

## ATTENDANCE & ABSENCE MANAGEMENT POLICY

**Policy Statement:** The McSence Group Attendance & Absence Policy applies to all McSence Employees and should be read in conjunction with other Health, HR and welfare policies. This policy provides the organisation with a structured framework to properly manage sickness and absence. McSence are a supportive employer and committed to the health, safety and wellbeing of its staff where overall objective of this policy is to:

- ✚ Promote and maximize attendance at work.
- ✚ Provide a fair, effective and consistent framework for the management of absence.
- ✚ Ensure that issues relating to attendance and absence are managed in a timely, effective and responsible manner.

**All Employees:** This policy applies to all persons working for or on our behalf of the McSence Group of Companies which includes the subsidiary companies - *McSence Communication Ltd, McSence Ltd, McSence Services Ltd & McSence Workspace Ltd* in any capacity including but not limited to:

- ✚ All employees at all levels, prospective employees, agency workers, seconded workers, temporary workers, contractors/sub-contractors, clients, agents, external consultants, volunteers, members of the public, group's supply chain, third-party representatives and/or business partners who will be referred to in our Group policies as "all employees".

**The Workplace:** This policy applies to all persons working for or on our behalf of the McSence Group of Companies in any capacity at the workplace(s) as defined below which includes but not limited to:

- ✚ McSence Premises, Offices, Units, Business Park, Client's Premises, External Meeting Places, Customers' Homes, Gardens, Sheltered Housing, Whilst On-Call, On-Duty, Emergency Cover, Working from Home including On-Line Meetings, Whilst Driving in Company Time, Working Public Areas (café's, trains, coffee shops, buses etc) and will be referred to throughout this policy as "the workplace".

**Purpose:** McSence employees have an obligation to attend work unless prevented to do due to ill-health and/or injury. When absent from work due to sickness or accident, McSence employees must comply with the absence notification and certification procedures outlined in this policy. This is a requirement for entitlement both statutory sick pay and company sick pay (if applicable). Unauthorised absence is misconduct and will be considered in accordance with the Group's Disciplinary Procedures. The company reserves the right to withhold sick pay if an individual does not follow the notification procedure or submit the appropriate certification within the specified time.

### Attendance & Absence Management Roles & Responsibilities:

**Employees:** The Employee is responsible for:

- ✚ Attending work where employees should follow work patterns and/or shifts where the Line Managers can make exceptions on occasions that prevent employees from following standard working hours or days but, generally, we expect employees to be punctual when coming to and leaving from work.
- ✚ Accurately clocking in first thing when starting the workday and clocking out completing the workday.
- ✚ Employees are required to comply with the company's procedures in relation to recording your attendance and activities at work.
- ✚ Employees are required to keep in contact with the organisation throughout any period of sickness absence which the frequency and method will be agreed between the employee and Line Manager.
- ✚ Employees are responsible for ensuring that their sickness absence is unavoidable, is certified according to this policy and procedures and that the policy is not abused.
- ✚ Employees are responsible for ensuring personal information relating to sickness absence will be treated in a confidential and sensitive manner.
- ✚ If employee who fails to follow the Attendance & Absence policy which is set out in this document will be considered a conduct issue and may be subject to action under the company's disciplinary procedure.

**Line Manager:** The Line Manager is responsible for:

- ✦ Employees following their designated work patterns and/or shifts where the Line Managers can make exceptions on occasions that prevent employees from following standard working hours or days but, generally, we expect employees to be punctual when coming to and leaving from work.
- ✦ Employees accurately clocking in first thing when starting the workday and clocking out completing the workday.
- ✦ Employees complying with the company's procedures in relation to recording your attendance, activities at work and attendance.
- ✦ Monitoring the absence levels of employees, for ensuring telephone/on-line and/or face-to-face meetings - which all will be referred to as "meetings" throughout this document.
- ✦ Meeting with employees when they return to work after absence, and for highlighting to the Business Unit Manager where issues are arising.
- ✦ Ensuring that the Business Manager and the Finance Team have accurate records on absence on which to base the payroll calculations.
- ✦ For providing Finance Department with accurate payroll information to ensure that employee's pay is correct and that any changes in decisions on employees pay are reflected in the next payroll run.
- ✦ Ensuring that employee sickness records are up to date and notifying the Finance Team and Business Unit Manager when absence triggers have been met by an individual employee.
- ✦ Providing support to employees who are off sick and complete a to return to work as soon as they can.

**Business Unit Manager:** The Business Unit Manager is responsible for:

- ✦ Monitoring employees and line managers to ensure compliance with the company's procedures in relation to recording your attendance, activities at work and attendance.
- ✦ Monitoring overall absence of employees within their department and raising any issues which require a group-wide approach or a change in policy.
- ✦ Providing support and advice to Line Managers and others on long-term sickness of staff and will ensure that policies are up to date in relation to legislative or other changes.

**Electronic Attendance Systems Protocols:** Electronic clocking in should be the first thing colleagues do when starting their workday and clocking out when they finish to ensure accurate daily record time keeping, eliminating the need to manually calculate hours and automated or semi automate import into the Group's payroll to ensure accurate payment of wages/salaries. Return should be daily and colleagues should not save-up and submit a monthly return.

**Absence Management Procedures:**

**Notification & Certification:** Employees are personally responsible for notifying their absence to the Line Manager or another manager in their absence on the first day of absence.

- ✦ This must be done by telephone and it is not acceptable to communicate by text message and should only in exceptional circumstances if the employee cannot call themselves.
- ✦ Employees who provide client support must contact their line manager no later than two hours before their normal start time, if the Line Manager is not available as their start time is out within normal office hours, then they must contact the on-call responsible person.
- ✦ Report an absence on or before their start time.
- ✦ Summarise the reason for the absence together with the likely duration should be given, also whether the employee will be visiting their G.P.
- ✦ Agreement when further contact should be made and where a member of staff has failed to make contact with the appropriate person within the specified timescales the organisation will attempt to make contact with the employee to ascertain the absence reason
- ✦ Report any outstanding work commitments, which will need to be attended to.
- ✦ If the initial communication of absence was not with the employee's line manager the line manager will then call the employee back to discuss the reasons for absence, so an appropriate contact number must be left by the employee during initial contact.
- ✦ It is the employee's responsibility to ensure that all days of sickness are covered by appropriate certification.
- ✦ Absences up to 7 calendar days (inclusive of Saturdays and Sundays) must be covered by a self-certificate [B:\Group Templates\GT Human Resources](#)
- ✦ It is the employee's responsibility to complete this and forward this to their line manager. Thereafter for absences for more than 7 days, the member of staff must forward a G.P. statement of fitness for work, or where appropriate a hospital certificate, to the Supervisor within 5 calendar days of the expiry date of the previous certification.

- ✦ Where the appropriate certification has not been presented within the appropriate timescales, McSence Group reserves the right to assume that the absence is for some other reason and is therefore unauthorised. Salary will therefore be deducted for this time, until the correct certification is submitted and any days which are not certified will be considered unauthorised and therefore unpaid.
- ✦ Where a return-to-work date has been indicated and this is then subject to change, the member of staff should inform their line manager as soon as this is practicable, supported by a further medical note.

**Failure to Report an Absence:** Failure to report an absence within this period without due cause will be treated as an unauthorised absence and may result in disciplinary action unless there is a valid reason or there are exceptional circumstances.

**If an Employee Becomes ill at Work:** The employee should notify your immediate Line Manager, or if they are not available another Manager to arrange for cover to be provided and will give permission to leave.

- ✦ For care workers an employee who leaves a client’s premises or leaves between visits to clients before receiving permission may leave themselves liable to disciplinary action being taken against them.
- ✦ The remainder of the employee’s shift or working day will be counted as sickness absence and will not be paid.
- ✦ The absence will count towards sickness absence in terms of triggers for managing absence - however, this part day of absence does not count as a qualifying day for Statutory Sick Pay, and this will commence from the following day if they do not return.

**Maintaining Contact During Sickness Absence:** It is the employee’s responsibility to maintain contact, and the method must be agreed by the employee and Line Manager. Employees must be contactable at reasonable times during sickness absence and must be available to attend meetings, for example welfare visits, in order that full support can be given to the employee. If an employee does not return to work on their next scheduled working day/shift the absence will be considered continuous. Failure of the employee to maintain communication may:

- ✦ Be viewed as failure to follow the Absence Management Policy and may therefore be subject to investigation in line with the Disciplinary Policy.
- ✦ Assume that you do not wish to return to work and that you are resigning from your position within McSence Group.

**Absence Triggers & Action(s):** Absence triggers are outlined on the table below which shows the stages and actions to be taken. McSence Group reserves the right to move to a higher level of stage meeting should an absence meeting have not taken place before another absence occurs. Where there may be an underlying medical reason for persistent short-term absences the employee may be referred to their GP or an occupational health service for further advice. In some cases, it may be appropriate to adjust the absence triggers to make reasonable adjustments for the underlying condition.

	Absence trigger	Action to be taken
<b>Stage 1</b>	3 separate absences or a total of 8 days or more absence in a rolling 6-month period.	Informal attendance improvement meeting held.
<b>Stage 2</b>	Any 2 instances of absence or a total of 8 days or more absence in the next 12-month period after informal improvement meeting.	First written warning.
<b>Stage 3</b>	2 separate absences or a total of 8 days or more absence in the next 12-month period, after a first written warning.	Final written warning.
<b>Stage 4</b>	2 separate absences or a total of 8 days or more absence in the next 12-month period after a final written warning.	Potential dismissal.

**Short Term Absences:** Most short-term absences will count towards a trigger and a meeting at the appropriate stage will be arranged on the employee's return. The Line Manager will write to the employee and invite them to the stage meeting and the invite letter will:

- ✦ Provide reasonable notice of the meeting.
- ✦ Contain the purpose of the meeting and detail the absences in question.
- ✦ At stage 2-4, the employee will be offered the right to be accompanied to the meeting by either a colleague or an accredited trade union representative.

The outcome of the meeting will then be communicated to the employee in writing with the right to appeal the decision at stage 2-4. If the employee wishes to appeal this must be done in writing and received by the organisation within 5 days of receiving notification of the outcome. If the employee's employment is terminated, they will have the right of appeal. This must be in writing and sent within 5 days of receiving notification.

**Deduction of Outstanding Payments:** McSence reserves the right to deduct any outstanding payments to the company or any overpayments of salary from any final salary payment. Any such actions will be discussed with the employee and confirmed in writing prior to deductions being made.

**Return to Work:** On returning to work following any period of absence a return-to-work conversation must take place between the employee and line manager. This should take place on the first day of return or as near to this date as possible and can be done over the phone or in person using the following Return to Work Meeting Template which can be found via the following link [B:\Group Templates\GT Human Resources](#)

**G.P. Referral:** In ascertaining the employee's medical position McSence Group reserves the right at any time to seek medical advice, and this may involve seeking a report from the employee's G.P or asking the employee to attend an appointment with an occupational health specialist of the company's choice. The purpose of a request for a medical report or an appointment with a specialist is to advise on what steps the organisation can take to help an employee improve their attendance. Should the employee not attend a GP appointment for reasons out with their control the employee will be advised to make another appointment. Failure however to attend this appointment may result in the organisation making any future decisions without the benefit of medical advice.

**Statement of Fitness for Work:** This update is intended to highlight to Employers the issues surrounding the implementation of the new 'Statement of fitness for work' otherwise known as the 'Fit Note' which came into force on the 6th April 2010. The Fit Note is intended to aid earlier return to work for employees by advising possible adjustments to allow an earlier return to work for employees as follows:

- ✚ GP's will now have the option of issuing the new Med3 (Fit Note) stating an employee '*may be fit for work taking account of the following advice*'.
- ✚ GP's are then encouraged to recommend adjustments such as '*phased return to work, amended duties, altered hours and workplace adaptations*'.
- ✚ Employees no longer need to have been seen face to face on the day, or day before, the certificate is produced. GP's can issue the certificate following a phone consultation with the employee or based on information from another doctor or other health care professional e.g. casualty slip etc.
- ✚ The maximum certification period in the first 6 months is being reduced from 6 months to 3 months.
- ✚ There will no longer be a Med 5 statement, only a Med3

Employers are concerned that employees will submit statements from their GPs advising that an employee is fit to return to work with various adjustments to hours, duties and phased returns which may be impractical or unnecessary. The Guidance from the DWP is quite clear that if an employer is unable to accommodate the recommendations then they are not legally bound to. In the case of an employee whose statement says '*I advise that you may be fit for work taking into account the following advice.....*' if those adjustments cannot be made by the employer, then the statement would have the same meaning as someone who was not fit for work.

It is important to be aware of the risks that may arise when a Disabled Person, as defined by the Disability Discrimination Act, presents a statement advising certain adjustments. Firstly, you need to consider whether the person is Disabled within the terms of the Act. Secondly, you need to consider if the adjustments can be made for practical and operational reasons.

It is equally important to ensure that the adjustment requested is something which is required for a reason relating to the disability and that the statement is not being used to request adjustments which are unrelated to the Disability e.g. requests to avoid unsociable hours. It is recommended that employers faced with such cases seek independent Occupational Health (OH) advice with regard to the application of the DDA and whether the adjustments are medically indicated.

Without OH advice it will be more difficult for employers to defend claims of Disability Discrimination when they have 'failed to implement reasonable adjustments advised on the Med 3'. It is recommended that in all situations where a decision is made not to implement a GP recommendation that they have either taken independent OH advice or they have at least documented the reasoning why the adjustments cannot be made.

There has been some concern about the ability for statements to be issued by GP's without face to face consultations and perhaps even following physiotherapy reports. As is the current position, the GP does not take any liability for harm that may arise from employers following the fit note advice. The Med3 is for Social Security and Statutory Sick Pay purposes. If there is a difference of opinion between the GP statement /opinion and the OH Physician advice, employers are entitled to rely on the advice of the OH Physician.

**Frequent Short-Term Absence:** Many absences are caused by minor ailments and the employee is often able to return to work quickly. However, where a pattern of short-term absence this will be investigated by the Line Manager to establish whether there is an underlying cause. To help maintain a fair and consistent approach McSence Group will assess and measure attendance through absence triggers. Due regard will be taken where the absence is related to pregnancy, disability, long-term managed illness, pre-arranged absences such as operations or a work-related issue/accident.

**Long Term Absence:** Absences lasting for 4 weeks or longer with no indication of a return-to-work date should be managed in-line with the long-term absence process. A continuous absence is absence of 4 weeks or more with no definitive return to work date, is defined as long term. McSence seeks to be supportive when assisting members of staff who are off work through long term sickness absence and be flexible in managing their return to work. The aim of the long-term sickness absence policy will be to support the employee to return to work. To achieve this, the Line Manager may consider a rehabilitation programme including a phased return to work, redeployment and/or adjustments/modifications to the employee's post. If after a reasonable period there is no definitive return to work date and a rehabilitation programme or redeployment to another role is not appropriate or possible, termination of employment will be considered. Termination of employment will only be considered after all other options have been considered and fully explored and after taking advice in line with the Equality Act 2010.

It is McSence policy to support employees who are genuinely sick and unable to come to work. Long term sickness absence will be kept under review by the Line Manager from an early stage following 4 weeks of absence. Communication will be established and regularly maintained throughout the period of absence. Failure of the employee to maintain communication may:

- ✚ Be viewed as failure to follow the Absence Management Policy and may therefore be subject to investigation in line with the Disciplinary Policy.
- ✚ Assume that you do not wish to return to work and that you are resigning from your position within McSence Group.

**Ill Health Retirement:** If an employee is a member of the McSence Pension Scheme they may be eligible to the benefit of ill health retirement, and this option should always be explored prior to any consideration for dismissal on capability grounds.

**Employees with a Disability:** Disability related sickness absence will be managed in accordance with the Equality Act 2010 and related Codes of Practice and guidance, and advice on specific cases may be sought from the employee's G.P. or consultant in consultation with the company's HR advisor. If an employee has a disability, arrangements may be required such as access to facilities etc. and McSence will make provision for reasonable adjustments to be made.

**Absent Without Leave (AWOL):** An employee who has not followed procedure with regards to notifying the company about their absence will be deemed to be AWOL. Such leave is not authorised and therefore will be unpaid. The Line Manager will make several attempts to contact the employee and/or their next of kin to establish their welfare. Should the absence continue without notification it will be deemed to be a conduct issue and the employee will be invited to a meeting under the disciplinary process. Unauthorised absence will be unpaid.

**Sickness Payment:** The company does not offer an occupational sick pay scheme. No Statutory Sick Pay is due for the first three days of sickness. To qualify the employee must have been sick for at least 4 consecutive days including weekends and bank holidays. Statutory Sick Pay is payable for 28 weeks.

**Annual Leave & Sick Pay:** If an employee falls sick during a period of annual leave, they may be entitled to reclaim some, or all the annual leave taken which is at the discretion of the Line Manager. The employee must notify the Line Manager on the first day of their absence, or as soon as reasonably practicable, and the absence must be certified by a GP or hospital, regardless of the length of the absence for the annual leave to be reclaimed. If annual leave is not being reclaimed, sick leave will commence on the day that the employee was due to return to work. Where an employee falls sick prior to starting a period of annual leave, they will be regarded as being on sick leave for the entire period and may be able to reclaim the annual leave if the absence notification and certification procedure is followed. Where an employee returns to work after a period of sickness absence, the employee is entitled to take this annual leave on their return to work or to be paid in lieu of it should their employment terminate.

**Suspension & Sick Pay:** In line with the McSence Group's Disciplinary Policy, where an employee is suspended, this will initially usually be on full pay. However, should an employee submit a medical certificate during a period of suspension they will be treated as absent due to sickness and will receive statutory sick pay.

**Time Theft:** McSence Group appreciate it is possible to simply forget due to possible distracted or just plain forget to clock when they begin or leave. However there are also employees who will leverage innocent 'forgetting' tactics to conveniently cover leaving work early, and a host of other time theft methods which will not be tolerated where Time theft can take several forms resulting in potential disciplinary action:

- ✚ Claiming hours for hours not worked
- ✚ Receiving payment for hours not worked
- ✚ Stealing time via getting another person to clock-in
- ✚ Starting late or leaving early contract early but claiming full hours
- ✚ Lengthening breaks or taking unauthorised breaks

**Abuse of The Policy:** In all cases of sickness or injury which result in employees being absent from work, it is expected that the employee will do their utmost to facilitate a speedy return to fitness and work. Such action may, depending upon the circumstances, be dealt with under the organisation's Disciplinary Policy. The McSence Group would not expect any employee who is absent from work due to sickness or injury to:

- ✚ Participate in any activities which could aggravate the illness or injury or could delay recovery.
- ✚ Undertake any other employment whether paid or unpaid.

**Appeals Process:** An employee who has satisfactorily completed their probationary period can appeal against any action, after (and including) a First Written Warning, taken under the Absence Management Policy. The employee can appeal by providing written notification to the manager, within 5 days of receipt of the letter confirming the Managing Attendance sanction imposed. Employees should note that this appeal hearing is not intended to repeat the attendance hearing but to focus on specific factors which the employee feels have received insufficient consideration, such as:

- ✚ Failure to follow procedure.
- ✚ An inconsistent/inappropriate harsh penalty
- ✚ Extenuating circumstances
- ✚ Bias of the manager conducting the hearing.
- ✚ Unfairness of the hearings
- ✚ New evidence subsequently coming to light

In cases not involving dismissal, on presenting an appeal to the senior manager, the employee may continue to work. Appeals will usually be heard by a more senior member of the management team than the Line Manager previously involved in the hearings and a senior manager. The appeal outcome will be decided as soon as possible. This will usually be within 2 days of written notification that the employee will be exercising the right to appeal unless it is impracticable to do so. At the appeal, the employee shall have a full opportunity to state their case and to provide any new evidence. Following an adjournment during which all elements of the appeal will be considered, the employee will be informed of the decision.

All appeal decisions are final. McSence Group will confirm to the employee in writing the results of the appeal. If the appeal confirms a decision to dismiss, the effective date of termination will be the date that written notification of dismissal was originally given. Should the appeal be successful, the decision and any action must be implemented immediately and recorded on the employee's personal file. If the appeal overturns a decision to dismiss then the employee will be reinstated with immediate effect.

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**Company Intranet – Staff Zone:** All the McSence Groups policies, procedures, handbooks are available on-line to all employees on the McSence Group’s Staff Zone Intranet via our website [Login](#) | [McSence](#)

**Compliance:** Failure to comply with the provisions of this Policy may result in Disciplinary proceedings.



*McSence Group Signatory:*

**David Maxwell | Chief Executive**

**McSence Group - McSence Communication Ltd, McSence Ltd, McSence Services Ltd & McSence Workspace Ltd**

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**Policy Amendments & Revisions:** *This policy will be reviewed annually and, if necessary, revised in the light of legislative or organisational changes. Improvements will be made by learning from experience and the use of an established annual review. Should any amendments, revisions, or updates be made to this policy it is the responsibility of the Company Senior Management Team (SMT) to see that all relevant employees receive notice and training if necessary.*

POLICY