



*Dunbartonshire and Argyll & Bute
Valuation Joint Board*

Attendance Management Policy & Procedure

**DUNBARTONSHIRE AND ARGYLL & BUTE VALUATION
JOINT BOARD**

**Attendance Management
Policy & Procedure**

Key Driver For Change / Policy Development: Requirement to bring policy into line with support Council Policy and ACAS guidelines. This policy supersedes the Maximising Attendance policy

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1 Introduction

- 1.1 This policy has been developed to promote and support acceptable attendance at work, and to provide guidelines for the fair, reasonable and consistent management of sickness absence. The purpose of this policy is to ensure that all employees of Dunbartonshire and Argyll & Bute Valuation Joint Board are given every opportunity to maintain acceptable attendance levels.
- 1.2 Dunbartonshire and Argyll & Bute Valuation Joint Board employees are required by the Terms and Conditions of their employment to maintain an acceptable level of attendance. If an employee fails to do so, it will be necessary to take action to address their capability in relation to health. The Joint Board cannot afford to indefinitely support excessive absence by individual staff members. The Joint Board aims to act reasonably and in a supportive manner at all times, taking account of all the circumstances including compliance with any relevant legislation.

2 Scope

- 2.1 The policy applies to **all** employees of Dunbartonshire and Argyll & Bute Valuation Joint Board (“The Joint Board”).
- 2.2 The Joint Board will ensure that good equal opportunities practice underpins the operation of this policy irrespective of age, disability, sex, gender re-assignment, race, religion and belief, pregnancy and maternity, marriage and civil partnership or sexual orientation.

3 Key Principles

- 3.1 Line Managers are required to discuss with each new employee the standards of attendance outlined within this policy, ensuring that employees are fully aware of and understand their responsibilities and what is expected of them.
- 3.2 Line Managers will be responsible for ensuring that they are fully up to date with policy, procedures and managers’ guidance, to enable them to address issues of non-attendance consistently, effectively, in a timely manner and with due regard to reasonableness in all cases.
- 3.3 Where an employee’s absence level falls below an acceptable level, the Joint Board will ensure that the employee is given every opportunity to improve their attendance.
- 3.4 The Joint Board and its support Council will provide a range of support services and interventions to assist employees to maintain good health and wellbeing, support improved fitness for work and to ensure attendance levels do not fall below an acceptable standard, e.g. Occupational Health Service, Physiotherapy, Employee Counselling Service.

- 3.5 Line Managers are required to take all reasonable steps to assist employees to return to work and maintain an acceptable level of attendance using appropriate professional guidance.
- 3.6 Line Managers must ensure that all information related to employee absence is treated confidentially.

4 Definitions

For the purposes of determining management intervention:

- 4.1 Short Term absence is defined as a period of sickness absence between 1 and 20 calendar days.
- 4.2 Long Term Absence is defined as a period of sickness absence of 21 calendar days or more.

5 Application of Policy and Procedure

- 5.1 Dunbartonshire and Argyll & Bute Valuation Joint Board has a responsibility and commitment to set acceptable, achievable, realistic and measurable attendance standards. These will be made clear to employees as part of their induction and reiterated on an ongoing basis by their line manager as part of the management of attendance process in place within the Joint Board at the time.
- 5.2 Where attendance standards are unsatisfactory as determined by the Attendance Management Policy, the Attendance Management Procedure will be invoked.
- 5.3 An Attendance Management Procedure has been developed to support this policy.

6 Legislative / Policy Framework

- 6.1 The Policy and Procedure complies with the Employment Rights Act 2008, the Equality Act 2010 and the Access to Medical Reports Act 1988.
- 6.2 The Policy also complies with ACAS guidance: *Managing Attendance and Employee Turnover*, ACAS Code of Practice: *Disciplinary and Grievance procedures*, and EHRC guidance in the field of employment.

7 Responsibilities

Employees

- 7.1 Employees have a responsibility to attend work and to ensure that they maintain good fitness for work by managing their own health sensibly.

It is however appreciated that, from time to time, people fall ill or have an accident and are unable to come to work. For most employees, these absences will be temporary and they are soon able to return to their substantive role.

- 7.2 Employees who are absent from work regularly due to sickness may not have the level of fitness required to carry out their job, and / or may be suffering from a long term medical condition.
- 7.3 Employees have a responsibility to ensure that they fully understand the standards of attendance expected, to proactively seek support or assistance at an early stage if required, and to reasonably accept any assistance or support offered by the Joint Board and its support Council.

Management

- 7.4 Line Managers are responsible for applying this policy and procedure in a fair, reasonable and consistent manner. Should Line Managers require advice and support in the application of this policy, it is their responsibility to request advice and support from West Dunbartonshire Council's Human Resources department.
- 7.5 Line Managers are responsible for attending all management training, and for ensuring that they are up to date with any policy changes by reviewing the WDC Human Resources & Organisational Development Intranet pages.
- 7.6 Line Managers should take all possible steps to ensure early intervention to support employees' continued attendance at work.
- 7.7 In order to ensure fair and consistent treatment of all employees, all absence due to sickness must be managed in accordance with this policy. Only in very exceptional circumstances should a line manager consider managing an employee outwith this policy and only after consultation with a member of the Joint Board's Management Team/WDC HR Adviser.
- 7.8 Line Managers have the discretion to postpone an employee's progression through the formal stages of this policy after consultation with the Management Team/WDC Human Resources. This discretion should only be applied in exceptional circumstances. Further Management Guidance on the application of discretion is available via a separate Information Note. Further related absences may not be discounted.

WDC Human Resources (HR)

- 7.9 WDC Human Resources are responsible for providing guidance, advice and coaching where necessary during the informal and formal stages of this policy. Advice from Human Resources must be sought if an employee reaches the following stages within the policy and may be in attendance at Attendance Review Meetings:

- Formal Stage 2
- Formal Stage 3
- Formal Stage 4
- Long Term Absence

8 Review

- 8.1 The Valuation Joint Board's Management Team is responsible for maintaining, reviewing and updating the policy and procedure. The policy will be reviewed one year after implementation and thereafter every two years.
- 8.2 The policy will be reviewed in line with any related new or amendments to legislation as required.

Attendance Management Procedure

1.0 Introduction

- 1.1 The Attendance Management Procedure has been developed to provide a procedural framework for line managers and employees where issues of unsatisfactory sickness absence require to be addressed.
- 1.2 The procedure outlines the steps to be taken when managing short term absence, long term absence and unauthorised absence. The procedure makes provision for sickness absence to be managed informally in the first instance but where unsatisfactory sickness absence levels persist, the policy provides the necessary framework for managing sickness absence formally.

2.0 General

2.1 Absence Reporting and Record Keeping

Reporting

If an employee is unfit for work, they are required to telephone their Line Manager to advise of their absence no later than 1 hour after the commencement of their working day. Failure to do so may result in the absence being considered unauthorised and could lead to disciplinary action and pay deduction. Employees must make the call personally however, in exceptional circumstances, e.g. hospitalisation, a person authorised by the employee may call on their behalf.

If, during the course of their duty period, an employee feels unwell and is unable to continue their work, they should advise their line manager immediately. If the employee feels that they are unable to continue to work they may need to go home. In these circumstances employees and Line Managers should follow the normal reporting procedures.

If an employee goes home before half of their working day has elapsed, this will be recorded as a half day of sickness absence. If an employee goes home after half of their working day has elapsed, this day will not be recorded as sickness absence. Employees are responsible for determining their own fitness for work but in exceptional circumstances a Line Manager may request that an employee go home. The line manager may decide that the first day of absence will not be recorded as sickness absence.

Record Keeping

All records relating to absence shall be held in the employee's personal file and within WDC's Workforce Management System in accordance with the Data Protection Act to ensure accuracy and confidentiality.

Absence related to disability and maternity / pregnancy should be identified as such in the employee's sickness records to avoid less favourable treatment under the Equality Act 2010.

2.2 Contact during absence

The employer, through line management, has an obligation to maintain contact with employees who are absent from work. Regular contact ensures the manager has the most up to date information related to the absence, and provides information to plan temporary cover to ensure continuity of service. The benefits for the employee are that they will not feel alienated or cut off from their team.

Employees are obliged to make themselves available for agreed contact during normal working hours. Contact will normally be by telephone to the employee's home telephone number, or another number mutually agreed.

For the first seven days of absence, the following minimum contact arrangements apply;

Day 1 – Report Sick	Contact Line Manager
Day 4	Contact Line Manager
Day 8	Contact Line Manager
Fit to return	Return to Work discussion with line manager

When an absence exceeds 7 calendar days, the line manager will maintain regular contact during the absence. The contact intervals will vary depending upon the nature of the absence, but should be agreed at an early stage. As a general rule, the following minimum contact arrangements are recommended:

- Absence up to 21 calendar days (Short Term) – contact every 7 calendar days
- Absence over 21 calendar days (Long Term) – contact every 21 calendar days

In addition to telephone contact, during periods of Long Term Absence, managers will be required to arrange Absence Review Meetings to discuss an employee's progress. The number of Absence Review Meetings required will be determined by individual circumstances. As far as possible, Absence Review Meetings should take place at the employee's normal work location. Alternative work locations are acceptable, as are home visits, when the employee is unfit to travel.

2.3 Certification of Sickness Absence

Absence of seven calendar days or less will normally be covered by a self certificate. Absence in excess of seven calendar days must also be covered by a Statement of Fitness for Work (formerly Medical Certificate).

2.4 Return to Work Discussion

Employees should only return to work after an absence due to sickness or injury if they are fit to work. Regardless of the reason for the absence, a return to work discussion will be held after **every** occasion of absence in order to confirm the employee's fitness to return, to discuss the reason for the absence and to ensure that all reasonable support is offered to the employee to maintain good attendance at work.

The return to work discussion should take place on the day the employee returns to work or as soon as practicably possible thereafter if the line manager is unavailable. Details of the discussion should be recorded using the Return to Work Discussion form, and held securely by the line manager.

2.5 Attendance Review Meetings (ARM)

Attendance Review Meetings will be arranged when an employee has reached a trigger within the Attendance Management Policy. They will also be arranged at appropriate intervals during a period of long term absence.

Employees will be invited to Attendance Review Meetings in writing and will be given the right to be accompanied in accordance with section 2.6 of this procedure.

In the case of Absence related to short term triggers, the Attendance Review Meeting should take place, wherever possible, within 10 working days of the Return to Work discussion, and earlier if possible.

2.6 Right to be Accompanied

At **all** Absence Review Meetings held within the stages of the Attendance Management procedure, employees have the statutory right to be accompanied by either:

- a fellow worker
- an official employed by a trade union
- a workplace trade union representative, as long as they have been reasonably certified in writing by their union as having experience of, or having received training in, acting as a worker's companion at disciplinary hearings. Certification may take the form of a card or letter.

Should the employee's preferred trade union representative / colleague be unavailable, they should take all reasonable steps to find alternative accompaniment. This should not cause an unnecessary delay to the meeting taking place.

2.7 Occupational Health

Occupational Health (OH) is a medical speciality which deals with health and work. Management may reasonably require advice about the health of their employees in relation to work in a variety of circumstances and may make a referral to WDC's Occupational Health and/or Physiotherapy.

The Occupational Health service can provide support and guidance to employees on a range of health related issues – particularly in relation to their job. The Occupational Health service can provide assistance to managers to understand an employee's health condition, its impact upon their ability to do their job and how an employee can be supported to return to good health and good attendance.

A manager should consider referral to the Occupational Health Service in the following instances:

- Employee's absence exceeds or is likely to exceed 21 calendar days
- Employee indicates that they are suffering from stress or musculo-skeletal condition
- Employee's health is affecting their ability to do their job
- When employee reaches a Stage 2 and/or Stage 3 trigger within the short term absence section of the procedure.

Other Absences

2.8 **Medical Procedures**

A Planned Medical Procedure (where subsequent absence is anticipated)

Where an employee advises that they will be absent due to a medical procedure, for either psychological or physical reasons, with a subsequent period of recovery / recuperation, the absence will be considered sickness absence for the whole period and will count towards a trigger.

B Planned Medical Procedure (where subsequent absence is NOT anticipated)

If an employee requires time off to attend a medical appointment or to have a medical investigation / procedure carried out, the Special Leave policy should be applied.

If the employee is subsequently unfit to attend work on the following day(s) then the *subsequent* absence will be considered sickness absence and will count towards a trigger.

2.9 **Aesthetic / Cosmetic Medical Procedures or Surgery**

For employees wishing to take time off for appointments and/or treatment or surgery relating to aesthetic / cosmetic medical procedures, they must use annual leave, flexi leave or request unpaid leave. Time off should be requested well in advance to ensure the leave is authorised for the date of the procedure and ensure the leave includes the normal anticipated recovery time.

Should the employee experience side effects to a procedure which would generally not be expected to occur to someone undergoing this procedure and requires additional recovery time which is unanticipated, this will be treated as sickness absence. The employee will need to provide a Statement of Fitness for Work to confirm this before payments under the sickness scheme can be made. Additional clinical advice may be sought by the line manager from WDC's Occupational Health Service.

If, however, a procedure or surgery has been prescribed by a GP to treat a recognised medical problem and is conducted for the physical or psychological health of the individual then the sickness absence procedures will be used in line with section **2.7A**. If the employee has been given advance notification of the likely date that the procedure or surgery will be undertaken, they should confirm this with their manager as soon as is reasonably practicable and inform the manager of the normal anticipated recovery time.

If there is any doubt about whether a particular procedure is conducted for the health of the individual then the line manager should obtain the advice of the WDC's Occupational Health service.

2.10 **Absence Related to Disability**

Line managers have a duty to consider, after consultation with the employee and WDC's Occupational Health, whether or not an employee has a disability or underlying health condition as defined by the Equality Act 2010. This will determine what actions / interventions will be appropriate to support the employee in continued employment.

Should an employee covered by the Equality Act 2010 have sickness absence, either long term, or short term, related to their disability or underlying health condition, the line manager should carefully consider whether or not movement through the stages of the Attendance Management policy is appropriate. Managers may consider allowing a higher level of absence as a 'reasonable adjustment'. In determining this, the line manager should seek advice from WDC's Human Resources.

Whilst all possible measures should be taken to improve the attendance of an employee with a disability, or underlying health condition there may be occasions when an employee's employment is terminated due to a lack of capability in accordance with sections 4 or 5 of the Attendance Management Policy.

Sickness absence related to a disability must be identified as such in the employee's sickness absence records. This is to ensure that employees with a disability are not treated less favourably in employment decisions and will also assist line managers when considering reasonable adjustments.

2.11 **Absence Related to Pregnancy**

Should an employee have a period of sickness absence related to a current or recent pregnancy, this must be identified as such in the employee's sickness absence records. This is to ensure that employees absent due to pregnancy are not treated less favourably in employment decisions and these absences will not count towards a trigger. Any other sickness absence, unrelated to the pregnancy, would be counted in line with the procedures set out within the Attendance Management policy.

2.12 **Absence Related to an Accident at Work**

If an employee is absent as a result of an accident at work, and following investigation it is established that the Joint Board is at fault, the sickness occasion will not count towards a trigger in the Attendance Management Policy.

2.13 **Absence Related to Alcohol and Substance Misuse**

The Joint Board is committed to assisting employees who have serious long-term alcohol or substance misuse problems as well as those whose difficulties are relatively less serious and / or short-term, through preventative action and a range of referral options outlined in the Joint Board's Alcohol and Substance Misuse Policy and Procedure.

If an employee's sickness absence is directly as a result of alcohol and / or substance misuse, this will be treated as sickness absence and recorded accordingly. The reason for the absence may be taken into account when managing an employee in accordance with the Attendance Management Policy. Employees may still, however, be subject to termination in accordance with section 4 or 5 of this policy.

3 Procedure Triggers

Triggers are used to identify points at which the line manager will discuss an employee's absence record. They also identify when an employee's absence has reached an unacceptable level.

At all stages of the policy the following triggers will apply:

- **3 occasions of absence in a rolling 6 month period or;**
- **5 occasions of absence in a rolling 12 month period or;**
- **12 days in a rolling 12 month period. ***

* Number of days trigger will be pro-rated for part time workers as follows:

No of Days Worked Per week	Trigger
2	5 working days
2.5	6 working days
3	8 working days
4	10 working days
5	12 working days

4 Short Term Absence

4.1 Employees are required to maintain an acceptable level of attendance. If, however, they fail to do so, and the employee's absence record reaches any of the trigger points, they will be managed as follows.

Please see Appendix 2 for schematic flow chart:

4.2 INFORMAL STAGE

Employee Reaches a Trigger

Informal Attendance Review Meeting

Outcome: Issue Informal Attendance Improvement Note

Review Period will run for 12 calendar months from the day following the last day of absence.

If no further triggers are reached during the Review Period, the employee exits the process. If an employee reaches a new trigger during the Informal Stage Review Period, they will move to Formal Stage 1.

4.3 FORMAL STAGE 1

Formal Attendance Review Meeting – Stage 1

Outcome: 1 Issue Stage 1 - Formal Attendance Improvement Note ;

Attendance Improvement Note will remain on file for 6 calendar months from the day following the last day of absence.

If no further triggers are reached during the Review Period, the employee exits the process and the Stage 1 - Formal Attendance Improvement Note is removed from their record. If an employee reaches a new trigger during the Formal Stage 1 Review Period they will move to Formal Stage 2.

4.4 FORMAL STAGE 2

Formal Attendance Review Meeting – Stage 2

Outcome: 1 Issue Stage 2 - Formal Attendance Improvement Note and
 2 Refer employee to WDC's Occupational Health (OH) to
 consider employee's fitness for role.

Review Period will run for 12 calendar months from the day following the last day of absence. If no further triggers are reached during Review Period, employee exits the process and Stage 2 - Formal Attendance Improvement Note is removed from their record. If an employee reaches a new trigger during the Formal Stage 2 Review Period, they will move to Formal Stage 3.

4.5 FORMAL STAGE 3

Formal Attendance Review Meeting – Stage 3

Outcome: 1 Issue Stage 3 – Final Formal Attendance Improvement Note
 and
 2 Refer employee to WDC's Occupational Health (OH) to
 consider employee's fitness for role.

Final Review Period will run for 12 calendar months from the day following the last day of absence. If no further triggers are reached during Review Period then employee exits the process and the Stage 3 – Formal Attendance Improvement Note is removed from the employee's record. If an employee reaches a new trigger during the Formal Stage 3 Review Period, they will move to Formal Stage 4.

4.6 FORMAL STAGE 4 – FINAL STAGE

FINAL Formal Review Meeting – Stage 4

Outcome: 1 Move employee back to Formal Stage 3 (where clear mitigating
 circumstances are in evidence), or;
 2 Termination of employment on grounds of capability.

5 Long Term Absence (exceeding 21 continuous calendar days)

5.1 Employees should be managed in accordance with this section if the employee's absence OR their inability to do their job to the standard reasonably required by Dunbartonshire and Argyll & Bute Valuation Joint Board, is due to medical incapacity that is likely to be long term or becomes long term.

5.2 Consultation with WDC's Occupational Health is **mandatory** when applying this section of the policy. WDC's Occupational Health service can provide support

and guidance to employees on a range of health related issues. It can also provide assistance to managers to understand an employee's health condition, its impact upon their ability to do their job, and how an employee can be supported to return to good health and attendance.

The line manager will ask Occupational Health to give an informed opinion on the employee's ability to do their job, or a suitable alternative job to the standard reasonably required by the Joint Board in the foreseeable future. Further information on OH referrals can be found on the Occupational Health page on the WDC Intranet.

Occupational Health Outcome

5.3 Employee has no underlying health condition

If, after advice from OH, the employee is considered to have no underlying health condition which would affect their ability to do their job to the standard reasonably required by the Joint Board the employee shall be managed in accordance with Section 4 – Short Term Absence.

5.4 Employee has an underlying health condition

If, after advice from OH, the employee is considered to have an underlying health condition and is unable to do their job to the standard reasonably required by the Joint Board for the foreseeable future, the line manager will consider:

- Advice of Occupational Health, including recommendations, restrictions, adjustments to the employee's current, or suitable alternative role
- Impact of absence and / or adjustments on the overall performance of the department
- Whether any changes are reasonable

5.5 Actions which may be taken if employee considered unfit to do their job

A Rehabilitation Plan

In some cases, a return to work can be assisted by a short term rehabilitation plan (up to four weeks). Advice should be sought from OH. A rehabilitation plan may include the following measures (this list is not exhaustive):

- Reduction of hours
- Flexible working hours
- Lighter duties
- Changes to work environment
- Temporary change to work location

Any change to working hours will be paid as per normal contract for a maximum period of 28 calendar days. Should any further reductions be required, then the employee's pay shall be deducted accordingly.

Following successful completion of a rehabilitation plan the employee should no longer be managed in accordance with this section of the policy. On return to work, any subsequent absence should be managed as normal.

Should a rehabilitation plan be either unsuccessful, or inappropriate, the line manager should move to stage B

B Adjustments to the Work Environment (Current Role)

The line manager must consider whether reasonable adjustments can be made to the employee's working environment in order to enable the employee to continue to do their job. Advice should be sought from WDC's Occupational Health service.

If any adjustments can be made, these should be implemented as soon as possible. Advice from WDC's Human Resources should be sought when considering the adjustments. Should there be any permanent change to the employee's working arrangements, the employee's contract of employment (including salary, leave, statutory holidays etc) shall be adjusted accordingly. On return to work, any subsequent absence should be managed as normal.

Should adjustments to the work environment be either unsuccessful, or inappropriate, the line manager should move to stage C

C Suitable Alternative Employment

Where reasonable adjustments cannot be made to the employee's working environment, advice will be sought from WDC's Occupational Health regarding the employee's ability to carry out an alternative role. The line manager will assist the employee to identify and, if appropriate, apply for suitable alternative employment within the Joint Board. Further advice and support is available from WDC's Human Resources.

All terms and conditions of employment of the new role (including salary) will apply and the employee should be given adequate time to consider them. A transfer to other duties will be considered as redeployment on the grounds of Ill Health and may require additional and / or further training.

If the employee is capable of undertaking alternative employment, but;

- Does not accept a suitable alternative job offer; or
- Fails, after appropriate support from the Joint Board, to obtain a suitable alternative job within a reasonable period (usually 4 months);

their employment may be terminated.

Should suitable alternative employment be either unsuccessful, inappropriate or not accepted by the employee, the line manager should move to stage D

D Termination on the grounds of Capability

An employee's employment will be terminated on the grounds of capability if:

- Reasonable adjustments cannot be made to the employee's current job; or,
- An employee is incapable of undertaking a suitable alternative job, or no suitable job is available, or an employee refuses to accept a suitable alternative job.

When considering termination on the grounds of capability, advice **must** be sought from WDC's Human Resources.

5.6 Members of Strathclyde Pension Fund

Where employment has been terminated under section 5 of the Attendance Management Policy (Long Term Absence), the employee may be entitled to Ill Health Retirement benefits if they belong to the relevant occupational pension scheme and meet the appropriate criteria. This will depend upon the rules of the scheme applicable at the time employment ends. Please refer to the Ill Health Retirement Procedures on the WDC Intranet.

6 Support Resources

Through West Dunbartonshire Council, Dunbartonshire and Argyll & Bute Valuation Joint Board provides a range of support resources for both managers and employees to promote and support continued good health and attendance at work. Further details on these services can be found in **Appendix 3**.

6.1 Occupational Health Service

Occupational Health (OH) is a medical specialty which deals with health and work. Its role is to promote good health and wellbeing and provide advice and guidance to both employees and line managers on health related matters.

6.2 Employee Counselling Service

Employee Counselling Service is independent of the employer and provides support and counselling away from the workplace.

7 Misconduct

- 7.1 Should a Manager have a reasonable belief that an employee's absence is not legitimate, the absence should be investigated in accordance with the Joint Board's Disciplinary procedure.

Any absence that the disciplining manager decides is not legitimate (and therefore subject to disciplinary action) will be discounted for the purposes of the triggers that apply within the Attendance Management Policy.

NB: This section of the policy must be read in conjunction with the Joint Board's Disciplinary Policy.

8 Appeals

8.1 Appeal against Formal Improvement Notes

Employees, who are aggrieved by the decision to issue a Formal Improvement Note, shall have a right of appeal. Please refer to Appendix 5 "Scheme of Delegation".

8.1.1 Appeals must be lodged with the person or persons specified within the Formal Absence Review outcome letter within 10 working days of receipt of the letter. Appeals will normally be held as soon as possible and no later than 6 weeks after receipt of the employee's written appeal. Appeals should be submitted in writing using the standard Formal Improvement Note Appeal Form setting out the grounds for the appeal. Notification of the outcome of the appeal will be confirmed as soon as possible and within 5 working days of the meeting.

8.2 Appeal against decision to dismiss

Any employee whose contract has been terminated in accordance with this policy will have the right to appeal to the Joint Board's Appeals Committee. The Joint Board's Appeals Committee will comprise a minimum of 3 Elected Members.

8.2.1 The employee must lodge their appeal in writing with the Assessor & ERO within 10 working days of receiving the termination letter. The employee must complete and submit the standard Appeals Form setting out the grounds of their appeal. The Assessor & ERO will acknowledge receipt of the appeal in writing, and will copy the acknowledgement letter and the appeals pro-forma to the Head of WDC HR & OD who will progress the appeal to the Joint Board's Appeals Committee. The right to appeal expires 10 working days after receipt of the termination letter.

8.2.2 Dunbartonshire and Argyll & Bute Valuation Joint Board undertakes to arrange the Appeals Committee hearing as soon as possible and within 6 weeks of the appeal being submitted. The Head of WDC HR & OD will be responsible for advising the Appeals Committee on all aspects of the Policy and Procedure.

8.2.3 The Manager must prepare the management case in line with the Joint Board's standard template. Trade Unions may submit background paperwork if required. The Manager must submit the management case and supporting paperwork to the Head of WDC HR & OD as soon as

possible and at least 15 working days prior to the date of the appeal hearing.

- 8.2.4 The employee will be advised in writing of the arrangements for the Appeals Committee and this will be at least 10 days in advance of the Appeals Hearing.
- 8.2.5 The employee will have the right to be accompanied at the Appeals Hearing by a companion in line with section 2.6. The accompanying person will be allowed to represent the employee at the Hearing, however the accompanying person cannot answer questions on the employee's behalf or address the Hearing if the employee does not wish it.
- 8.2.6 The decision of the Appeals Committee will be notified to the employee and confirmed in writing. The decision of the Appeals Committee is final.

9 Related Policies

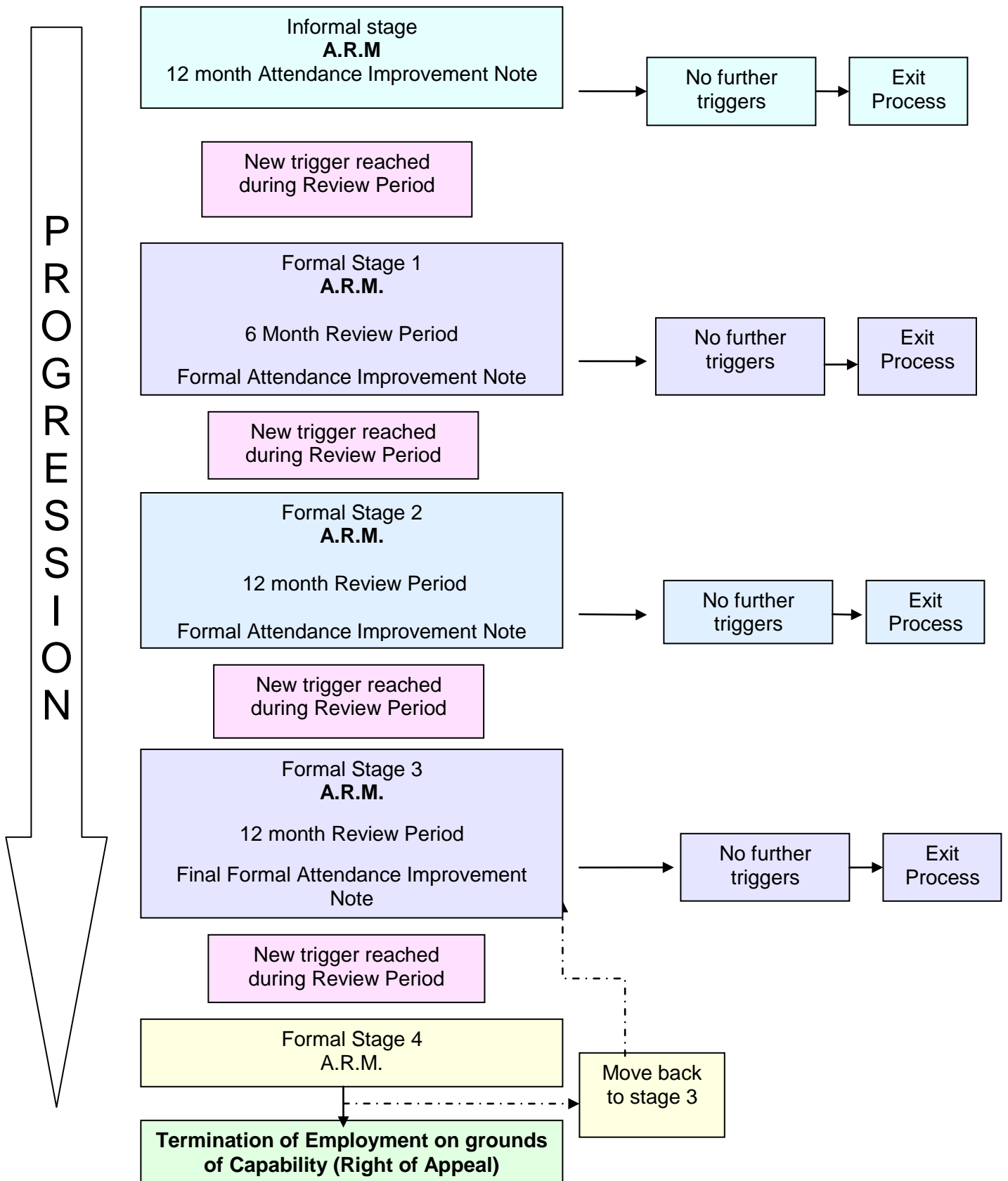
This policy should be read in conjunction with:

- Disciplinary Policy
- Stress at Work Policy
- Dignity at Work Policy
- Special Leave Policy

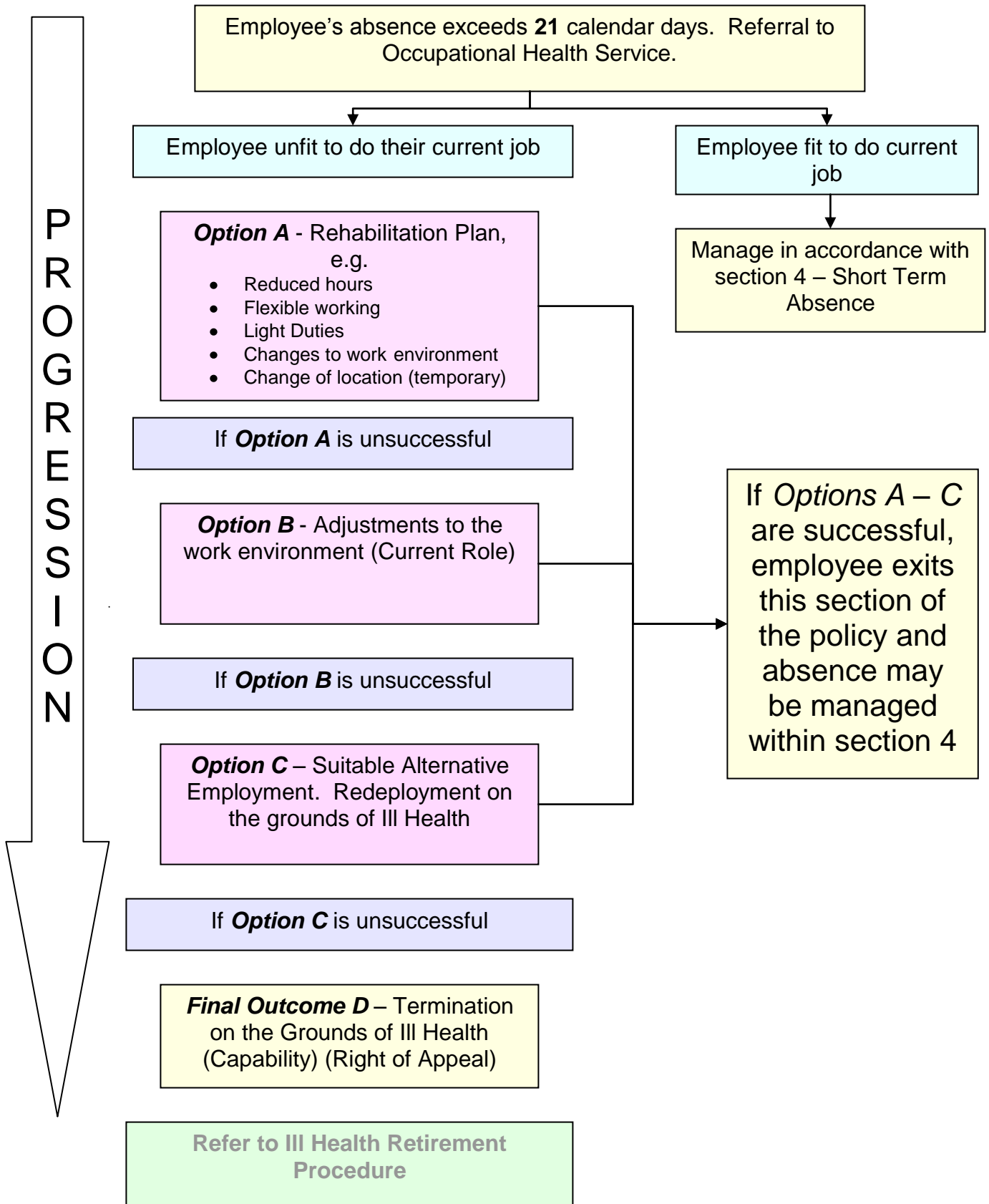
Appendices

- 1 Section 2 – Short term absence flow chart
- 2 Section 3 – Long term absence flow chart
- 3 Section 4 – Support Resources
- 4 Disability
- 5 Scheme of Delegation

Appendix 1 - Short Term Absence Flow Chart



Appendix 2 – Long Term Absence Flow Chart



Appendix 3 - Support Resources

A3.1 Occupational Health Service

Management may reasonably require advice about the health of their employees in relation to work in a variety of circumstances and may make a referral to WDC Occupational Health and/or Physiotherapy. Its role is to keep workers healthy and at work through protecting them from workplace health hazards as well as rehabilitating injured or ill workers back into the workplace. Physiotherapy is provided for workers suffering from musculo-skeletal conditions and back problems. Its role is to help restore movement and function to as near normal as possible when someone is affected by illness or injury.

Further information on Occupational Health referrals can be found on the WDC HR & OD Knowledge Portal.

A3.2 Employee Counselling Service

If employees feel that they would benefit from formal counselling, Dunbartonshire and Argyll & Bute Valuation Joint Board provide a free, confidential counselling service through the Employee Counselling Service. Employee Counselling Service is independent of the employer and provides support and counselling away from the workplace. Counselling sessions will be tailored to the individual needs of the employee.

Employees can refer themselves to the service or can ask their line manager to make the arrangements on their behalf. Telephone counselling is available for those who find it hard to attend face to face counselling appointments. Counselling sessions are arranged at a time when the employee can be comfortable and private and the cost of the calls are met by Dunbartonshire and Argyll & Bute Valuation Joint Board

The Employee Counselling Service can be contacted initially on 0800 435 768.

Appendix 4 – Disability

A4.1 Disability is defined as:

“any physical or mental impairment which has a substantial and long term effect, leading to a person experiencing barriers to normal day to day activities.”

Long term in this context is generally taken as meaning for, or likely to be for, a year or more.

Under the Equality Act 2010 it is illegal for an employer to fail to make reasonable adjustments to take account of disability. In addition the Equality Act 2010 gives public authorities the specific duty to treat disabled people more favourably than others if this is required to achieve equality of outcome. This provides the basis for positive action to support disabled people in employment in order that they can fulfil their potential and become valuable assets to the Council.

For further information please refer to West Dunbartonshire Council’s HR & OD Knowledge Portal.

Appendix 5 – Scheme of Delegation

AUTHORITY TO TAKE ACTION FOR ISSUE OF FORMAL IMPROVEMENT NOTES AND DISMISSALS

Level of Action	Employees Grade 1-8	Grades 9-10	Service Managers Grades 11-12
Stage 1 - Formal Attendance Improvement Note	Line Manager (should be minimum grade 6 level)	Divisional Assessor or Depute Assessor	Depute Assessor or Assessor
Appeal	Line Manager's Manager	Depute Assessor or Assessor	Assessor
Stage 2 - Formal Attendance Improvement Note	Line Manager	Divisional Assessor or Depute Assessor	Depute Assessor or Assessor
Appeal	Line Manager's Manager	Depute Assessor or Assessor	Assessor
Stage 3 – Final Formal Attendance Improvement Note	Line Manager	Divisional Assessor or Depute Assessor	Depute Assessor or Assessor
Appeal	Line Manager's Manager	Depute Assessor or Assessor	Assessor
Dismissal	Assessor	Assessor	Assessor
Appeal	Joint Board Appeals Committee	Joint Board Appeals Committee	Joint Board Appeals Committee

(1) This list is for illustrative purposes and levels may be changed to reflect structure arrangements.