



STAFFORDSHIRE
POLICE

Supporting Attendance

A People and Organisational Development Policy

People & OD | HR - essentials

Produced by Staffordshire Police for FOI 17505

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Supporting Attendance Policy

1. Introduction

- 1.1 At Staffordshire Police we encourage all colleagues to maintain good health and wellbeing. We adopt a multi-disciplinary approach to supporting the attendance of colleagues experiencing ill health. In doing so we aim to identify opportunities for early intervention to help reduce absenteeism and presenteeism across all part of the organisation.
- 1.2 This policy and the associated guidance aims to promote supportive and effective management of absence due to ill-health (commonly known as sickness absence) and to ensure that any support is considered as early as possible.
- 1.3 The force aims to maximise colleague attendance while recognising that there are occasions when employees may be unable to attend work due to their own ill-health. Within the policy we provide a clear framework for reporting and recording sickness absence in order to support the fair and consistent management of short and long-term sickness absence across the organisation. It also ensures that our colleagues have the support they need from their managers, as well as access to support services provided by the force.
- 1.4 This policy should be read in conjunction with the relevant Capability policy and Unsatisfactory Attendance and Performance Regulations (UPAP).

2. Purpose

- 2.1 This policy aims to support the People Strategy in making Staffordshire Police a great place to work by ensuring strong leadership and building positive relationships within a culture of trust, where the health, safety, and wellbeing of our colleagues is valued and prioritised.
- 2.3 This policy is not contractual and we may update it at any time.

3. Eligibility

- 3.1 Whilst each individual case will be managed with regard to all the relevant circumstances, this policy applies to all colleagues of Staffordshire Police as far as their differing conditions of service allow.

- 3.2 This policy will be implemented under the auspice of the Police Staff Capability procedure, The Police (Performance) Regulations (2020) and the management of limited duties: Police (Amendment) Regulations (2015).

4. Notification

- 4.1 We understand that colleagues may need to be absent from work from time to time due to sickness. If a colleague is unable to attend work due to sickness absence, they must notify their line manager at the earliest opportunity on the first day of the absence. They will need to explain why they are unable to attend and indicate when they intend to return to work.
- 4.2 If the period of sickness absence lasts for longer than 3 working days, colleagues will be required to agree a contact schedule with their line manager to keep them appraised of their continued absence.

5. Certification

- 5.1 Sickness absences should be certified by a fit note from a GP, however if the colleague is absent for seven calendar days or less in each instance, they may instead self-certify their absence. This is an automated process within the Origin HR System.
- 5.2 For absences of eight days or more, a fit note is required. Fit notes are issued by the colleague's GP and should be passed to their line manager upon their return to work. The fit note should cover each day of absence and, if multiple fit notes are issued, they should be posted to the colleague's line manager. A welfare Check-in meeting will be arranged with the colleague to enable the line manager to obtain a brief update of the absence, the condition and, if known, their expected return to work date or next GP appointment.
- 5.3 Failure to follow the certification process outlined above may be considered misconduct and may be dealt with under the force misconduct procedures. Occupational sick pay and SSP (statutory sick pay) may be withheld during this time.

6. Private medical certificates

- 6.1 A private fit note may be considered necessary by the force if there is a history of unusual absences or if the line manager believes the colleague may benefit from an intervention by a medical practitioner. The cost of obtaining a private fit note will be

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reimbursed by the force. A private fit note may be requested by a line manager, regardless of the duration of the actual period of sickness absence.

7. Early Intervention

- 7.1 Early management intervention and providing a supportive and proactive response to sickness absence is key to ensuring that standards of attendance are maintained and that colleagues receive all appropriate support available from the force.
- 7.2 Early Intervention includes a Management Welfare Visit and/or an Occupational Health referral and will usually be triggered by:
- A red RAG rating
 - An Amber RAG rating where appropriate or;
 - An absence recorded as work related stress, injury on duty or musculo-skeletal condition
- 7.3 These interventions are to ensure that the colleague has received the appropriate level of support to assist them with their sickness absence and return to work at the earliest and safest opportunity.

8. Return to work

- 8.1 A fit note may make a recommendation for temporary changes to be made to an colleague's working environment or conditions to facilitate a return to work.
- 8.2 Where the fit note contains recommendations for changes to be made to working conditions or practices, the force will consider those recommendations and try as far as possible to accommodate those changes, where permissible in accordance with the needs of the business and its duty as prescribed under the Equality Act (2010).
- 8.3 For extended periods of absence, the force may require the colleague to meet with an Occupational Health practitioner, to have the fitness to work arrangements assessed and confirmed.
- 8.4 In all circumstances, a return to work meeting will be arranged by the line manager upon the colleague's return to work.
- 8.5 The return to work meeting will confirm the colleague's fitness to return to work, update them on any changes that may have taken place in the workplace during

their absence, and confirm whether any necessary support is required and make arrangements for this as appropriate.

9. Fit Notes

9.1 Where a fit note is marked as “may be fit for work” by the colleague’s General Practitioner, the GP usually sets out the possible alternations or amendments that could be made to the colleague’s working practices to facilitate their fitness for work. Examples of the options available are:

- phased return to work
- amended / limited duties
- home working
- altered hours
- workplace adaptations.

9.2 A meeting will be arranged for the colleague to meet with their line manager, UNISON or Staff Associate Representative and a HR Representative (where necessary) to discuss the arrangements recommended in their fit note and how best the force can facilitate a return to work. This may take place as part of an Attendance Support Meeting where the absence has triggered a RED rating.

9.3 In the unlikely event that adjustments and amendments cannot be made, the colleague may not be able to return to work and may need to remain on a period of sickness absence. However, where adjustments and amendments can be facilitated, regular reviews will be undertaken with the colleague to confirm that the changes made continue to be adequate. The changes should be temporary and should not be considered permanent changes to the terms and conditions.

10. Medical Examination

10.1 If the force believes that a medical opinion is necessary, we reserve the right to require a colleague to be referred to either an occupational health medical practitioner or external specialist for an assessment to be undertaken.

11. Access to Medical Reports

11.1 The force may need to request a copy of a colleague’s medical reports or medical records to assist in the assessment of their individual medical condition. The colleague’s consent, in line with requirements under the Access to Medical Reports Act 1988, will be obtained prior to the force making contact with their GP and the

colleague is entitled to see a copy of the documentation provided. In line with data protection legislation, a colleague will also be given details on the reason for the examination as part of the referral process, alongside what the force intends to do with the data obtained and the lawful basis for processing the data.

12. Frequent and short term absences

Trigger points

- 12.1 Absence triggers enable line managers to address all absences whilst ensuring that support is offered and colleagues are managed fairly and consistently.
- 12.2 The trigger points for managing sickness absence are set at levels to ensure that the appropriate support and interventions are put into place at the correct time. Where the trigger points are met, line managers will undertake the necessary action detailed in the Sickness Absence Flowchart.
- 12.3 Trigger points have been converted into a RAG Rating (Red, Amber, Green) to provide managers and colleagues with a visual measure of attendance. The RAG ratings consider both the frequency of absence (occasions) with the duration of each absence (days).

RAG	Trigger Point
Red	4 periods of absence or 9 working days lost
Amber	2 to 3 periods of absence or between 5 - 9 working days lost
Green	1 period of absence or up to 4 working days lost

- 12.4 For Red and Amber cases, the line manager is required to review the colleague's sickness records and take the appropriate action. The Origin HR system will prompt this.
- 12.5 For all Red cases, the line manager should arrange to meet informally with the colleague in an Attendance Support Meeting (ASM) to discuss the fact that an absence trigger has been reached and to discuss necessary actions, such as considering a referral to Occupational Health, implementing any possible reasonable adjustments that may be necessary in relation to disability, or any possible formal performance action. The line manager may establish that there is an underlying medical condition and it may be that advice is required from HR as to the best

course of action to take. Formal procedures may not be necessary or appropriate in those circumstances.

- 12.6 A summary of the meeting which clearly articulates a timescale from improvement, should be kept for the colleague's personnel file and a copy given to the employee.

13. Long term sickness

- 13.1 Long term sickness is defined as certified open-ended sickness absence totalling 28 calendar days. All long term sickness absence should be managed under the relevant formal procedures, provided that an informal Attendance Support Meeting has already taken place.
- 13.2 Colleagues should be aware that although the force is sympathetic towards illnesses, it is not realistic for sickness-related absence to become protracted. We are keen to support all colleagues on long-term sickness absence back into the workplace as appropriately and effectively as possible, but continued employment may need to be reviewed if this cannot be achieved. There will be a full consultation with the colleague, together with a thorough medical investigation and consideration of redeployment, ill health retirement or an alternative posting.
- 13.3 If there is regular or persistent absence due to long term sickness, injuries etc., the situation is unlikely to be able to continue forever. Ultimately, employment and office may be terminated at a Stage 3 Hearing after full compliance with the force capability procedures or Unsatisfactory Performance and Attendance Regulations (2020). See the section below in relation to dismissal for more information on this aspect.
- 13.4 For colleagues who are unable to return to work due to terminal illness, the force is proud to support the Dying to Work Charter. We commit to ensuring additional support and protection from dismissal for terminally ill colleagues and will ensure a programme of welfare support is made available to colleagues and their family. Further information can be accessed in our Managers Guide to supporting terminally ill colleagues in the People Hub.
- 13.5 The force may require colleagues who have been absent for one month or more, or are expected to be absent for one month or more, to return some or all of their force issue equipment (e.g. IT, mobile phones etc.). This may be requested so that the equipment can be redeployed to other colleague.

14. Case Conference

- 14.1 Colleagues are expected to keep their line manager updated with details of their health and expected date of returning to work.
- 14.2 In complex or long term sickness absence cases, line managers may also attend a multi discipline case conference where representatives from occupational health and HR will consider the case and all the supportive measures / actions that are available for the organisation to pursue. This will ensure consistency in the approach adopted across the force.

15. Disability

- 15.1 As an organisation, we have a duty to make reasonable adjustments where a colleague has a disability covered by the Equality Act 2010.
- 15.2 As a Disability Confident employer, we commit to making our workplace an inclusive and accessible as possible. We will consider making reasonable adjustments for all colleagues, e.g. making changes to working hours, adjusting existing equipment, provision of different equipment and amending workplace practices, if the colleague is placed at a substantial disadvantage. We may also consider making physical changes, such as to the building entrance points, or alterations to the floor plan, furniture etc. where this is deemed to be proportionate action.
- 15.3 Our colleagues will be consulted fully on these as part of the attendance support procedures.
- 15.4 The duty to make the adjustments is 'reasonable' so if the suggested adjustment is not viable it may not be made. It may also be the case that no reasonable adjustments are possible to facilitate a return. There may be no alternative roles or employment available and if there is no prospect of the colleague being able to return to work in the near future, it may be inevitable that a decision to ill health retire or dismiss is the last and only option.

16. Dismissal and the right to appeal

- 16.1 The force may consider the prospect of redeployment and/or Ill-Health retirement at Stage 2 of formal capability or UPAP *prior* to progressing to a Stage 3 Dismissal Hearing.
- 16.2 However, where long term sickness absence leads to a Stage 3 dismissal under the relevant performance or capability procedures, the colleague will be provided with the reasons for the dismissal in writing.
- 16.3 The reasons for dismissal should set out the circumstances that led to the decision to dismiss. Colleagues have the right to appeal the decision and they should do so within five working days, in accordance with the arrangements set out in the dismissal letter, setting out the reasons for their appeal.
- 16.4 The appeal itself will be dealt with in accordance with the rules on appeals set out in the applicable performance/capability process.
- 16.5 Consideration will be given to all colleagues who are dismissed from the force after a hearing under this policy, on whether they will be placed onto the barred list held by the College of Policing.
- 16.6 The Professional Standards Department will enact the barring process upon conclusion of the proceedings, including appeal stage, should this course of action be agreed.

17. Payment arrangements

- 17.1 All colleagues will be entitled to Occupational Sick pay, in accordance with their specific terms and conditions of employment or Office.
- 17.2 Once the Occupational Sick Pay entitlement is either to reduce to half or has been exhausted, the Chief Constable has the discretion to review pay decisions based on the recommendation of a line manager. Colleagues will receive written notification of a reduction to their pay and may wish to provide supporting evidence for the retention of their sick pay.
- 17.3 Where occupational sick pay ceases, colleagues may be entitled to claim Statutory Sick Pay (SSP). The Payroll and Pensions team will write to colleagues about this, where applicable.

17.3 Payments such as bonuses and other variable payments will not be made.

17.4 Allowances will be subject to review and may be removed for the duration of the sickness absence. In all such cases, the appropriate period of notice will be given.

18. Unpaid sickness

18.1 Colleagues who are not eligible for SSP or for occupational sick pay scheme will take that period of sickness as unpaid. No basic pay shall be made.

18.2 The force will however, ensure that colleagues are signposted for financial support.

19. Annual Leave and Time owed

19.1 Annual leave entitlement will continue to accrue during a period of sickness absence.

19.2 Where, at the end of an annual leave year, a colleague has been prevented from taking their annual leave entitlement due to sickness absence, they can carry forward their statutory entitlement under the Working Time Regulations 1998, i.e. pro rata up to a total of 28 days per annum. This includes public holidays.

19.3 Where a colleague becomes ill during a period of annual leave or TOIL, this can be re-credited to them on receipt of a Fit Note for the dates of the absence.

20. Absences for reasons other than sickness

20.1 Unauthorised absences will be dealt with via the force misconduct procedures.

21. Suggest an edit

21.1 The Force welcomes the opportunity for colleagues to have their say, and constructive dialogue and challenge is welcomed. We value your feedback, so if you would like to suggest an edit to this policy please contact the Employee Relations Team at employee.relations@staffordshire.pnn.police.uk

22. Equality impact

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- 22.1 This policy has been assessed for equality impact. This policy is applicable to every colleague of Staffordshire Police.
- 22.2 In applying this policy, we will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between colleagues of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to background, trade union membership, or any other personal characteristic.

23. Retention, Review and Disposal

- 23.1 The Head of People and OD maintains ownership of this policy and all associated documents. This policy is a 'living document' subject to regular review, reflecting best practice and legislative changes, locally and nationally.
- 23.2 The organisation processes the personal data collected where sickness absence occurs, in accordance with its GDPR policy. In particular, data collected as part of this policy is held securely, accessed by, and disclosed to, colleagues only for the purpose of responding to and managing sickness absence. Inappropriate access or disclosure of colleague's data constitutes a data breach and should be reported to an appropriate manager. It may also constitute a disciplinary offence which will be dealt with under the Misconduct Policy.

24. Legislative Compliance

- 24.1 This policy complies with the requirements of the following employment legislations:
- The Equality Act (2010)
 - The Employment Relations Act 1999
 - The Police Regulations
 - The Police Performance Regulations (2020).

25. Consultation

- 25.1 Recognised Trade Unions and Staff Associations will be involved in any changes to this policy in line with Force consultation and negotiation arrangements.
- 25.6 Any amendments will be set out within the version control section of the document.

Summary of Changes

Version	Date	Author	Description of change
1.0	21/03		Refine and review
2.0	21/03		Incl. RTW from FF Leave
3.0	21/03		Branding
4.0	14/04		Distinction of Hybrid and Home Working
5.0	14/04		
6.0	23/04		Review of policy removed process and included within guidance document
7.0	15.03.22		Final review and format
8.0	24.10.22		The word 'only' removed from 19.1
9.0	01.09.24		Incl. Barred List information in Section 16.

Reviews and Distribution

Name	Department	Role	Date
	Employee Relations	Employee Relations Coordinator	15/04
	Unison	Reviewer	2022
	Federation	Reviewer	2022
	Supt's Association	Reviewer	2022

Associated Documents

Document Name	Document Reference
Supporting Attendance Procedure	