



Belfast City Council

Report to:	Adjourned Strategic Policy and Resources Committee
Subject:	Attendance Policy
Date:	26 February 2008
Reporting Officer:	Trevor Salmon, Director of Corporate Services
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Purpose

The purpose of this report is to recommend the new Attendance Policy for adoption by members of the Strategic Policy and Resources Committee based on the outcome of consultations with the trade unions on the draft policy; and to advise Committee on the next steps with regard to its implementation.

Relevant Background Information

A draft Attendance Policy was developed following the engagement of legal consultants to review the council's existing policy for managing absence. We were advised by the legal consultants that the current policy is essentially no longer fit for purpose; it is too informal; and leaves too much to the discretion of managers, which is inconsistent with the policy having contractual effect. In March 2007 Personnel Sub-Committee agreed a new draft Attendance Policy for consultation with the council's trade unions. In September 2007 the Strategic Policy and Resources Committee agreed that consultation with the trade unions should be extended with a view to seeking agreement on the policy as trade union side had not been in a position to give the matter due consideration because of the substantial Single Status agenda at that time.

Consultations since then have been intense, detailed, ongoing and at times considerably challenging.

Management side recognises that introducing a policy of this significance without trade union agreement may lead to increased employee relations problems. However, particularly in the light of the public concern arising from the recently published NI Audit Office report on absenteeism in NI councils, further delay in moving forward on this issue cannot be justified.

On 4th February 2008 therefore chief officers agreed that the consistent, robust implementation of a new BCC Attendance Policy was a key step to the council reducing absence to the kind of level which members, senior management and the public expect. Accordingly they directed the matter to be concluded and subsequently agreed the text of the new policy to be recommended to members to reflect the result of these consultations with the trade unions.

Key Issues

The proposed new Attendance Policy is attached at Appendix 1. In summary the main amendments are:

1. The policy has changed from 3 to 4 formal stages preceded by an informal meeting between staff and management where absence exceeds 5 days.¹
2. The definition of long term absence has been amended to make it clearer as follows: *“Any period of absence longer than four weeks would normally be regarded as 'long term' if the employee has an underlying condition which is likely to result in continuing or further absence”*.
3. In an effort to achieve an agreed policy, management side compromised on the triggers for action under the standards of attendance and moved to 6 occasions or 12 days at Stage One and 3 occasions or 12 days at Stages Two to Four (totalling 15 occasions or 48 days). **This compromise was put to the trade unions on the basis that they will agree to these triggers, otherwise the previous position of 12 occasions/44 days position stands.**
4. The following paragraph regarding monitoring and review has been added: *“The Employee Relations Unit of Human Resources will review the policy on an annual basis, in consultation with the trade unions. The implementation of the policy will be monitored at corporate, departmental, service, unit and individual level as outlined in the Framework for Reporting, Monitoring and Managing Absence”*.
5. The first draft by management side in relation to the Stage 3 meeting was *“If the required level of attendance is achieved during the review period following the Stage Three meeting, the employee will be put back to Stage Two (i.e. the Stage Three warning will no longer apply and the employee will have another opportunity to meet the standards of attendance specified in the Second Stage warning previously issued to him or her.”* The trade unions wanted to amend this by replacing the provision in italic with: ‘there will be no further action under the formal stages of this procedure.’ Management side believes that an employee who has reached Stage 3 (potentially 10 occasions/33 days absence) cannot be allowed to drop back completely from the formal stages and thus a compromise position of the employee reverting to stage one in the above circumstances has been agreed.

The trade union side has not finally agreed the Attendance Policy in full, however it has stated :

“Whilst the Trade Union Group does not agree in totality with the Final Management Draft Attendance Policy we believe it is the best that can be achieved through negotiation’. Each sovereign Trade Union is committed to convening emergency Branch meetings in order to validate the above statement and also to get a mandate to enter into a time bound process of consulting their members in a proactive and positive manner, informing them of all alternatives.”

The trade unions indicated that branch committees have accepted the Attendance Policy as the best that can be achieved through negotiation. They have stated they need time to consult with their members to ensure they are absolutely clear about the policy and its implications. The trade union side has indicated that it feels there will be a

¹ Where periods or days are referred to, the policy contextualises these as being “within a rolling 12 month period”, though management may, where appropriate, review attendance over a longer service period.

positive outcome to this consultation and has committed to completion of this consultation process by 31st March 2008. .

It is proposed that the Committee adopts the new Attendance Policy for the council for implementation. Should the outcome of the consultation by the trade unions result in a failure to agree the approved policy the Strategic Policy and Resources Committee will be advised of this at its April meeting with a recommendation regarding implementation.

Next steps

The trade unions have also undertaken to engage with Corporate HR and Management Side JCC to seek agreement on detailed guidance for the application of the policy, while the consultation with their members on the policy is ongoing. A draft of this 'Attendance Booklet' has been developed and forwarded to TU Side. If agreement on the policy is not achieved, agreement on the guidance is obviously going to be difficult. Members are asked to agree that consultation on the guidance booklet is time bound to three months from the approval of policy by Council.

Following approval by the council and trade unions' members, Corporate HR will work with departments to help to implement new policy arrangements and address issues such as transitioning current employees with poor attendance records into the appropriate stage of the new policy.

Training for managers on the new policy will only be possible when the guidance is in place, but in most departments this training will only be on the new aspects of the policy as extensive training on the general principles of managing absences has already taken place.

It is estimated therefore that full introduction of the policy will take approximately 6 months from Council approval, provided central and departmental resources are available.

Resource Implications

Resource commitment from Corporate HR and departments will be intensive during the pre-implementation period. For Corporate HR (Employee Relations) and business support staff in the departments the 'bedding-in' period will be particularly resource intensive, as operational line management will need additional support to gain confidence in the application of the new policy and to ensure consistency of approach. Members however, are well aware that the consistent, robust implementation of a new BCC Attendance policy is key to the council reducing absence and its associated costs. Increasing management resources have been applied to this issue within HR and departments and it is now recognised that without the new standards, little more can be done to reduce sickness to the kind of level which Members; senior management and the public expect. Although the new policy will not simply by its existence solve the issues, it will provide for each employee and manager a single consistent foundation for management actions **and provide a means to hold officers accountable.**

Recommendations

Members are asked to:

- Approve the Attendance Policy for implementation subject to trade unions' members' agreement as outlined above
- Note the next steps and significant resource commitments required.

