

WEST MIDLANDS POLICE ATTENDANCE POLICY



The specific provisions of this policy are not contractual, unless expressly stated, and can be amended from time to time.

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Contents

WEST MIDLANDS POLICE ATTENDANCE POLICY	1
1.0 POLICY STATEMENT	5
2.0 PURPOSE	5
3.0 SCOPE	5
4.0 REPORTING YOUR SICKNESS ABSENCE	5
5.0 CERTIFYING YOUR SICKNESS ABSENCE	5
5.1 Self-Certification	5
5.2 Doctor's Certification	6
5.3 GP Medical Certification	6
6.0 RETURNING TO WORK AFTER YOUR SICKNESS ABSENCE	6
7.0 MANAGING YOUR SICKNESS ABSENCE	6
7.1 Occupational Health	6
7.2 Access to medical reports	6
7.3 Disability-related sickness absence	6
7.4 Pregnancy related sickness absence	7
7.5 Absence due to injury or accident on duty	7
7.6 Sickness on or before your annual leave	7
7.7 Working from home when you are ill	7
7.8 Phased return to work after long-term sickness	7
7.9 Accruing annual leave	8
7.10 Retirement on ill-health grounds	8
8.0 PAY ARRANGMENTS DURING SICKNESS ABSENCE	8
8.1 WMP Sick Pay	8
9.0 MANAGING ATTENDANCE: PROCEDURE	9
9.1 Monitoring your attendance at work	9
9.2 Triggers	9
9.3 Managing your attendance	9
10 GENERAL PRINCIPLES	9
10.1 Level of Authority: Meetings, Hearings and Appeals	10
10.2 Your right to be accompanied	11
10.3 When you or your Representative cannot attend a meeting or Hearing	11
11.0 INFORMAL PROCEDURE	11
11.1 Attendance Support Meeting/s	11
12.0 FORMAL PROCEDURE (POLICE OFFICERS)	12
13.0 FORMAL PROCEDURE (POLICE STAFF ONLY)	12

The specific provisions of this policy are not contractual, unless expressly stated, and can be amended from time to time.

13.1 STAGE ONE: ATTENDANCE SUPPORT MEETING 12
13.2 STAGE TWO: ATTENDANCE SUPPORT MEETING..... 13
13.3 STAGE THREE: ATTENDANCE HEARING 15
14.0 MONITORING FORCE-WIDE ATTENDANCE 17

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1.0 POLICY STATEMENT

At West Midlands Police, we rely on your attendance at work to deliver our Force objectives and provide the highest standards of service to the public we serve. We accept that there are times when you are unwell, which can prevent you from being fit to work. We also recognise that when you are ill, it can impact on your colleagues and the service we provide to the communities we serve. It is therefore important that we manage sickness absence appropriately across our Force, enabling us to support your personal wellbeing, meet our obligations in line with the Equality Act 2010 and deliver effective policing.

2.0 PURPOSE

We have set out this policy to:

- Ensure all cases of sickness absence are managed fairly, consistently and supportively
- Explain our expectations of you when you are absent from work, due to illness
- Provide the framework for managing sickness absence across our Force.

3.0 SCOPE

This policy applies to:

- all West Midlands Police Officers and Police Staff, regardless of rank or seniority.

4.0 REPORTING YOUR SICKNESS ABSENCE

If you are ill and unable to attend work, you must telephone your line manager (or another manager if they are not available) as soon as possible, and at the latest by your normal start time on the first day of your absence, notifying them of the nature of your illness and, where possible, when you expect to return to work. Notification by text message, email or by third party will not normally be acceptable unless your illness or injury prevents you from doing so or there are exceptional circumstances.

If you remain absent from work, you should telephone your line manager on day four and then on a weekly basis or a frequency as agreed with your line manager. Your line manager will agree the subsequent frequency of notification you must provide for the remainder of your absence, which will depend on the nature of your illness.

If your absence continues beyond seven days (including non-working days), you must obtain a Statement of Fitness for Work (Fit Note) from your Doctor and send this (either electronically or hard copy), without delay to your line manager. If you continue to be absent, further and consecutive Fit Notes will be required at the appropriate intervals and must cover the entire period of your absence.

It is important that you maintain regular contact with your manager and follow the sickness absence reporting process so that your absence is recorded correctly and that you are paid appropriately.

5.0 CERTIFYING YOUR SICKNESS ABSENCE

5.1 Self-Certification

You can self-certify your sickness when your absence is up to seven calendar days (including weekends, Bank Holidays/Annual leave and part days). You must complete your Self-Certification Form as a priority on your return to work and pass it to your line manager, (retaining a copy for your own records) who will record this on the Duty Management System and submit this to the individuals personal file via Oracle Fusion.

You must complete the form accurately and provide a clear reason for your absence.

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5.2 Doctor's Certification

If you are absent from work for longer than seven calendar days, you must provide a Doctor's 'Fit Note'. If your Doctor advises that you may be fit for work with adjustments, we will consider if we can make the temporary changes suggested to support you in returning to work.

5.3 GP Medical Certification

We may, in certain circumstances, withdraw your right to self-certification and ask you to provide a Fit Note from your Doctor for any period when you are off sick from work. It is important to note that this will generally be considered in circumstances where there are high levels or a pattern of short term absence or if abuse of self-certification is suspected/proven. Advice will be sought from the HR Advice Team in such cases. We will reimburse you for any costs you incur for this Private Medical Certification that we request.

6.0 RETURNING TO WORK AFTER YOUR SICKNESS ABSENCE

It is important that you confirm your return to work date with your manager, and on your return to work, your line manager will meet with you to discuss your sickness, your current health and to bring you up to speed on any work matters that you should know about. They will also consider whether there are any health, personal or work related issues that contributed to your absence from work and will explore what support can be provided to support your health and wellbeing. If your absence is related to a declared disability, your manager should also discuss whether any reasonable adjustments can be made to maximise your attendance at work, ensuring that DSE and risk assessments are completed as appropriate. If your absences are becoming a cause for concern, we will also discuss this with you (see [Monitoring your attendance at work](#) for further guidance). We expect this meeting to take place on the day you return to work, where possible, and no later than three working days after you return. Please refer to Section 7.8 for returning to work after long term sickness absence.

7.0 MANAGING YOUR SICKNESS ABSENCE

7.1 Occupational Health

If you are absent from work or have a health problem which may prevent you carrying out all or part of your job, we may refer you to Occupational Health. It is important that you attend your scheduled appointments, as this is a reasonable management request and is to support your health and wellbeing.

7.2 Access to medical reports

In complex circumstances, we may find it helpful to seek guidance from medical experts who are directly involved with your illness and understand your medical history; therefore, we may ask for your written permission to seek a medical report on your illness from your Doctor, Consultant or other health provider. If you give your consent for this medical report, you have the right to see the report either before or at the same time as it is sent to us.

7.3 Disability-related sickness absence

If your absence is related to a disability, we will undertake appropriate risk assessments and put in place any reasonable adjustments you may need to support you at work.

We will not automatically disregard your disability-related sickness absence when monitoring and managing your attendance. However, reasonable adjustments will be considered on a case by case basis.

Please refer to the Reasonable Adjustments Policy for further information.

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7.4 Pregnancy related sickness absence

Pregnancy related absence will be disregarded for the purposes of sickness triggers when monitoring and managing attendance.

However, as with other absence, we will still have return to work meetings with you to discuss your absence and support your wellbeing. Your Line MANAGER will also conduct appropriate risk assessments and consider any adjustments that you may need.

Pregnancy related sickness absence within 4 weeks of your expected week of confinement (EWC) may also trigger your maternity leave, please refer to the **Maternity Policy** for further information.

7.5 Absence due to injury or accident on duty

If you are absent from work due to an accident or injury sustained at work/on duty, we will record this as 'injury on duty', regardless of the circumstances that led to it. Your line manager must ensure that the force accident recording system is updated within 24 hours of the incident occurring, as this is a legal requirement.

We will only record any further absences as 'injury on duty' if we are completely satisfied they are directly resulting from the original injury or accident at work. If we are unclear about any such cases, we will seek guidance from Occupational Health.

7.6 Sickness on or before your annual leave

If you are taken ill or suffer an injury immediately before or whilst on annual leave, and you provide medical evidence to support this, we will allow you to treat the period of absence as sickness and to take your annual leave later within the annual leave year (see 7.9). You must notify us, by telephone, as soon as possible that you were ill whilst on annual leave, including the days affected and provide the relevant medical certificate.

7.6.1 Going home from work due to illness

If you are become unwell while in work and need to go home, you should inform your line manager (or another manager if they are not available). If you leave work less than half-way through your working day, it will be recorded as half-day sickness absence. If you have worked more than half of the working day, it will be recorded as 'gone home sick'.

If you frequently leave work early due to illness, we may trigger our ['Managing Your Attendance'](#) process.

7.7 Working from home when you are ill

If you are absent from work because you are ill, you should not engage in any work from home, as sick leave is intended to facilitate your recovery.

However, dependent upon the circumstances of your illness, if this is agreed by you, your manager, supported by a medical professional (e.g. GP) and is practical e.g. you are an agile worker, this will be considered where appropriate.

7.8 Phased return to work after long-term sickness

If you have been off work for a long period of time due to illness, it may be difficult for you to return to your full role and usual hours of work immediately. Prior to your return to work, your line manager will discuss with you and agree the plan for your return to work. This may include gradually increasing your hours and/or work responsibilities and would usually be for a period of 4-8 weeks although this will need to be tailored to your individual needs. We will take into consideration any medical guidance we receive, where appropriate. We will keep the plan under review and meet with you on a regular basis to support you in your return to work.

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7.9 Accruing Annual Leave

Where you are off work and have been unable to take your annual leave due to long-term sickness absence, you can take this after you return to work which may require you to carry annual leave forward into the next annual leave year.

You can carry forward any untaken statutory annual leave (up to four weeks at your standard contracted hours) which you must take within 18 months of the end of the leave year in which you accrued it.

You are entitled to take annual leave during a period of sickness and should notify your manager and Shared Services as soon as reasonably possible that you wish to take annual leave. Sick pay will not be paid in respect of any period that is taken as paid annual leave.

7.10 Retirement on ill-health grounds

If you are a Police Officer, and a suitably qualified medical practitioner determines that you meet the relevant statutory test in accordance with Police Pensions Regulations, you may be retired on the grounds of ill health.

If you are a member of Police Staff, and a suitably qualified medical practitioner determines that you meet the relevant test in accordance with the Local Government Pension Scheme Regulations, you may be retired on the grounds of ill-health.

You can explore the Ill Health Retirement process at any point and we may also initiate a discussion with you and submit a request for consideration of ill health retirement where appropriate.

8.0 PAY ARRANGMENTS DURING SICKNESS ABSENCE

8.1 WMP Sick Pay

Your occupational sick pay entitlement will depend on whether you are a Police Officer or member of Police Staff. However, in all cases, when we calculate your occupational sick pay, we will count the number of days sickness you have had in the rolling 12 months immediately prior to the first day of your current period of sickness absence, plus your current period of sickness absence. All occupational sick pay includes any statutory sick pay you are entitled to receive.

We may also withhold payment of your occupational sick pay if we believe your absence was not genuine or you have not followed our notification or certification process.

It is also important to note that persistent or unauthorised absence may result in disciplinary action.

Police Officers:

In line with Police Regulations 2003 (Regulation 28), you will receive:

- Full pay for 6 months (183 days), followed by
- Half pay for the next 6 months (182 days), followed by
- No pay after 12 months (365 days).

At the discretion of our Chief Constable, we may extend a period of full or half pay for Police Officers in exceptional circumstances, please see the **Pay Panel Policy**.

Police Staff:

Your occupational sick pay is paid in line with your national terms and conditions of employment and based on your length of service with our Force (or associated employer). We may, at our discretion, extend a period of full or half pay for Police Staff in exceptional circumstances, please see the **Pay Panel Policy**.

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<u>Length of continuous service</u>	<u>Amount of sick pay</u>
During your first year of service	One month's full pay and (after completing four months' service) two months' half pay
During your second year of service	Two months' full pay and two months' half pay
During your third year of service	Four months' full pay and four months' half pay
During your fourth and fifth years of service	Five months' full pay and five months' half pay
After five years of service	Six months' full pay and six months' half pay

9.0 MANAGING ATTENDANCE: PROCEDURE

9.1 Monitoring your attendance at work

We rely on you to maintain an acceptable level of attendance at work. We therefore have triggers in place, so that we can monitor absenteeism fairly across our Force and identify any concerns we have about your individual attendance at an early stage.

9.2 Triggers

As a Force, we have set targets with regard to attendance which are reviewed annually.

We use the Force target to calculate and identify trigger points for managing our attendance at work. This is a robust and consistent approach which enables us to identify concerns at an early stage and take supportive action to help you to achieve improved and acceptable attendance.

The trigger points are 8 working days, or 3 occasions of absence, calculated over a rolling 12 month period. In addition to this, we recognise long term absence as one period exceeding 28 days.

In addition, if a particular pattern of absence is evident (including part day absence), this may also be regarded as a trigger.

9.3 Managing your attendance

We have set attendance stages for managing absence, based on your attendance levels over a rolling 12-month period. We will manage your attendance, along with everyone else across our Force, based on your attendance levels, as detailed below:

Absence Level	Absence Status
No absence	You have not had any absence in the past 12 months
Some absence (triggers are not met)	You have had some absence in the past 12 months which has been managed through normal return to work discussions
Absence: triggers are met	You have triggered concerns about your absence and it may be managed in line with the informal procedure.
Further/continued absence	You have already been managed informally, however it may be appropriate to utilise the Formal Procedure (Police Staff) or Unsatisfactory Performance and Attendance Procedure (Police Officers).

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It should be stressed that, since the circumstances of each case are likely to be different, the action taken in each case will be that which is appropriate taking into account the particular circumstances.

No absence

If you have not had any sickness absence in the past 12 months, your Line Manager will acknowledge your exemplary attendance at work.

Some absence

We recognise there are times when you are ill and may need to take time off work to recover. As part of our duty of care, it is important that we meet with you after any period of illness from work, even if it is only for a few days, to ensure you are well and to identify any underlying issues that may be affecting you. Please also see '**Returning to work after your sickness absence**' for further information.

Absence: triggers are met and further/continued absence

If your attendance levels are equal to, or greater than the attendance triggers, we may be concerned about your absence and want to work with you to improve your attendance. Please refer to Section 11, Section 12 and Section 13.

10.0 GENERAL PRINCIPLES

We will seek to ensure when implementing the Attendance Policy and Procedure that there is consideration of the following:

- (a) Attendance management is intended to be a supportive and positive process with the aim of supporting you to achieve improvement and consistent standards
- (b) Clear expectations will be set with regard to satisfactory attendance
- (c) You will be advised of any concerns about your level of attendance in a timely manner
- (d) We will work with you to identify your individual needs and any difficulties being experienced in relation to your health and wellbeing with exploration of possible causes
- (e) We will provide support and guidance as appropriate to assist you
- (f) We will implement this Policy and Procedure with due regard for your individual circumstances. If you have a disability, we will abide with our duty to make reasonable adjustments to arrangements, policies and procedures where applicable
- (g) We will ensure that you are treated with dignity and respect throughout the process
- (h) We will comply with relevant data protection laws when handling information about your health.

10.1 Level of Authority: Meetings, Hearings and Appeals

Meetings at the informal stage, Stage One and Stage Two of the process will usually be conducted by your line manager.

Hearings will be chaired by a manager who, has not been previously involved in your attendance (capability) case.

An appeal against a dismissal arising from an attendance (capability) matter will usually be heard by the Deputy Chief Constable (DCC). A member of the Force Executive Team may be nominated by the DCC to hear an Appeal against dismissal subject to prior agreement with you and/or your Union representative.

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All formal meetings, Hearings and Appeals will also be attended by an HR Practitioner from our P&OD team who will support the manager conducting the process. They will provide guidance on procedure and ensure a fair process is followed.

Hearings and Appeals will either be recorded or a note taker will be present to capture the essence of the discussions.

10.2 Your right to be accompanied

It is important that you feel supported and at ease throughout all stages of the process. You have the right to be accompanied to any formal meetings arranged during the Formal Attendance Management Procedure, by a single work colleague, Trade Union official or certified trade union representative (referred to as representative throughout). Any work colleague whom you have requested to accompany you will be given a reasonable amount of paid time off to prepare for and attend the meeting. Please note that it is your responsibility to secure the attendance of any fellow work colleague.

Your representative is there to offer you support throughout the process. During a Stage Three Hearing or Appeal, with your agreement, your representative can explain the key points of your response, ask questions, confer with you during the hearing and sum up your case. They can also request an adjournment. However, they cannot answer questions on your behalf or address the Hearing if you don't want them to.

10.3 When you or your representative cannot attend a meeting or Hearing

You should make every effort to attend any attendance meeting or Hearing (including any Appeal hearing).

If you or your representative is unable and can provide a sufficiently valid reason for non-attendance (e.g. illness), we will reschedule for a suitable alternative date, which must not be unduly delayed and should be held within 5 working days of the original scheduled date.

If your representative is still not available, you can choose to bring an alternative representative or attend without one.

If you fail to attend on the rearranged date, we reserve the right to proceed with the information available to us, in your absence. In making this determination we will assess whether you have had sufficient opportunity to attend meetings and/or hearing and will consider the reasons submitted.

11.0 INFORMAL PROCEDURE

11.1 Attendance Support Meeting/s

If your attendance levels are equal to, or greater than the attendance triggers, we may be concerned about your absence and want to work with you to improve your attendance.

Your line manager will therefore invite you to an Attendance Support Meeting, the purpose of which is to discuss your absence/s from work along with objectives, actions, support and interventions that will help you to improve your attendance at work (for short term absence) or to facilitate a return to work (for long term absence).

The meeting is intended to provide support and it is therefore expected that in all but exceptional circumstances, contact will be made directly between you and your line manager, however with your agreement your Union/Federation representative or workplace colleague may facilitate discussions regarding meeting arrangements.

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The most appropriate location of the meeting/s will be dependent upon the nature/circumstances of your absence and should be sensitive to your needs. In general terms, meetings will be held on Force premises where possible or alternatively a home visit/alternative location may be more suitable.

Interventions could include referral to Occupational Health, exploration of reasonable adjustments, signposting to the Employee Assistance Programme; B Well, temporary restrictions, management support, etc. The actions agreed will be documented in a Wellbeing Plan and a review period will be set; for short term absences this will usually be 3 – 6 months, for long term absences this is likely to be sooner dependent upon the circumstances.

Should you have further absences during the review period, or a return to work is not achieved, a further meeting will be held. A determination will be made at this point as to whether to continue with Attendance Support Meetings at the informal stage, or to refer to the formal process.

It is important to understand that the meeting does not imply that your absence is not genuine; we implement it as a tool to support you in achieving acceptable and sustained attendance at work. In addition, the approach appropriate for each individual will be considered from the outset of, and throughout a period of absence to ensure that the approach is individual to your needs.

12.0 FORMAL PROCEDURE (POLICE OFFICERS)

For Police Officers, the formal process is set out within the Unsatisfactory Performance/Attendance Procedure (UAP), however the stages as set out below mirror the UAP and guidance provided within this policy for considerations at each stage should be broadly taken into account.

13.0 FORMAL PROCEDURE (POLICE STAFF ONLY)

Where informal meeting/s have been held and either you have had further absence during the review period, or where long term absence continues, it may be appropriate to progress to formal management. For Police Staff, the process set out within this policy should be followed.

There are three stages within the Formal Attendance Management Process. The stages set out below are sequential however are not limited to one meeting at each stage – for example, it might be appropriate in the circumstances to hold a number of meetings at Stage One. P&OD representatives will provide support, direction and guidance to line managers in respect of this policy and its application.

13.1 STAGE ONE: ATTENDANCE SUPPORT MEETING

At Stage One, we will write to invite you to a meeting to discuss your attendance at work and to explore options to improve your attendance (for short term absence) or facilitate a return to work (for long term absence).

The purpose of the meeting is to discuss your attendance at work, to explore any contributory factors, consider additional measures that we can take to support you and agree a timeframe for review. It is anticipated that a referral will have been previously made to Occupational Health and the content of any report/s will be discussed. If a referral to Occupational Health has not previously been made, this will be discussed with you and a referral will be made in most cases.

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Notes will be taken and following the meeting, and usually within 7 calendar days, we will write to you confirming the outcome of the meeting and the possible outcome if your attendance does not improve sufficiently within the agreed review period or a return to work is not possible.

Short term/Intermittent absence:

If you have entered the formal process due to short term/intermittent absence, we will discuss the reasons for the absence/s, consider any emerging patterns and whether the absences are related. We will also review the likelihood of further absences, medical advice, measures that can be taken to improve your attendance at work including reasonable adjustments, support required and timescales for review.

For short term absence, a review period will usually be 3 - 6 months and your manager will set out the expected levels of attendance during the review period and review meetings may also be held during this time.

If you have achieved satisfactory attendance during the review period the formal attendance process will end.

There is an expectation that you will sustain this improvement, therefore there will be a further 6 month monitoring period. If, during the monitoring period your attendance falls below acceptable standards again, we will reinstate the formal attendance process at Stage One – if this is the case, we will confirm this to you in writing.

If you have not maintained satisfactory attendance during the review period, this may result in progression to Stage Two.

Long term absence:

If you are on long term absence, we will discuss the reasons for your absence, the likely duration, medical advice (including Occupational Health advice where appropriate), your treatment plan, measures that can be taken to improve your health – including exploration of reasonable adjustments, support required and a timescale for review. It may be appropriate to hold a number of Stage One meetings, dependent upon the nature of your absence and individual circumstances.

If further to the Stage One meetings/s you remain too unwell to return to work in the foreseeable future, it may be appropriate to progress to Stage Two.

13.2 STAGE TWO: ATTENDANCE SUPPORT MEETING

At Stage Two, we will discuss your attendance at work and to explore options to improve your attendance (for short term absence) or facilitate a return to work (for long term absence).

The purpose of the meeting is to discuss your attendance at work, to explore any contributory factors, consider additional measures that we can take to support you and agree a timeframe for review. Occupational Health advice should be considered at Stage Two, and if a referral to Occupational Health has not previously been made, this must be made at this point.

Notes will be taken and following the meeting, and usually within 7 calendar days, we will write to you confirming the outcome of the meeting and the possible outcome if your attendance does not improve sufficiently within the agreed review period or a return to work is not possible.

Short term/intermittent absence:

If you have entered the formal process due to continued short term absence, the format of the meeting will be similar to Stage One and therefore a discussion regarding the reasons for the absence/s, any emerging patterns and whether the absences are related. We will also review

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the likelihood of further absences, medical advice, measures that can be taken to improve your attendance at work including reasonable adjustments, support required and timescales for review. The impact of support provided, reasonable adjustments etc. will also be considered.

For short term absence, a review period will usually be 3 - 6 months and further absence during this time may result in progression to Stage Three. Your manager will set out the expected levels of attendance during the review period and review meetings may also be held during this time.

If you have achieved satisfactory attendance during the review period the formal attendance process will end. There is an expectation that you will sustain this improvement, therefore there will be a further 6 month monitoring period. If, during the monitoring period your attendance falls below acceptable standards again, we will reinstate the formal attendance process at Stage Two – if this is the case, we will confirm this to you in writing.

If you have not maintained satisfactory attendance during the review period, this may result in progression to Stage Three.

Long term absence

If you are on long term absence, escalation to Stage Two is likely to be considered where a return to work is not anticipated within the foreseeable future. Again, we will discuss the reasons for your absence, the likely duration, medical advice, your treatment plan, measures that can be taken to improve your health – including exploration of reasonable adjustments, support required and a timescale for review.

In addition, a discussion regarding longer term options including medical redeployment (See 14.2.1) and/or Ill Health Retirement should take place with the appropriate options being explored fully.

If further to the Stage Two meetings/s you remain too unwell to return to work in the foreseeable future, it may be appropriate to progress to Stage Three.

13.2.1 Redeployment

We aim, as far as possible, to ensure security of employment for staff and as such are committed to exploring redeployment options if you are unable to continue in your role or return to work following a period of absence.

Redeployment can be explored at any point within the absence management process, as appropriate, based on your circumstances. However, redeployment would usually be explored with you if you are on long term absence and a return to work in your current role is unlikely in the foreseeable future, and/or continuation in your current role is not sustainable on health grounds. This discussion would usually occur at Stage Two, once other options to facilitate a return to work have been explored e.g. reasonable adjustments, temporary restrictions etc. and Occupational Health advice should be sought prior to instigating the redeployment process.

Once redeployment has been agreed by Occupational Health, we will meet with you to discuss your skills, experience and any support and/or reasonable adjustments required. This information will be recorded and you will then be placed on the Medical Redeployment Register. We will then conduct an initial screening of Force vacancies based on your requirements and will then inform you of any vacancies that arise that may be suitable for you. You will have priority for any vacancies that arise (along with others on the Medical Redeployment and the Alternative Employment Register where applicable) and we guarantee

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to interview you if you meet the minimum essential role requirements. Where possible, we will make reasonable adjustments to the recruitment and selection process to support you during the process.

You will be on the Medical Redeployment Register for period of between three and six months, dependent upon the circumstances. If we are unable to find alternative employment within the Force during this time then a Stage Three Hearing will be scheduled.

Pay protection will apply if you secure a lower grade role and/or reduced hours and/or loss of shift allowance.

13.3 STAGE THREE: ATTENDANCE HEARING

If your line manager feels that Stage One and Two have been exhausted, you will be invited to a Stage Three Attendance Hearing.

It is likely to be appropriate to progress to Stage Three if:

- There is no prospect of a return to work in the foreseeable future
- There are continued unacceptable levels of attendance
- There is not sustained improvement of acceptable attendance levels.

The Stage Three Attendance Hearing will be arranged without undue delay, whilst ensuring you have reasonable time to prepare and arrange representation where necessary. You will be invited to the Hearing and provided with a copy of all the documents we will be considering as part of the Hearing, including any witness statements and any witnesses we may call, 7 calendar days before the Hearing unless there is a valid reason for not doing so.

As this Hearing could result in your dismissal, the Panel will review your case to-date and any circumstances relating to your attendance. This are likely to include:

- Records of meetings and discussions held with you throughout the informal and formal attendance process
- Details of any support provided
- Evidence of any improvement in attendance levels
- Any other relevant information relating to your attendance including previous attendance history
- Disability issues, medical conditions, any reasonable adjustments.

Remember you are entitled to be accompanied.

You can also make verbal or written submissions and/or call witnesses to the Hearing, where relevant. If you have additional evidence or information that you would like to be considered at the Hearing, you are encouraged to submit this in writing and notify us of any witnesses as soon as possible and at least two calendar days prior to the Hearing.

If a witness is not prepared, or unable to, attend the meeting, we will seek to secure a written statement from them.

If new information comes to light or if there is a need to clarify any information, the manager hearing the matter may adjourn the hearing. You will be advised of the reason for the adjournment. Any further investigation will be concluded as soon as possible.

Once a decision has been reached the Hearing will be reconvened to inform you of the outcome. The possible outcomes of a Stage Three Hearing are:

1. You have achieved satisfactory attendance and as a result the formal process will end. If, at any stage in the following 12 months, your attendance falls below acceptable

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standards again, we will reinitiate the formal process at Stage Three. We will confirm this to you in writing.

2. If it is considered that your attendance has improved, however has not been satisfactorily achieved and maintained, an extension to Stage Two may be agreed in exceptional circumstances (for example where support measures were not previously identified).
3. If it is considered that your attendance has not improved sufficiently to meet acceptable performance standards, or a return to work is not likely in the foreseeable future, you may be dismissed on the grounds of capability, with the appropriate period of notice or pay you in lieu of your notice period.

In exceptional circumstances, options short of dismissal may be considered and offered to you, including demotion or a transfer to a different role within our Force. If a sanction other than dismissal is to be considered you will, as soon as reasonably practicable, be provided with written confirmation of the action to be taken, how the action is to be implemented, the reason for it and the date on which it will come into effect (if appropriate).

We will confirm the outcome of the Stage Three Attendance Hearing to you, in writing, normally within 7 calendar days. In all cases, we will confirm your right of appeal against the decision. We will keep a copy of the written notification on your file.

13.3.1 Right to appeal

You have the right to appeal against a Stage Three Attendance Hearing outcome, including dismissal. You must set out the grounds for your appeal, in writing, and send it to the Head of Employee Relations within 7 calendar days of the date of the original decision being advised to you. If you wish to present new evidence, provide additional supporting information or call witnesses, you should submit this with your letter of appeal, wherever possible and by no later than 2 calendar days before your Appeal Hearing.

Following receipt of your appeal, we will invite you to an appeal hearing without unreasonable delay with a minimum of 7 calendar days' notice.

Remember you have the right to be accompanied.

At the Appeal, we will consider the area(s) of dispute, including any new evidence you have provided, where relevant. We will then adjourn the Appeal to consider your case. Once we have reached a decision, we will notify you of the outcome and subsequently aim to confirm this to you in writing within 7 calendar days.

We can decide to uphold the original decision, award a lesser sanction or overturn the decision. The Appeal Hearing decision is final and you do not have any further right of appeal against our decision.

13.3.2 Dismissal pending an appeal

If your appeal is against dismissal, the dismissal date will not be postponed pending the outcome of the appeal. If your appeal is successful, you would be reinstated without loss of continuity of employment or pay.

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14.0 MONITORING FORCE-WIDE ATTENDANCE

We monitor all Force attendance data through a corporate governance structure.

We will publish monthly sickness absence levels across our Force, as part of our focus on, and commitment to, wellbeing and attendance. However, your individual sickness absence record, and any related absence data will remain confidential.

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