

Meeting:	Employees' Consultative Forum
Date:	1 November 2006
Subject:	Improving Attendance Procedure (Previously – Policy and Procedure for dealing with Absence)
Key Decision: (Executive-side only)	No
Responsible Officer:	Jon Turner, Interim Director of Human Resources
Portfolio Holder:	Deputy Leader, with portfolio responsibilities for Finance and Business Matters Cabinet Assistant for People Performance and Policy Portfolio Holder for Community Development
Exempt:	No
Enclosures:	Improving Attendance Procedure

SECTION 1 – SUMMARY AND RECOMMENDATIONS

This report is seeking agreement to the revised Policy and Procedure for Dealing with Absence (renamed - Improving Attendance Procedure) in the absence of agreement by the unions.

RECOMMENDATIONS:

The Committee is requested to:

Make a recommendation to Cabinet, that the revised Improved Attendance Procedure be agreed, without further consultation.

REASON: It may not be possible to reach agreement with the unions at

SECTION 2 - REPORT

Brief Background

The BVPI 12 gives the average number of days lost per employee due to sickness for 2005/06 as 10.08 against a target of 8.88 days. There has been an increase in sickness absence from 2004/05 to 2005/06 from 9.19 days to 10.08 days. This is a significant cost to the Council in lost productivity, in covering for absence by temporary staff or by increasing the workload of other staff.

The Council's current Policy and Procedure for dealing with Absence has three warning stages prior to dismissal, leading to a potential prolonged delay in improving an employee's attendance.

The revisions to the Absence Procedure are:

- Replacement of the current three warnings, and levels of delegated authority to the following:
 - o First Written Warning – to stay on file for 12 months.
 - o Final written Warning – to stay on file for 24 months.
 - o Dismissal
 - o Appeal meeting held and chaired by an Executive Director or their nominee or Headteacher
- Realistic timescales to enable cases to progress in a timely way
- User-friendly and simple procedure with best practice guidelines to be provided to managers and employees on its application
- Updated best practice model for adoption by Schools if they so wish

Issues to be determined

Implementation of the Procedure despite agreement not being received from the unions.

Consultation has taken place on an informal basis with UNISON and GMB and formal consultation began on the 10 October 2006. Objections have been raised by the unions regarding the removal of a stage and Members hearing the final stage.

In response to the removal of a stage, this is to ensure that cases of sickness absence are progressed in a timely way.

There is no requirement under the constitution for Absence appeals to be heard by members and to date they have been heard at Officer level. It is therefore proposed to formalise in the policy, the current arrangements for hearing of absence appeals. In addition, it will contribute to the Corporate Priority of Tackling Waste and Giving Real Value for Money in as far as there will be more focussed Officer time in resolving attendance issues in as short a time as possible.

Options recommended and reasons for recommendation

No other options were considered. The revisions to the Procedure will enable Managers to progress through the procedure in a more timely way and will ensure consistency with ACAS best practice guidance and meet trends in Tribunal case law. The Procedure ensures fairness and consistency in addressing employee's attendance issues. The Procedure also supports Schools in the adoption of this Procedure.

Resources, costs and risks associated with recommendations

Resourcing

There are no direct resources other than updating the Intranet and notifying employees of the revision.

Costs

There are no direct costs of introducing the Improving Attendance Procedure. Briefings to managers on the new procedure will be provided by the HR Strategy team within existing resources.

Risks

Changes to the grievance procedure have a direct bearing on employees' contracts of employment. The risk of industrial action being taken against the change is low. There is also a low risk of a breach of contract/constructive dismissal claim.

The revision are in accordance with ACAS's Code of Practice and meet trends in Tribunal decision making on attendance issues.

Staffing / Workforce Consideration

The new Improving Attendance Procedure will apply to all staff and is intended to deal with attendance issues as speedily as possible.

Equalities Impact consideration

The Improving Attendance Procedure ensures fairness and consistency in how attendance issues are dealt with. However, monitoring of the use of the procedure and its impact on different social identity groups will be made and reported in the Annual Equality Report.

Legal and Financial Comments

Legal Comments

The Procedure will help to ensure fairness and consistency in how attendance cases are dealt with. The revisions reflect the ACAS Guidelines on Best Practice which will contribute to the Council being in a better position to defend itself in the event of any employment tribunal claims.

Financial Comments

There are no direct costs from the introduction of the Improving Attendance Procedure. Briefings to managers on the new procedure will be provided by the HR Strategy team within existing resources.

SECTION 3 - STATUTORY OFFICER CLEARANCE

Chief Finance Officer	<input checked="" type="checkbox"/>	Name: ...Barry Evans.... Date: 17/10/06.....
Monitoring Officer	<input checked="" type="checkbox"/>	Name: ...Linda Cohen Date: ...17/10/06.....

SECTION 4 - CONTACT DETAILS AND BACKGROUND PAPERS

Contact: Treena Massey, Human Resources Adviser, 020 8424 7507

Background Papers:

- Revised Absence (Improving Attendance) Procedure

IF APPROPRIATE, does the report include the following considerations?

1.	Consultation	YES
2.	Corporate Priorities	YES
3.	Manifesto Pledge Reference Number	-