



**PS 147** ATTENDANCE MANAGEMENT

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## VERSION CONTROL

| Version No. | Date       | Post Holder/Author | Post                       | Reason for Issue   |
|-------------|------------|--------------------|----------------------------|--|
| 1.1         | Jan 2014   |                    |                            | Amendments throughout; Formal Review with Unison, GMB, Federation August 2013  |
| 1.2         | Apr 2015   |                    |                            | Update to reflect the requirement of individuals to use the BOBO (Book On Book Off) function to inform Crown DMS of absence, in addition to speaking with a Line Manager. Line Managers are now required to record additional information relating to sickness absence onto Crown DMS. |
| 1.3         | Nov 2017   | James Lunn         | HR Senior Manager Strategy | Amendment to reflect requirement for Third Stage meetings to be tape recorded.   |
| 1.4         | April 2019 | Helen Woods        | Policy & Wellbeing Partner | Review and update  |

## AIMS AND OBJECTIVES OF THE POLICY

Managing attendance is essential to the efficiency of Nottinghamshire Police and Nottinghamshire Office of the Police and Crime Commissioner (OPCC). The Force and OPCC are committed to promoting a good attendance culture and a supportive working environment. All individuals must take responsibility for their attendance at work, demonstrating a clear commitment to attendance in order to maintain high standards of service to the public.

Good attendance at work is expected to be maintained by the entire workforce of Nottinghamshire Police and Nottinghamshire OPCC. Individuals who are absent through illness will be supported to return to work as soon as possible.

The aim of the attendance management policy is to provide a framework for addressing non-attendance issues with a fair, timely and consistent approach and is designed to manage consistent standards of attendance for all those working for Nottinghamshire Police and Nottinghamshire OPCC.

The key principles underpinning the policy are as follows:

- The framework for attendance management is designed to achieve consistent standards of attendance for all those working for Nottinghamshire Police and Nottinghamshire OPCC .
- Poor attendance will be challenged and effectively managed.
- Individuals who are absent through illness or injury will be supported to return to work as soon as possible.

- We will seek to maximise attendance at work to support and achieve the Force policing objectives/ plan.
- We will develop and maintain an attendance culture which is consistent in approach and supportive of the work force and public we serve.
- Return to work interviews must be undertaken after every absence to ensure individuals are fit and supported on their return to work.
- Managers will adopt a proactive approach to managing absence to provide consistency and be supportive and fair.
- If an individual provides any false information or makes false statements about their sickness absence, it may be treated as misconduct and may result in disciplinary action being taken. In proven cases of gross misconduct it could lead to dismissal.
- Stage 1, 2, 3 formal sickness review meetings will be conducted by managers at the appropriate level.

## **POLICY STATEMENT**

The policy applies to:

- All police officers except those above the rank of Chief Superintendent and those who have not completed their probation.
- All police staff and OPCC staff except those within their probationary period.
- Special constables.

The policy must be read in conjunction with the Attendance Management Procedure and for police officers, the Police (Performance) Regulations 2012. The policy is also supported by a guide for managers to effectively manage their team's attendance. It becomes applicable with immediate effect.

## **Responsibilities**

### **Individual**

Individuals are responsible for maintaining the standard of attendance expected of them. Individuals must take reasonable steps to uphold consistent attendance at work. If they are unable to attend work through sickness, individuals are responsible for booking sick through BOBO (part of the Crown Duties Management System) and advising their line manager (or if unavailable an equivalent manager) prior to the shift start time or at the earliest opportunity and when reasonably practical. Contact is expected in person, by telephone. Text or an email message is unacceptable, except in exceptional circumstances.

If the absence continues, individuals must maintain regular (as agreed between both parties but no less than weekly) contact with their line manager, to provide an update on their situation and expected length of absence or expected return date.

Individuals have an obligation to maintain contact with the Force or OPCC (as applicable) and line management during any period of sickness absence.

To ensure accurate recording of absence, individuals must advise their line manager when they are fit to work, even if this is a rest day or annual leave.

When requested to do so, an individual is required to attend the Occupational Health Unit (OHU) for an assessment, failure to do so, may result in a management decision without the relevant OHU information.

## **Line Manager**

Line managers are responsible for ensuring that their team members are aware of the levels of attendance expected of them.

Line managers are expected to support their team members to maintain the expected level of attendance.

Line managers must also promptly record absences on the Duties Management System (DMS). This will include logging the reason for absence, entering fit note details and recording any on-going contact.

Line managers will conduct a return to work interview with their team member on the first day of their return to work or as soon as is reasonably practical.

Line managers will maintain reasonable contact (as agreed between both parties but not less than weekly) with their team member who is absent due to sickness.

Line managers are empowered to manage attendance by reconciling the interests of the individual with the operational needs of Nottinghamshire Police and Nottinghamshire OPCC.

Where informal management interventions have not achieved the required level of attendance, this policy requires the line managers to invoke the formal procedure to support their team member to achieve the required level of attendance.

## **Senior Manager**

Senior managers have a responsibility to promote a good attendance culture and to ensure attendance is managed effectively.

## **Pay**

Police Officer sick pay arrangements are contained in Regulation 28 Annex K in Police Regulations 2003.

Police staff sick pay arrangements are contained in the Police Staff Handbook.

## **Sickness Certification**

For any absence in excess of seven days, a doctor's statement of fitness to work ('fit note') must be submitted to the line manager, no later than the tenth day of absence or as soon as

reasonably practical, covering the period of absence from the eighth day onwards.

Continued absence must be covered by additional fit notes. Failure to provide fit notes to cover absence may lead to a loss of sick pay.

## Part day absences

Crown DMS records the times of part day absences. If an individual leaves work early due to sickness this will be treated as an occasion of sickness absence and treated as a day for the trigger points unless they have worked at least half or more of their shift or contracted hours.

## Informal Stages

Informal management interventions should be employed to support individuals to attend work regularly. Attendance support meetings (ASMs) should be held prior to the formal procedure being invoked and may result in an Attendance Support Plan (ASP). Where this does not lead to regular attendance then the formal procedure must be invoked.

Attendance support meetings will be held after 2 or more occasions of absence within a rolling 12 month period, or any period of absence 10 or more calendar days.

## Formal Stages

The formal framework is a three stage supportive process with a view to facilitating a sustained improvement in an individual's attendance at work.

**Stage one** will be triggered by:

**3 or more occasions of absence within a rolling 12 month period and/or inability to achieve the requirements of an ASP and/or any pattern of absence that gives cause for concern.**

These will be trigger points for a line manager to effectively manage an individual's absence through a formal procedure.

**Stage two** will be triggered if the individual has been unable to make sufficient and sustained improvement in their attendance.

**Stage three** will be triggered if the individual has been unable to make sufficient and sustained improvement in their attendance.

Written Improvement Notices issued at the above stages will remain valid for 12 months.

Attendance must be maintained for the 12 month period. If the improvement is not maintained within the 12 months, then the next stage of the procedure may be invoked.

**Police Officer – Formal Intervention Stages**

| <b>Stage</b>                | <b>Trigger</b>   | <b>Meeting Chair</b>  | <b>Appeal Meeting Chair</b>                        | <b>Possible Outcomes</b>   |
|-----------------------------|--|---|--|--|
| <b>First stage meeting</b>  | 3 or more occasions of absence within a rolling 12 month period and/or inability to achieve the requirements of the ASP and/or any pattern of absence that gives cause for concern | First line manager  | Second line manager                                | <ul style="list-style-type: none"> <li>• Written Improvement Notice</li> <li>• Conduct further ASM</li> </ul>  |
| <b>Second stage meeting</b> | Unable to make sufficient and sustained improvement in attendance  | Second line manager   | Senior manager Grade M1 or above or Superintendent | <ul style="list-style-type: none"> <li>• Final Written Improvement Notice</li> <li>• An extension of stage 1 Written Improvement Notice</li> </ul>   |
| <b>Third stage meeting</b>  | Unable to make sufficient and sustained improvement in attendance  | <p>Chair will be a Senior Officer (above rank of Chief Superintendent) or the Head of- People Services (PS) &amp; OD. There will be a panel of 3 members to include a Police Officer at the rank of Superintendent and a Senior People Services representative.</p> <p>Third stage meetings will be tape recorded by Nottinghamshire Police</p> | Police Appeals Tribunal                            | <ul style="list-style-type: none"> <li>• Dismissal</li> <li>• In exceptional circumstances an extension of a Final Written Improvement Notice or redeployment to alternative duties</li> </ul> |

## Police/OPCC Staff – Formal Intervention Stages

| Stage                       | Trigger   | Meeting Chair  | Appeal Meeting Chair   | Possible Outcomes   |
|-----------------------------|---|--|--|---|
| <b>First stage meeting</b>  | 3 or more occasions of absence within a rolling 12 month period and/or breach of ASM and/or any pattern of absence that gives cause for concern | First line manager   | Second line manager<br><br>OPCC staff – CE/CFO/PCC/DPCC                  | <ul style="list-style-type: none"> <li>Written Improvement Notice</li> <li>Conduct further ASM</li> </ul>   |
| <b>Second stage meeting</b> | Unable to make sufficient and sustained improvement in attendance   | Second line manager  | Senior manager Grade M1 or above<br><br>OPCC staff – CE/CFO/PCC/DPCC     | <ul style="list-style-type: none"> <li>Final Written Improvement Notice</li> <li>An extension to stage 1 Written Improvement Notice</li> </ul>  |
| <b>Third stage meeting</b>  | Unable to make sufficient and sustained improvement in attendance   | Chief Inspector or Senior Manager Grade M1 or above<br><br>Third stage meetings will be tape recorded by Nottinghamshire Police. | Superintendent or Head of Department<br><br>OPCC staff – CE/CFO/PCC/DPCC | <ul style="list-style-type: none"> <li>Dismissal</li> <li>In exceptional circumstances an extension of a Final Written Improvement Notice or Redeployment to alternative duties which may include a reduction in grade</li> </ul> |

## Appeals

Individuals have the right of appeal against the outcome of a formal meeting. The appeal must be submitted in writing within 7 working days of the written outcome letter being received. The grounds for appeal against the decision must be set out. Where the appeal has been against dismissal, if the decision to dismiss is upheld, the effective date of termination shall be the date on which the original dismissal took effect.

## Right to Be Accompanied

Individuals are afforded the right to be accompanied by a work colleague, trade union representative or staff association representative as applicable at all formal meetings.



## Exceptions to Formal Intervention

In the following situations line managers should seek advice from People Services and formal intervention should not automatically be invoked:

- An individual is in the terminal stages of an illness.
- The individual is able to return to work with reasonable adjustments and the reasonable adjustments have not yet been put in place.
- The individual is in the process of assessment for medical retirement.
- This is an absence related to a disability under the Equality Act 2010 or pregnancy or the effects of treatment for gender reassignment. These absences will be recorded, although the absence may be discounted from the triggering procedure. Notwithstanding the disability, should the individual's level of attendance cause the line manager concern, after consultation with a People Services Advisor and giving careful consideration to the disability related absence, the line manager may invoke the formal procedure.

## Reasonable Adjustments in the Workplace

Nottinghamshire Police and Nottinghamshire OPCC are committed to making reasonable adjustments to accommodate the needs of disabled individuals to support them to continue to work.

## Police Officers and Police Staff within their Probationary Period

For **police officers**; Regulation 13, Police Regulations 2003 will be followed.

For **police staff**, PD314 Police Staff Probationary Review procedure will be followed.

## STATEMENT OF LEGISLATIVE COMPLIANCE

This document has been drafted to comply with the general and specific duties in the Equality Act 2010; Data Protection Act; Freedom of Information Act; European Convention of Human Rights; Employment Act 2002; Employment Relations Act 1999, and other legislation relevant to policing.