic HR team.

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- Met with the employee face to face on a regular basis.
- Given the employee the opportunity to put their side forward.
- Issued letters confirming the discussions that have taken place at these meetings.
- Sought up to date advice from OHS, where appropriate.
- Considered reasonable offers of support to aid a return to work.
- Explored options such as a phased return or lighter duties that may enable a return to work.
- Explored whether the employee is eligible for ill health retiral.
- Advised the employee in writing of the potential outcome of dismissal should they be unable to improve their attendance and sustain attendance at work.

Grounds for dismissal

Capability dismissal may be appropriate in cases where:

- you can no longer sustain the level of absence;
- you have exhausted all other options of support;
- the employee is unable to give an indication of a return to work within the foreseeable future or has been unable to sustain an acceptable level of attendance; and
- the employee doesn't meet the criteria for ill health retiral.

Terminal illness

You may have to suspend any decision to dismiss in cases where an employee has been diagnosed as having a terminal illness. You need to consider such situations carefully and deal with them sensitively, taking the circumstances into account. You should seek advice from your Service Strategic HR team in such cases.

Inviting the employee to the meeting

You'll need to advise the employee both verbally and in writing when you have reached the point where you're considering terminating their contract on capability grounds. You should be clear in your letter that a potential

outcome of the meeting may be dismissal. You should also advise the employee of their right to be accompanied by a colleague or trade union representative. Your Strategic Service HR team can provide a template invite letter.

Reaching a decision

The Chair should consider each case on its own merits before reaching a decision. To help reach a decision, the following will be considered:

- Length of the absence and whether a return to work in the foreseeable future is likely.
- Reason for the absence.
- Attendance history.
- Effect of the disability or underlying health problem on their ability to carry out their current duties.
- Effect of the absence on the service and/or section.

Advice and guidance should be sought from Strategic HR prior to a decision being made.

Confirming the decision

You should confirm the employee's dismissal in writing, along with final pay arrangements and advise them of their right to appeal against the decision of dismissal and where appropriate, their right to appeal against the decision not to grant ill health retiral from the Strathclyde Pension Scheme.

Appeals against dismissal

If the employee considers their dismissal unfair, they may appeal, in writing, to the Head of Human Resources within 14 days of receiving their letter confirming the decision. The Personnel Appeals Committee, made up of a panel of Elected Members (Councillors), will hear the appeal.

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You can read our [Code of discipline, disciplinary and appeals procedure](#) for full details of the appeals procedure.

10. Further guidance/index

You can get further guidance on this, or any aspect of the supporting attendance toolkit, from your Service Strategic HR team.

Policies

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[Supporting attendance policy](#)
[Bullying and harassment policy](#)
[Flexible working procedure](#)
[Alcohol and Drugs Support Policy](#)
[Work life balance policy](#)
[Code of practice on the employment of disabled people](#)
[Employment of disabled persons policy](#)
[Gambling Harms Support Policy](#)

Conditions of service

[Code of discipline, disciplinary and appeals procedure](#)
[Sickness absence: leave and pay](#)

Forms

[Attendance review meeting checklist](#)
[Sickness absence certificate](#)
[Statement of fitness for work \(sample\)](#)
[Long term absence meeting record sheet](#)

Guides

[Supporting attendance: ohs guide for managers](#)
[Supporting attendance: manager's guide to occupational health](#)
[Supporting attendance: manager's guide to disability, mental health problems and stress](#)
[Redeployment guidance and information](#)
[Supporting attendance: employee guide](#)

[Supporting employees subjected to gender-based violence](#)
[Guide to the Menopause and the Workplace](#)

Information sheets

[Manager's information sheet: conducting the absence interview](#)
[Manager's information sheet: types of reasonable adjustments](#)

[Manager's information sheet: specific types of absence](#)

Checklists

[Manager's checklist for employees who report absent](#)
[Manager's return to work discussion checklist](#)
[Manager's attendance review meeting checklist](#)

Links

[Employee assistance provider](#)
[Occupational health service](#)
[Scottish public pensions agency](#)
[Strathclyde pension fund](#)
[Improving the Cancer Journey \(ICJ\)](#)