

Attendance Procedure – Post Office Ltd

1. INTRODUCTION

This Procedure is designed to help POCL serve our customers by encouraging the high standards of attendance normally achieved and maintained by the vast majority of employees so that a reliable staffing base can be maintained and the customers continue to receive a high standard of service in the face of increasing competition.

The following procedure applies to all POCL employees:

1. Consists of a series of stages at which employees will be encouraged, through advice and guidance, to improve their pattern of attendance to an acceptable standard.
2. The stages are progressive and specifically intended to help employees maintain appropriate patterns of attendance, and so avoid more formal action which may lead to dismissal.
3. At every stage of the procedure there is an opportunity for employees to provide an explanation for their absence(s) and for mitigating factors to be fully taken into account.
4. Accidents which happen in the course of POCL work would normally be discounted.
5. Absences which are incurred by employees who are disabled are treated in accordance with the Disability Discrimination Act 1995 and which, in the view of the Employee Health Service are related to their disability, will normally be discounted. However, this may not always be the case and the following should be noted:
 1. These absences will still be recorded on the employee's sick absence record.
 2. The line manager will still carry out return to work discussions, explain that the relevant absences have been discounted and discuss whether assistance from Employee Health Services or POCL would help with disability related attendance problems, including consideration of any reasonable adjustments.
 3. Absences which are disability related may be counted where this is justifiable to do so and in these circumstances the employee should be given advance warning that future absences will no longer be discounted.

Minimum standards of attendance are built into each stage so that employees clearly understand what POCL requires.

No employee will be dismissed on grounds of unsatisfactory attendance if POCL standards of attendance are consistently achieved. However, those minimum standards are not intended to have the status of entitlement. Employees will need to demonstrate – by meeting business requirements on notification and certification of absence – that the sick absence was necessary. Deliberate abuse of these provisions will constitute misconduct and may result in disciplinary action being considered.

2. APPROACH

All employees deserve to be treated with dignity, respect and understanding. This should be reinforced by a supportive approach. Where practicable Employee Health Services or any other appropriate specialist support will be provided. The aim is to encourage good attendance using return to work discussions, counselling and well understood standards. An employee can be referred to Employee Health Services when professional advice is required.

1. Each case must be treated on its merits, taking into account issues such as age, length of service and nature of work.

2. The POCL Attendance set out at APPENDIX 1 are minimum standards designed to ensure consistency, but flexible enough to be relaxed where the merits of the case can justify it.

Every employee who fails to achieve these minimum standards will have his/her attendance monitored. Action will only be taken if he/she fails to achieve the standards of attendance appropriate to the next stage.

3. PRINCIPLES

1. The principles on which this agreement is based are:
2. A focus on capability not conduct.
3. An approach that is firm but fair
4. Agreed standards of attendance which are communicated.
5. Confidentiality – with information safeguarded on a need to know basis
6. A three stage progressive formal procedure during which employees are encouraged to meet the agreed standards
7. A right to Trade Union representation at all interviews other than return to work discussions.
8. A request by employees for an interview with a manager of the same sex will be treated sympathetically where practicable.
9. Disclosure of all Employee Health Service medical advice to the employer which might impact on the ultimate employment decision.
10. A right to appeal against dismissal.

4. RIGHTS

Post Office Counters Limited will manage attendance in accordance with the following individual rights which it recognises are held by all its employees:

1. To be treated with respect and courtesy at all times
2. To be treated fairly and reasonably
3. To know what standards are expected
4. To understand the process that applies to them
5. To have their explanation fully considered
6. To have mitigating circumstances taken into account
7. To be accompanied at formal interviews by a Trade Union Representative, or by a friend from the same work location to support or to present their case.
8. To be advised of the outcome of any formal interviews
9. To appeal against dismissal

5. RETURN TO WORK DISCUSSIONS

When someone returns to work from absence the line manager must aim as soon as possible (no later than 24 hours) to speak privately and out of earshot of others with the person in a non-threatening and supportive way outside formal procedures with the following objectives.

1. To acknowledge the employee's return and demonstrate it is valued
2. For the employee to air any concerns
3. To see if any help is needed and provide direction to encourage regular attendance.
4. To ensure the absence is appropriately certified.

Absences due to sickness are assumed to be genuine.

A return to work discussion will take place but employees will not be required to disclose information of a personal and sensitive nature if they choose not to do so.

An acknowledgement that a return to work discussion has taken place will be made on the self certification form.

Return to work discussions must be fully accepted and applied if they are to add value and all staff are covered, including senior management because it is important to signal to all staff of POCL's serious commitment to proper and fair sickness management.

6. UNSATISFACTORY ATTENDANCE PATTERN

Where, despite return to work discussions an employee attendance becomes unsatisfactory and does not meet the agreed standards then subject to the considerations of paragraph 13 the attendance of the employee will be reviewed in the context of the three formal stages of the Attendance Procedure set out below;

7. STAGES IN THE ATTENDANCE PROCEDURE

The attendance procedure consists of three stages to which different standards of attendance apply. These are set out in APPENDIX 1 together with the process chart at APPENDIX 2. The stages are intended to detail the standards that need to be achieved and help employees maintain acceptable attendance patterns, thereby avoiding the need for consideration of dismissal.

Absences which count

All absences up to the day of the interview with the manager will be included in the overall review of absence for that stage and not count towards the next stage of the procedure.

7.1 Stage 1 – 1st Stage Warning

When an employee's attendance becomes unsatisfactory the employee should be interviewed in order to determine whether a 1st stage warning should be given that his/her attendance is falling short of the required standards. The approach should be handled sensitively. In such circumstances the employee should be shown his/her absence record. When shown their record, many employees are genuinely surprised and a friendly word can on occasions achieve a genuine change for the better.

The interviewer should first ask the employee for his/her own explanation for the absences and for any mitigating factors, taking previous counselling discussion into account. If it is not appropriate to issue a warning, the employee will be advised accordingly and reminded of the standards that apply. If it is appropriate:

1. The employee should be given a 1st stage warning that his/her attendance is unsatisfactory.
2. He/she must make every effort to reach POCL's standards, and the specific improvement required (absence level and timescale)
3. Remind him/her of the services of the Employee Health Service.
4. Encourage him/her to take advantage of the assistance on offer as well as consulting his/her own doctor if appropriate to improve his/her attendance record.

The employee should be advised that if the standard is met he/she will be removed from the formal procedure.

The employee has the right to be accompanied by a Trade Union Representative or by a friend from the same location. If unaccompanied, the employee should be reminded of a right to consult his/her Union Representative.

If exceptionally the matter is dealt with in writing the employee should be advised that the relevant manager is considering giving a 1st stage warning on the basis of the employee's record, and indeed to put any explanation/mitigating factors. The employee should be advised of the subsequent decision and the specific improvement he/she must achieve.

After the interview, the 1st stage warning should be confirmed in writing, along with any relevant points.

7.2 Stage 2 – 2nd Stage Warning

If an employee who has been given a 1st stage warning fails to make the required improvement he/she should be interviewed. The purpose of the interview is to warn the employee that his/her attendance is unsatisfactory and that he/she could be facing dismissal if he/she does not reach and maintain an acceptable standard of attendance. In such circumstances the employee should be shown his/her absence record.

The interviewer should first ask the employee to put forward any explanation for the absence(s) and any mitigating factors, then make a decision as to whether or not a warning should be given. If not, then the employee must be told of the outcome and the stage of the procedure he/she is at, if so, the line manager should:

1. Give the employee a 2nd stage warning that his/her attendance is unsatisfactory
2. Explain that if there is insufficient improvement to reach and maintain an acceptable standard he/she is liable to be dismissed.
3. Set out the specific improvement required (absence level and timescale) in order to achieve an acceptable level of attendance. The employee should be advised that if the standard is met he or she will be removed from the formal procedure.
4. Remind him/her to seek help from Employee Health Services or his/her own medical advisers.
5. Remind him/her of the right to approach his/her trade union representative

The employee has the right to representation by a Trade Union Representative, or by a friend from the same location.

The employee should be advised that if the standard is met he/she will be removed from the formal procedure.

After the interview, the second stage warning should be confirmed in writing along with any relevant points.

7.3 Stage 3 – Dismissal stage

If, after receiving a 2nd stage warning there is insufficient improvement in the employee's attendance and the line manager considers that dismissal may be appropriate, he/she will then write to the individual telling him/her that dismissal is being considered and inviting him/her to seek consultation with the Employee Health Service Doctor. Regardless of whether the individual takes up the offer of a consultation, management must request a report from the Employee Health Service Doctor, when dismissal is being considered.

If the manager decides that dismissal may be appropriate the employee will be invited to interview to put forward his/her case. The notification should be in writing and should show a full record of the absences and warnings which have led to the consideration of dismissal. Prior to interview the relevant papers (including a copy of all Employee Health Service advice where appropriate) will be copied to the individual. The employee should be advised that if he/she wishes to respond to the invitation he/she must do so within 3 working days of the date of notification. The employee may choose to put his/her case either in writing or at an interview (but can be called for interview if the manager considers necessary).

Medical Retirement

The employee should also be advised that he/she may apply for medical retirement at this stage if he/she can produce medical evidence to support the application.

If the employee wishes to take the opportunity to apply for medical retirement, he/she should be warned that he/she must:

1. Advise the manager of his/her intention to apply for medical retirement within 3 working days of the date of the letter, and
2. Produce written medical evidence (or a letter from his/her GP/hospital indicating that a specialist's opinion is being sought) to support the application within a further 2 weeks.

An application for medical retirement will not necessarily delay the remainder of the dismissal process, but if the application is successful an employee who has been dismissed will be reinstated then retired on medical grounds, with pay for the intervening period.

When the stage 3 interview has been held, the manager who conducted it will take a decision on dismissal, taking into account all available information and mitigating factors. If the decision is to dismiss, the employee will be advised accordingly and told the last day of service. If the manager decides dismissal is not justified, the employee will return to stage 2 of the procedure and have the appropriate standards of attendance explained.

Notes of the key issues from the meeting should be taken and the employee given 3 days to comment on them, after which a decision will be taken.

At this interview the employee may be accompanied by a Trade Union Representative, or by a friend from that location.

When a decision has been made the individual will be advised of the outcome face to face where possible. This will be confirmed in writing with details of his/her right to appeal.

8. APPEALS AGAINST DISMISSAL

If the employee wishes to appeal he/she should tell the manager who imposed the penalty within 3 working days of the decision to dismiss. A hearing will normally be arranged within 4 weeks of the notification of dismissal and the employee will be notified in writing of the time, place and manager dealing with the appeal 5 working days prior to the interview or earlier by mutual agreement.

An employee who appeals can be accompanied by their trade union representative, or by a colleague from the same work location. The appeal is a re-hearing of the case. If new medical evidence comes to light at the appeal, the Appeal Manager may adjourn the hearing to seek advice of the Employee Health Service.

The employee will normally be told of the outcome of the appeal within 7 working days. If there is a significant delay the individual will be informed of the reason and likely new date. In all cases the employee will receive a written notification of the decision with reasons.

Dismissals will take effect from the date specified in the dismissal letter. If management is unable to arrange an appeal or come to a decision in a reasonable time, a formal offer to extend the notice period will be made.

In the event of a successful appeal and consequential reinstatement, continuity of employment will be preserved along with their employment rights.

9. STAFF ON SICK LEAVE

Where an employee is off sick and says he/she cannot attend for interview at any of the formal stages, he/she will be given the opportunity of putting forward his/her case in writing, within 7 working days, and would be free to enlist support from a Trade Union Representative or a friend from the same location in drafting his/her case for submission. If the opportunity is declined, the case will be processed in the normal way.

10. STAFF ON TRIAL (On first appointment)

Attendance is one of the key elements of performance that is monitored during trial on first appointment.

Patterns of attendance shown in the first year of service are usually a good indication to future attendance. Also, poor attendance that goes unchecked often does not improve but worsens.

It is therefore also important to have a procedure in place to warn staff on trial then their levels of attendance are showing signs of becoming unsatisfactory, and to encourage them to make the necessary improvements. If they do not, their trial may be extended to ensure that they can make and sustain the necessary improvements or their services may be terminated.

This procedure for new staff is a two-stage procedure as detailed in APPENDIX 1.

Line managers must ensure that all staff on trial are aware that their attendance records are being monitored in line with the agreed standards for new entrants on trial.

11. SICK ABSENCE NOTIFICATION

When a member of staff is unable to attend work through ill health, they must notify their line manager, as soon as practicable of their incapacity to work, preferably before the time they are due to attend.

Sick leave will commence from the first day of absence and continue until

1. The employee notifies their line manager they are now fit to return to work or
2. The individual attends for their next period of duty.

Examples

1) An individual commences sick on Friday and does not return until Tuesday – 4 days recorded (If returned Monday only their working days would be recorded)

2) A part-time employee due to work only Monday and Thursday commences sick leave on Monday but returns Thursday – 1 day recorded (If return is not until Monday – 7 days will be recorded)

Individuals should at the earliest opportunity advise their line manager when they propose to return to work.

12. PART DAY ABSENCES /Doctor'/Dental/Hospital Appointments

If a member of staff is scheduled to attend work on a particular day, but does not attend that day due to ill health, this would be recorded as a full day's sick absence, irrespective of the number of hours they were scheduled to attend.

However, if a member of staff performed at least one hour's duty on a particular day, but was unable to attend for the rest of their scheduled hours due to ill health, this would not be recorded as a sick absence.

All medical appointments should be arranged in the individual's own time whenever possible. However, if this cannot be done, time off may be allowed for attending such appointments. The line manager may ask for evidence of the date and time of the appointment, e.g. appointment card/letter. The individual should not be expected to make up the time lost.

Such appointments are not taken into account when monitoring under the Attendance Procedure.

13. LINK TO LONG TERM SICK ABSENCE

If at any time, whether or not an employee is subject to a stage within the formal procedure, he/she becomes absent with a condition which is likely to result in a long term absence, he/she may be dealt with under arrangements for dealing with long term absence and rehabilitation (APPENDIX 3).

Where his/her absence record is such that Personnel and the line manager consider it in the business interests for that absence to be considered together with other absences as part of the review of hi/her whole attendance at the appropriate stage of the Attendance Procedure, then it will be progressed under that procedure.

Where the absence is dealt with under the arrangements for dealing with long term absence, a decision will be made by Personnel and the line manager as to whether the absence counts for the purposes of the POCL Attendance Procedure. The employee should then be informed of his/her status under the Attendance Procedure.

14. AUTHORITY LEVELS

Authority levels for the various stages of the procedure will be the same as for the Conduct Code and any changes that are subsequently agreed in the disciplinary authority levels will automatically also apply.

15. REVIEW

All parties are committed to the agreed procedure which will be jointly monitored, measured and reviewed following introduction to assess its effectiveness and approach.

Formal reviews will take place at 6 months and 12 months to identify any trends and opportunities for improvement.

These formal reviews will also take into account the outcome of the New Attendance Process currently being trialled in Royal Mail in respect of Counselling Discussions. Attendance Standards and the joint statement agreed on Long-Term Sickness contained at APPENDIX 5

APPENDIX 1 – POCL ATTENDANCE STANDARDS

These standards are designed to encourage and help employees to develop appropriate patterns of attendance. While the required standards must be met, each case should be treated on its merits and any mitigating factors the employee is able to put forward must be fully taken into account.

1. MINIMUM NATIONAL ATTENDANCE STANDARDS EMPLOYEES NOT ON TRIAL

employees who have successfully completed their trial period are still required to maintain a high standard of attendance. Attendance may be regarded as warranting formal action if an employee who is not on trial has in excess of:

Stage 1: 4 absences or 14 days in a 12 month period

Stage 2: 2 absences or 7 days within the following 6 month period

Stage 3: 2 absences or 7 days within the following 6 month period

1. MINIMUM NATIONAL STANDARDS – NEW ENTRANTS ON TRIAL

With employees new to POCL it is important to establish quickly a clear understanding of the need to maintain appropriate standards of attendance. Attendance may be regarded as warranting formal action if an employee who is on trial has more than:

Stage 1: 2 absences or 7 days within a 6 month period
[warning stage]

Stage 2: 2 absences or 7 days in the next 6 months
[consideration of dismissal]

No triallist should have his/her appointment confirmed whilst under this procedure.

In deciding whether these standards are met for employees whose trial was recently confirmed, attendance during the whole of employment is considered, not just from the date trial is confirmed. An employee whose trial has been confirmed following an improvement to the required triallist standard will then be appropriate to the non-triallist attendance standards.

APPENDIX 2

ABSENCE PROCESS FLOWCHART



