

Supporting Attendance & Wellbeing

Guidance for Managers and Employees

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SECTION 1: INTRODUCTION

Purpose

This guidance is designed to help managers and employees understand and apply the Supporting Attendance and Wellbeing Policy in a fair, timely, and consistent way. It outlines the steps to take when managing both short and long-term sickness absence, explains roles and responsibilities, and provides tools such as return-to-work discussion templates, support plans, and reasonable adjustment passports.

The guidance ensures:

- Employees are treated with empathy and respect during periods of absence.
- Managers have the confidence and clarity to apply procedures correctly.
- Support measures are in place to promote wellbeing and successful returns to work.
- Legal and policy requirements are met, including those related to disability, pregnancy, and mental health.

It applies to all Council employees (excluding casual and agency workers) and is supported by training, templates, and links to related policies.

Guiding Principles

As Council employees, we are all expected to behave in a way that is aligned with the Council's Guiding Principles and we should lead by example by demonstrating these principles.

The Guiding Principles are:

- We care about our purpose, our city and our people.
- We take pride in what we do and work to make things better.
- One team, one Council, one city.
- We trust each other and take responsibility.
- We value each other and recognise a job well done.

These principles serve as a foundation for upholding positive and constructive working relationships among employees and managers around periods of sickness absence. This applies to all interactions—whether between colleagues, managers and those they supervise, or other Council Officers. Each individual is responsible for setting a positive example through their attendance at work, including how sickness and related absences are managed and communicated.

Behaviour that does not align with these guiding principles—such as inappropriate communication, lack of support, or disregard for absence procedures—may be considered unacceptable or inappropriate and may result in action under the organisation's disciplinary policy and procedure.

Who is responsible for managing attendance?

Line managers play a key role in attendance management. As a line manager, you should:

- Monitor attendance in your team and record any sickness absence accurately and as soon as possible on the Council's HR/Payroll system.
- Keep the absence record updated when fit notes are received and close the absence as quickly as possible when the employee returns.
- Keep in contact with any employee who is absent from work and agree the frequency and method of contact if the absence continues.
- Carry out return-to-work interviews to understand reasons for absence and offer support when the employee returns from any period of sickness absence.
- Ensure that the reporting procedure, the Supporting Attendance and Wellbeing Policy, and expectations are clearly understood by everyone in your team.
- Identify patterns of absence and address any ongoing issues.
- Support employees to return to work when they are well enough to return.
- Be fair and consistent in how absence is managed across all team members.
- Respect the need for confidentiality and sensitivity when discussing absence.

Employees also have their own responsibilities when it comes to managing their attendance. If you are unable to attend work due to sickness, you should:

- Notify your manager as soon as possible if you are unable to attend work, following the guidance set out below.
- Provide any required documentation, such as a fit note or self-certification, in a reasonable timescale.
- Maintain regular contact with your manager, in line with any agreement made with them, or following the guidance set out below during periods of absence.
- Engage with support offered to you, such as occupational health referrals.
- Participate in return-to-work meetings on your return to work.

Right to be accompanied

Employees may be accompanied at all meetings within the absence procedure by a work colleague, trade union representative or official employed by a trade union, but not by a spouse or partner or legal practitioner. The companion should be allowed to ask questions and participate as fully as possible during the meetings, and where required be allowed a reasonable amount of time to confer privately with the employee.

Where the employee has a disability, an alternative companion, such as a support worker or carer, could be agreed as a reasonable adjustment.

Whilst employees may be accompanied to a return to work meeting, it is important that these meetings take place as soon as possible after the employee returns to work, ideally the same day, so it should not be delayed due to a companion being unavailable unless there are extenuating circumstances.

At any formal meeting where dismissal may be considered (i.e. at Level 3 of the procedure), the employee has a **legal right** to be accompanied. The employee's companion has a legal right to address the meeting but does not have a right to answer questions on behalf of the employee.

If the employee's companion is an employee of Aberdeen City Council (whether they be a work colleague or a trade union representative), they should be allowed reasonable paid time off to prepare for and attend the meeting. This includes time for the companion to familiarise themselves with the detail and confer with the employee before and after the formal meeting.

In advance of the meetings, the employee is required to inform the person conducting the meeting who their chosen companion is. For any formal meeting (i.e. not including return to work meetings), if the employee's companion is unable to attend on the proposed date, the employee can suggest another date although it must suit everybody involved and be no more than 5 working days after the original date. Otherwise, the employee will need to select another companion to accompany them at the meeting or attend the meeting unaccompanied. Should the trade union be unable to provide representation within 5 working days of the original date, you should not allow this to delay the process. The Chair can insist that the pre-arranged meeting goes ahead as planned.

Employees Wellbeing

Throughout the Supporting Attendance process, the health and wellbeing of employees should remain a central focus. Careful consideration should be given to any potential impact that the actions you take as a manager could have. Approach each situation with empathy and compassion, ensuring that appropriate support and resources are available when needed.

Understandably, being absent from work can also be a difficult period for employees. If it is needed employees can seek support and advice from:

- Your line manager (or another manager if this more appropriate)
- [Trade Unions](#)
- Citizens Advice Bureau - www.cas.org.uk
- ACAS Point - www.acas.org.uk
- [Employee Relations and Wellbeing Team](#) for procedural advice
- [Mental Health and Wellbeing Pages](#): these are available on People Anytime and provide a variety of support resources, skills/training

information and details about the Councils Mental Health First Aiders Network.

- Employee Assistance Programme (EAP): The Council provides a free, confidential 24-hour EAP (counselling) service. The service offers a helpline for general advice and guidance, psychological guidance and emotional support and/or individual counselling either face to face or over the phone and has no role in the consideration of any complaints by Council officers/management. Further details can be accessed on [People Anytime](#) or you can access the service by telephone on 0800 023 9324.

In addition to the telephone service there is a wide offering of resources available which includes downloadable self-help workbooks, debt advice, a mental health app and more. You can sign in to the full site here https://accmybenefits.vivup.co.uk/users/sign_in..

Keeping records

Managers have a responsibility throughout the attendance management process, to maintain accurate and confidential records. All communications with the employee in relation to the policy should be thoroughly documented. These records should include the dates and nature of contact, details of what was discussed, any support or resources offered, and the employee's responses or concerns. Templates are provided as appendices to this guidance to help you do this in a consistent way.

Any documentation should be kept confidential and retained in the employee's personal file.

SECTION 2: REPORTING AND RECORDING SICKNESS ABSENCE

This section applies to ALL instances of absence from work due to sickness.

Employees should read this carefully and understand the procedure, should they become unwell and be unable to attend work.

Managers should ensure all employees in their teams are aware of the procedure, and/or any individual local arrangements they have for reporting, such as who to contact and ensure your team have the correct contact numbers for you.

Reporting Sickness Absence

Employees must notify their line manager, as soon as possible, generally within one hour of their normal start time. If they work to rotas and/or with early or late shifts, contact should be made before the beginning of their shift and they should not wait until the next scheduled work day to inform their manager of sickness absence.

Employees should contact their manager by phone where possible, but other methods may be used if agreed between the manager and employee. If their own line manager is unavailable, they should contact another manager in the service or the next manager in the reporting line.

Services may have their own agreed local procedures for reporting absences (for example a central number to call), and managers should ensure employees are aware of any service-specific arrangements and have necessary contact information ahead of any requirement to report sickness absence. Any service-specific arrangements should include details of next steps, e.g. if the employee should expect to be called later that day.

In some circumstances, it may be appropriate for someone else to call and report absence on an employee's behalf, where there are circumstances which prevent them doing so, for example an emergency admittance to hospital. Alternatively, managers may agree this in advance with employees as a reasonable adjustment where the employee has a disability.

Certification Requirements

If the employee will be absent for more than 7 calendar days, they must provide a Fit Note. This would normally be issued by their GP, or alternatively a fit note can be issued following a health and work assessment by other healthcare professionals - either a doctor, nurse, occupational therapist, pharmacist, or physiotherapist. They must send the Fit Note to their line manager on the 8th day of absence or as soon as possible after this. They must also send copies of any subsequent Fit Notes to their line manager and these must cover the entire sickness period (i.e. with no gaps between dates).

Managers should take into account that it can take time for employees to get appointments with their GP and should accommodate these timescales.

Recording Absences

Line managers must record every absence on the HR/Payroll system with the start date and sickness reason as soon as they are informed of an employee's absence. If the employee's normal line manager is not available when the employee returns to work, the absence should be closed by another manager in the service as soon as possible, assistance can be sought from AskHR to access the absence if required.

Line managers must record and upload all Fit Notes on the HR/Payroll system and follow up on missing fit notes with their employees. Non-compliance with absence reporting or certification procedures could result in disciplinary action and employees will not normally be paid for periods of unauthorised absence.

It is extremely important that absences are opened and closed on the HR/payroll system accurately and promptly as failure to do so may result in the employee not being paid correctly. It is the manager's responsibility to ensure this is done.

Contact Arrangements

The manager and employee should agree any further reporting/update arrangements, particularly when the employee does not know how long they will be absent for or are likely to be absent for a prolonged period. The contact record at appendix 1 can be used for this purpose.

To support employee wellbeing and maintain clear communication, unless an alternative arrangement is mutually agreed with the employee, managers must ensure that the following minimum contact requirements are met during any period of absence.

- Contact on the 4th Day of Absence:

Managers should initiate communication with the employee on the fourth consecutive day of absence. This contact serves several purposes: it allows the manager to offer appropriate support, confirm any assistance the employee might require, and remind them of the certification requirements for continued absence. This early intervention helps to prevent misunderstandings and ensures both parties are aware of the process going forward.

- Contact on the 7th Day and Weekly Thereafter (First 28 Days):

On the seventh day of absence (or next working day), managers should make further contact. Thereafter, if the employee's absence continues, regular weekly check-ins are required for the remainder of the first 28 days. These weekly communications should provide an opportunity to discuss the

employee's progress, any evolving support needs, and to keep them informed about any workplace updates. The aim is to foster a supportive environment, maintain a sense of connection, and ensure that any barriers to return are identified early.

- **Contact After 28 Days of Absence:**

If the absence extends beyond 28 days, the manager and employee should together agree upon a regular contact schedule that suits both parties. This schedule must be documented and may take the form of phone calls, emails, or meetings, depending on the circumstances and the preferences of the employee. The agreed pattern of contact should be consistent and maintained throughout the extended absence, ensuring the employee feels supported and retains a link with their workplace. Managers should keep records of all contact made, including the dates and key points discussed, to provide clarity and continuity.

Throughout all periods of absence, it is essential that communication remains empathetic, transparent, and tailored to the individual's needs. Managers should be proactive in signposting employees to relevant support services, such as occupational health or wellness action plans, and should be mindful of any reasonable adjustments that may assist with the employee's eventual return to work. Maintaining a robust line of communication not only upholds organisational responsibility but also helps employees feel valued and supported during challenging times.

Where an absence continues, the line manager and employee should agree how often contact will be, who will instigate contact and what method you will use (i.e. by phone, MS Teams, etc). This should be regular and it is important for both parties to keep to these arrangements as much as possible.

If the employee fails to maintain contact and engage with their manager during their absence, managers will understandably be concerned and may need to take further steps to be reassured about the employee's wellbeing. Advice should be sought from Employee Relations should this happen.

Return to Work Discussion

Once an employee returns to work following a sickness absence, their line manager must arrange to discuss that absence with them. This should be held after each instance of sickness absence.

The discussion should ideally be undertaken either face to face or using MS Teams, but can be done by telephone if necessary. The return to work discussion form provides guidance on carrying out the discussion and must be completed by the line manager and recorded on the HR/Payroll system against the relevant absence. If they have not already done so, the manager must close the absence on the HR/Payroll system.

Return to work discussions are used to welcome and support an employee back to the workplace and should aim to do the following:

- Establish the reason for the employee's absence and ensure that they are fit to resume work
- Discuss any underlying causes that contribute to the absence
- Update the employee on any workplace developments that took place while they were absent
- Ensure there are no gaps in notification and certification requirements and if so, decide what action needs to be taken
- Determine if there is any need for a referral for support, such as Occupational Health or the EAP service.
- If applicable, ensure any support plan in place or phased return plan agreed in advance is still fit for purpose
- Find out if there are any work-related factors affecting attendance
- Identify support or adjustments to prevent future absences
- Review flexible working options, where appropriate
- Confirm the absence review levels and ensure that the employee understands how the Supporting Attendance and Wellbeing policy applies to them.

Whilst employees may be accompanied to a return to work meeting, it is important that these meetings take place as soon as possible after the employee returns to work, ideally the same day, so it should not be delayed due to a companion being unavailable, unless there are extenuating circumstances.

SECTION 3: THE FORMAL PROCEDURE

Overview of the Procedure

This procedure applies in relation to managing all absences including intermittent absences and/or continuous long-term absences. At each Level the line manager must make sure that the employee is made aware of the procedure, the next steps of the process and the consequences of further absences.

Where an employee is absent from work, managers should continue to keep in touch regularly as well as holding the formal meetings at each Level of the procedure; having both informal and formal conversations is key to a successful return to work.

Employees are permitted to request a manager of the same gender to undertake the formal Levels of this procedure, and this will be granted where practical.

Once a review level is met, all employees will commence the first formal Level of the process, Level 1. The manager should invite the employee to the Level 1 Attendance Review Meeting. This meeting should be arranged for a date as soon as possible after the review level is met.

The format of the meeting can be either :

- Face to face meeting or
- Virtual meeting using MS Teams

If the employee is unfit to attend any supporting attendance meeting under the formal procedure, and is unlikely to be fit within a reasonable timescale (normally 5 working days), they can be given the alternative options:

- a) Being represented by TU representative or work colleague at the meeting
- b) Submitting written information regarding their absence(s) to be considered by their manager.

If either alternative options a) & b) are not utilised by the date of the meeting, the manager will normally proceed in employee's absence with the appropriate detail confirmed in writing to the employee.

Managers should ensure that reasonable adjustments are made for employees with disabilities within the procedure, such as extending review periods.

SHORT TERM ABSENCE PROCEDURE

Short Term Absence Review Levels

Short-term absences will be reviewed under the short term procedure of the policy if either of the following are met:

- 3 or more instances of absence within a rolling 12-month period.
- A total of 10 or more days of absence within a rolling 12-month period.

When an employee experiences short term absence that are related to an underlying medical condition, this should be assessed to determine whether a referral to occupational health or a support plan is needed. Support plans may address workplace adjustments, or additional resources tailored to individual needs.

Managers are encouraged to maintain open communication with an affected employee and regularly review any support plan or reasonable adjustments to ensure ongoing suitability.

Attendance Review Meetings

Level 1 Attendance Review Meeting:

At the Level 1 Attendance Review Meeting the manager must discuss with the employee the reason(s) for absence and for reaching the absence review level and agree an attendance improvement plan. The manager will set a review period during which absence will be monitored and improvements in attendance sought. It is recommended that the review period is no longer than 12 weeks, allowing for any delays that may have occurred.

Level 1 Outcome Meeting:

At the end of the review period, or at an earlier date if it is evident that the improvement required will not be met, the manager and the employee will meet to discuss attendance during the Level 1 review period. Possible outcomes are:

1. end of monitoring period if the required improvements are made
2. extending the review period if some improvement is made, but doesn't quite yet meet the required standard; where annual or special leave has impacted the review period; where further medical information is required
3. progressing to Level 2 if attendance has not improved.

Level 2 Attendance Review Meeting:

The Level 2 Attendance Review Meeting would normally take place immediately following the Level 1 Outcome Meeting. The manager must discuss with the employee the reason(s) for absence and for reaching the absence review level and

may agree an amended attendance improvement plan. The manager will set a review period during which absence will be monitored and improvements in attendance sought. It is recommended that the review period is no longer than 12 weeks, allowing for any delays that may have occurred.

Level 2 Outcome Meeting:

Possible outcomes include:

- end of monitoring period if the required improvements are made
- extending the review period if some improvement is made, but doesn't quite yet meet the required standard; where annual or special leave has impacted the review period; where further medical information is required
- progressing to Level 3 if attendance has not improved

Level 3 Attendance Review Meeting:

The Level 3 Attendance Review Meeting would normally take place immediately following the Level 2 Outcome Meeting. During the Level 3 review period, the manager may again, assess and amend any support plan, with a capability or conduct report prepared to evaluate the employee's attendance over the Level 1, 2 and 3 review periods.

- Capability applies where the absences are attributable to an underlying health condition.
- Conduct applies where the absences are not attributable to any underlying health condition.

Level 3 Capability/Conduct Assessment Meeting:

This meeting determines whether attendance has improved and considers options such as extending the review period to allow for further support, adjustments or monitoring to be in place, or whether termination of employment based on attendance is appropriate.

The employee should be given at least 5 working days' notice of the meeting in writing and a copy of the manager's report.

The manager's report, relevant Supporting Attendance process paperwork, all occupational health (OH) reports and any support plan(s) must be available for the Level 3 assessment meeting.

The meeting will be attended by;

- The Chair of the meeting who must be an independent manager at least at Third Tier level or above (for teachers/SNCT employees the Chair will be the Chief Officer – Education & Life Long learning)
- The line manager who has managed the absence(s) to date
- The employee

- The employee's trade union representative or work colleague (if applicable)
- A People Services Advisor

The purpose of the meeting is to consider whether the required improvement in attendance has been achieved, up to and including the Level 3 review period and to carefully examine all options, including the likelihood of improved attendance or dismissal on the grounds of lack of capability due to ill health or misconduct due to sustained poor attendance (whichever applies).

At the meeting the employee's manager will present their report on the employee's absence, highlighting the measures taken to assist the employee to improve their attendance. The reasons for the absence levels will be discussed as well as the content of the latest medical report (where applicable) and any support that has been put in place. The employee will be given the opportunity to provide a full response at the meeting.

If the employee is deemed medically unfit to attend the meeting, they can utilise the alternative options outlined in the Overview of the Procedure.

There are three potential outcomes to the Level 3 Capability / Conduct Assessment Meeting;

1. End of monitoring period

Where the required improvement in attendance has been achieved during the Level 3 review period, the employee will be informed that their attendance will no longer be subject to regular reviews under the Supporting Attendance and Wellbeing Policy.

2. Extend the Review Period

The chair of the Capability/Conduct Assessment Meeting has the discretion to extend the review period if additional information or monitoring is required to inform a decision, or where further support still needs to be considered. The review period can be for up to 12 months.

3. Termination of Employment

Where the Chair decides, after considering all available information, to terminate employment, the employee will, if possible, be informed of this at the meeting, with the decision confirmed in writing along with details of their right of appeal.

The reason(s) for termination of employment must be clearly communicated to the employee. Where absence relates to an underlying medical condition (Capability Assessment Meeting) employment will be terminated on grounds of lack of capability due to ill health. Where absence does not relate to an underlying medical condition (Conduct Assessment Meeting) employment

will be terminated on the grounds of misconduct relating to failure to fulfil contractual responsibilities due to poor attendance.

End of monitoring period

It should be noted that where an employee is unable to sustain their attendance at any point in the next 12 months after the end of the monitoring period, the manager has the option to move the employee back into the procedure at the point at which they left. For example, if at the Level 1 outcome meeting, the monitoring period ends, but within 12 months they have further absences which are unsustainable, they can return to the Level 1 outcome meeting and could then move directly to Level 2.

Alternatively the manager has the discretion to recommence at an earlier point in the procedure, where this is more appropriate.

LONG TERM ABSENCE PROCEDURE

Long Term Absence Review Levels

Long-term absences will be reviewed under the long term procedure of the policy where the following applies:

- An absence lasting 28 calendar days or longer.

Overview of Long Term Absence Procedure

Where an employee has been absent continuously for 28 calendar days, the Long Term procedure applies.

It is particularly important to keep in touch with employees regularly throughout the procedure, following the schedule and method agreed with the employee, which may include phone calls, email updates, and/or meetings (whether in person or virtually) to share workplace news, check on employee wellbeing, and discuss any changes in their circumstances. The contact record at appendix 1 can be used for this purpose.

Regular communication also ensures that employees feel supported and informed, making their transition back to work smoother when they are well enough to return.

COMPLETING A SUPPORT PLAN

In all cases under the Long Term Procedure, a support plan should be completed. It can also be useful under the Short-Term procedure where this is appropriate, for example where the employee has an underlying medical condition. A well structured

support plan supports the employee during their absence, facilitates a safe and confident return, and ensures that their reintegration is both smooth and sustainable.

The support plan should be used to record any specific support identified to assist the employee to return to work and should be done in collaboration with the employee. The support plan template can be found at appendix 2, with a guide to completing the support plan found at appendix 3.

It is essential that the support plan is completed jointly, with active input from the employee. This collaborative approach ensures that the plan accurately reflects the employee's individual circumstances, needs, and any adjustments that may facilitate their return to work.

Long Term Absence Review Meetings

The purpose of Absence Review Meetings under the procedure meetings is to:

- Discuss the employee's prognosis and any updates on their condition
- Explore options for returning to work or alternative arrangements
- Consider the implications of continued absence on the workplace
- Discuss any medical advice available, such as occupational health reports, or consider whether a referral to occupational health is required
- Complete a structured support plan with the aim of facilitating the employee's return to work.

Level 1 Absence Review Meeting

At the Level 1 Absence Review Meeting the manager will discuss with the employee the reason(s) for reaching the absence review level and complete a structured support plan. The manager will set a review period during which absence will be monitored and any arrangements identified as part of the support plan will be put in place with a view to enabling the employee to return to/sustain their attendance at work. It is recommended that the review period is no longer than 12 weeks.

Level 1 Outcome Meeting

At the end of the review period, the manager and the employee will discuss attendance during the Level 1 review period

There are three potential outcomes to Level 1:

- end of monitoring period where a full return to work has been achieved and sustained

- extend the review period where annual leave or special leave has occurred during a Level 1 review period; where medical information is not immediately available to inform a decision; or where a return to work is underway or imminent, but not sufficiently progressed to justify ending the monitoring period
- progressing to Level 2 where there has been a further episode(s) of absence, or the employee has failed to fully return to work from a continuous absence during the review period and no return to work is likely in the immediate future.

Level 2 Attendance Review Meeting

If a decision is made to progress to Level 2, the Level 2 Attendance Review Meeting normally immediately follows the Level 1 outcome meeting. The manager must review and, if necessary, amend the attendance support plan and will set a review period at Level 2 during which absence will continue to be monitored with a view to enabling the employee to return to/sustain their attendance at work. It is recommended that the review period is no longer than 12 weeks.

Level 2 Outcome Meeting

At the end of the review period, the manager and the employee will normally meet to discuss attendance during the Level 2 review period.

There are three potential outcomes to Level 2

- end of monitoring period where a full return to work has been achieved and sustained
- extend the review period where annual leave or special leave has occurred during a Level 2 review period; where medical information is not immediately available to inform a decision; or where a return to work is underway or imminent, but not sufficiently progressed to justify ending the monitoring period
- progressing to Level 3 where there has been a further episode(s) of absence, or the employee has failed to fully return to work from a continuous absence during the review period and no return to work is likely in the immediate future.

Level 3 Attendance Review Meeting

If a decision is made to progress to Level 3, the Level 3 Attendance Review Meeting normally immediately follows the Level 2 outcome meeting. The manager must review and, if necessary, amend the attendance support plan and will set a further period of review at Level 3. The duration of this further review is at the manager's discretion; however, it is recommended that this is no more than 12 weeks and can

be for a shorter period where the medical evidence suggests that the employee is unlikely to be able to improve their attendance within a reasonable timescale.

At the end of the Level 3 review period, a capability report will be prepared by the manager who has managed the employee's absence(s). The management report should also include evidence of the contact with the employee regarding their attendance and any support provided to the employee to improve their attendance, including a copy of the Support Plan. The manager should forward the completed report to their Service Manager or Chief Officer, to arrange a Capability Assessment Meeting.

The employee will be invited to a Capability Assessment Meeting at the end of the Level 3 review period.

Level 3 Capability Assessment Meeting

The employee should be given at least 5 working days' notice of the meeting in writing and a copy of the manager's report.

The meeting will be attended by;

- The Chair of the meeting who must be an independent manager at least Third Tier level or above (for teachers/SNCT employees the Chair will be the Chief Officer – Education & Life Long learning)
- The line manager who has managed the absence(s) to date
- The employee
- The employee's trade union representative or work colleague (if applicable)
- A People Services Advisor

The purpose of the meeting is to consider whether the required improvement in attendance has been achieved, up to and including the Level 3 review period and to carefully examine all options. These include the likelihood of a sustained return to work in the foreseeable future or improved attendance, whether further support/reasonable adjustments need to be provided to enable the employee to improve attendance, whether alternatives such as ill health retirement or redeployment should be considered, or whether dismissal on the grounds of lack of capability due to ill health is appropriate.

At the meeting, the employee's manager will present their report on the employee's absence, highlighting the measures taken to assist the employee to return to work or improve their attendance. The reasons for the absence levels will be discussed as well as the content of the latest medical report (where available). The employee will be given the opportunity to provide a full response at the meeting.

If the employee is deemed medically unfit to attend the meeting, they can utilise the alternative options outlined in the Overview of the Procedure.

There are three potential outcomes to the Level 3 Capability Assessment Meeting;

1. End of monitoring period

Where a full return to work has been achieved and sustained.

2. Extend the review period

It may be applicable to extend the review period where annual leave or special leave has occurred during a Level 3 review period; where further medical information is required to inform a decision, or where a return to work is underway or imminent, but not sufficiently progressed to justify ending the monitoring period. The review period may also be extended where any reasonable adjustments still need to be put in place, trialed or further time is required to assess their effectiveness.

3. Termination of Employment

Where the Chair decides, after considering all available information, to terminate employment, if possible, the employee will be informed of this at the meeting (where they are in attendance), with the decision confirmed in writing along with details of their right of appeal.

The reason for termination of employment must be clearly communicated to the employee. As any long term absence will relate to an underlying medical condition employment will be terminated on grounds of lack of capability due to ill health.

In extenuating circumstances, an employee may proceed directly to a Level 3 Capability Meeting if it has been clearly established that a return to work is not anticipated within a reasonable timeframe, and all avenues of support and reasonable adjustment have been fully explored and documented. In all instances, both ill health retirement and redeployment must have been considered, with advice sought from Employee Relations.

This should be undertaken with the employee's full agreement whenever possible, or with sufficient and justifiable reasons if earlier levels of the procedure have not been possible. The primary focus throughout should remain on supporting the employee to improve their attendance and overall wellbeing wherever any opportunity exists.

APPEALS

The employee has the right of appeal against dismissal under either the Short or Long Term procedure due to capability or conduct **within 10 working days of receipt of written notification** of the decision. Any appeal must be lodged in writing, with the grounds clearly stated. A non-teaching employee can choose to have their appeal heard by a senior manager at Chief Officer level or above, who has had no prior involvement in the case, or through the Appeals Sub Committee. A

teaching/SNCT employee can choose to have their appeal heard by a Director, who has had no prior involvement in the case, or through the Appeals Sub Committee.

Arranging the Appeal

The chairperson is responsible for writing to the employee with the appeal arrangements. This should outline the right to be accompanied at the hearing and confirm who will be attendance. The appeal should be held within 10 working days of receipt (except in cases where appeal is to Appeals Sub-Committee). If for some good and sufficient reason it is not practicable to hold the appeal within this timescale then the employee must be informed as soon as this becomes apparent, provided with an explanation for the delay and advised of the date the appeal is expected to take place.

The chairperson must ensure the following are invited to attend the hearing:

- A People Services Advisor to provide the chair with procedural advice and guidance
- The manager who took the decision at the Level 3 Capability or Conduct Assessment Meeting
- The employee
- The employee's companion, if they wish to be accompanied

Where necessary, make appropriate arrangements to cater for any disability the employee or their companion may have. Similarly, where English is not the employee's first language translation facilities may need to be provided.

Conducting the Appeal

It is important that any written statement of appeal and any evidence that has been submitted is reviewed in full in advance of the Appeal. Where necessary, adjournments should be accommodated. The chairperson should keep a record of the key discussion points.

The chairperson must decide whether there are sufficient and reasonable grounds to either:

- uphold the appeal in full, in which case the decision to terminate employment is overturned and the employee would be reinstated to their post; in some cases further medical evidence or consideration of alternatives such as redeployment or ill health retirement may also be recommended
- reject the appeal, in which case the decision to terminate employment would stand

In arriving at a fair and reasonable decision, the chairperson should:

- listen carefully to both sides of the case and make a judgement as objectively as possible
- be prepared to overturn a previous decision if it becomes apparent that it was

- not soundly based and/or did not take account of all available evidence
- satisfy themselves that no unfair bias or prejudice affected the original decision
- consider whether sufficient medical evidence was available or new information/evidence has come to light
- consider whether any procedural deficiencies may have unfairly affected the outcome and disadvantaged the employee (if this is the case made by the appellant)
- consider whether all alternative options, such as redeployment, reasonable adjustments and/or ill health retirement have been given full and sufficient consideration

The employee should be notified of the decision and the reasons for it at the appeal. This should be confirmed in writing to the employee within 5 working days of the appeal, and it made clear that this decision is final. If exceptional circumstances exist whereby it is not possible to respond by this deadline then the employee must be given an explanation for the delay and told when a response can be expected.

SECTION 4: SUPPORT MEASURES

Aberdeen City Council is committed to providing support and assistance to our employees to help maintain attendance and promote positive wellbeing.

Support measures may include:

- Occupational health referrals to assess and address health issues.
- Flexible working arrangements to accommodate health needs.
- Access to counselling or mental health services.
- Adjustments to duties or working conditions where reasonable.
- Use of wellness action plans and stress risk assessments to identify and reduce triggers
- Access to workplace wellbeing initiatives

Creating an Open, Supportive Culture

Managers are central to promoting a culture that values wellbeing and encourages attendance. Ways in which managers can demonstrate this are to:

- Have regular conversations, such as during one-to-one meetings, and discuss wellbeing, workload, and attendance in a supportive and confidential manner.
- Encourage staff to raise concerns early and ensure they know how to access support where required.
- Model healthy and safe work behaviours, such as taking regular breaks, using any equipment provided in line with procedures, and managing workload effectively.
- Challenge any stigma around health conditions and encourage openness.

Employee Assistance Programme

The Council provides a free, confidential 24-hour EAP (counselling) service. The service offers a helpline for general advice and guidance, psychological guidance and emotional support and/or individual counselling either face to face or over the phone and has no role in the consideration of any complaints by Council officers/management. Further details can be accessed on [People Anytime](#) or you can access the service by telephone on 0800 023 9324.

In addition to the telephone service there is a wide offering of resources available which includes downloadable self-help workbooks, debt advice, a mental health app and more. You can sign in to the full site here https://accmybenefits.vivup.co.uk/users/sign_in..

Stress Risk Assessment

Before the employee returns, it may be necessary to conduct a stress risk assessment, taking account of any recommendations from occupational health professionals. This aims to identify and mitigate any workplace risks related to stress at work that could harm employee health and wellbeing. By assessing these risks, we can implement preventative measures, ensure legal compliance, improve employee morale and productivity, and reduce costs associated with stress-related issues like absenteeism and staff turnover.

Templates for conducting a Stress Risk Assessment can be found on our [Stress Risk Assessment SharePoint](#) page along with detailed guidance on how to conduct these.

Reasonable Adjustments

Under the Equality Act 2010 and Council policy, managers have a duty to consider reasonable adjustments for employees whose attendance is affected by disability, long-term health conditions, or caring responsibilities.

See Absence Related To Disability and Reasonable Adjustment Passports sections below.

Reasonable Adjustment Passports

Reasonable Adjustment Passports can be used by employees who require reasonable adjustments to be in place to be able to undertake their role

Once completed, the passport will be stored securely on the Council's HR/Payroll system and will be accessible to the employee and their line manager. The passport will "travel" with the employee and be able to be used when they change role, or manager, or where their role changes through redesign etc. Having a passport in place will ensure that the employee does not require to go through their requirements, and details of their disability multiple times. The passport can also help when reviewing existing adjustments and when there is a change in requirement.

As the passport is stored within the Council's HR/Payroll system, where an employee changes role or manager, their new manager will be able to see the passport and adjustments which are already in place, without the employee having to go through their disability history. The reasonable adjustment passport will help employees by putting in place a workplace process that is supportive and helps to eliminate barriers to full workplace participation.

Wellness Action Plans

Developing a Wellness Action Plan can help employees support their own mental health by reflecting on the causes of stress and poor mental health, and by taking ownership it can assist employees and managers to take practical steps to help address any triggers.

More information on [Wellness Action Plans](#) is available on the Intranet.

SUPPORTING EMPLOYEES IN SPECIFIC CIRCUMSTANCES

Absence Related To Disability

The Equality Act 2010 defines disability as “A physical or mental impairment which has a substantial and long term adverse effect on an individual’s ability to carry out normal day to day activities”.

Where disability has been confirmed as the cause of absence(s), reasonable adjustments will be discussed at the earliest opportunity in relation to the duties of the job, aspects of the working arrangements and/or the premises. In such circumstances, there is a duty to make reasonable adjustments in an effort to accommodate a person with a disability, so that they are not placed at a substantial disadvantage when compared to non-disabled employees. Some examples of these may be:

- making adjustments to premises, buying or modifying equipment
- reallocating some of the employee’s duties
- redeployment
- flexibility in working hours
- allowing time off during working hours for rehabilitation, assessment or treatment
- providing training
- phased return to work

Managers should also be aware of the Access to Work Scheme. This is a scheme operated by Job Centre Plus that can provide eligible employers with partial funding to purchase equipment to assist an employee with a disability to undertake their job. Further details on the Access to Work Scheme are available on the intranet or from line managers.

Disability-related sickness absence should be managed under the Supporting Attendance and Wellbeing Policy. If an employee meets one of the review levels in the procedure due to disability-related absence, then the absence should be managed in a supportive manner with focus on identifying measures that can be taken to assist the employee to improve their attendance or return to work.

Managers are expected to think creatively about any adjustments at each level of the procedure and use discretion around what is a reasonable level of absence. If, after

all attempts to make reasonable adjustments have been made, the employee is still unable to return to work, or maintain an acceptable level of attendance, then this should be managed using the procedure.

Absence Related To Pregnancy

Absence related to pregnancy is defined as 'any absence linked to an employee's pregnancy either before or after the birth of the baby'. It is important to establish and record whether an absence is pregnancy related at each return to work discussion as this will determine how a case is managed where an absence review level is reached.

Where an employee meets one of the review levels in the policy due to absence related to pregnancy they will be required to attend a Level 1 Attendance Review Meeting. The nature of this meeting will be wholly supportive and will focus on identifying measures that can be taken to assist the employee to improve their attendance, with concern shown for their health and wellbeing at all times.

In contrast to non-pregnancy related sickness absence, the case will not progress to Level 2 of the procedure if there has been no improvement in attendance levels. Instead, the employee will continue to be considered at Level 1 of the procedure with the focus of the follow up meeting(s) continuing to be supportive and with the manager exploring any further measures to improve the employee's attendance. This approach would continue until the employee's attendance had improved sufficiently or their maternity leave supersedes the review period, at which point they would move out of the procedure and monitoring would end.

It should be noted that if an employee goes off sick for any reason connected to their pregnancy within the four weeks before the baby is due (as stated on MatB1), the maternity leave will start immediately on the first day after their absence starts (even if they are subsequently fit to come back to work). Refer to the Maternity Guidance for full details, available on the intranet or from line managers.

Industrial Injury/Disease

Where an industrial injury has been recorded in the corporate system and where an employee meets one of the review levels in the procedure due to absence related to an injury at work or due to an industrial disease, then as with any other employee, they will be required to attend a Level 1 Attendance Review Meeting (for teachers/SNCT employees reference should be made to the SNCT handbook) under either the Short or Long Term procedure, whichever is most appropriate. The nature of this meeting will be wholly supportive, to identify measures that can be taken to assist the employee to improve their attendance, with concern shown for their health and wellbeing at all times.

Substance Misuse

Where an employee's absence can be reasonably attributed to a substance misuse problem, absence(s) will be managed in line with the Supporting Attendance & Wellbeing Policy. The Managing Substance Misuse Policy is available to support the employee in these circumstances, provided the employee is willing to accept such help and support and follow an identified treatment or support programme. The policy is available on the intranet or from line managers.

Terminal Illness

In the case of a terminally ill employee, managers must consider the circumstances of the employee and their continued employment in as sensitive and compassionate a way as possible. The latest GP and Occupational Health medical reports should be carefully considered. Advice can be sought from People Services on how best to support their continued employment, and from the Pensions Section for details of pension benefits. It is important to consult the employee about their wishes and to be in a position to provide them with all the information they might require on available options before any final decision is made around their employment.

Consideration may also be given to Extension of Occupational Sick Pay (see below)

Absences Related To Mental Health

Mental health conditions should not be a barrier to effective working. Providing employment and maintaining people in work is a positive way of supporting individuals who have, or are recovering from, mental health conditions. A positive working environment and appropriate support at work has a significant impact on reducing stress related sickness absence and improving long term outcomes for employees.

An employee suffering from a mental health condition may return to work and continue to undergo treatment for their condition. Managers should provide appropriate support to employees in this scenario in conjunction with advice from the Occupational Health Service ensuring that monitoring is undertaken and supervision available. The Council's policy on Mental Health and Wellbeing in the Workplace is available on the Intranet or from line managers. Training is available for managers on ACC Learn and further support is signposted throughout this guidance.

Menopause

As an organisation with over two thirds of the workforce made up of female employees, the Council has a responsibility to consider any potential wellbeing concerns specific to employees affected by menopause. Aberdeen City Council is proud to have signed up to the 'Menopause Pledge' which ensures we will recognise

that the menopause can be an issue in the workplace. By signing the pledge, we have committed to:

- Talk openly, positively and respectfully about the menopause
- Actively support and inform all employees affected by the menopause

Information and resources in relation to the menopause and managing it's symptoms in the workplace can be found on the link below:

<https://aberdeencitycouncil0365.sharepoint.com/sites/PeopleAnytime/SitePages/Menopause.aspx>

SECTION 5: LINKS TO OTHER POLICIES/GUIDANCE

There are a number of other Council policies, procedures and guidance which directly link to the sickness absence.

Redeployment

Where an employee is unable to continue in their current role for medical/disability reasons, but would otherwise be able to undertake alternative work, redeployment may be considered. Redeployment must be recommended by an Occupational Health report.

See [Redeployment](#) for further information

Ill Health Retirement

If an employee meets the qualifying requirements as a member of the Local Government Pension Scheme and where it is appropriate for an ill-health retirement assessment to be requested this should be considered. An ill health retirement assessment is carried out by an Independent Registered Medical Practitioner through an approved occupational health service. The occupational health service will assess the employee against the ill health retirement criteria contained within the Local Government Pension Scheme Regulations and can make one of two assessments, if ill health retirement applies;

1. The employee meets the criteria for a Tier 1 ill health retirement
2. The employee meets the criteria for a Tier 2 ill health retirement

In both cases, the employee should immediately be managed in line with the guidance on ill health retirement (available on the intranet or from line managers.). Where the employee does not meet the criteria for either a Tier 1 or Tier 2 ill health retirement, a Capability Assessment Meeting will be arranged.

If the outcome of a Capability Assessment Meeting is to dismiss an employee who is currently absent, and the medical evidence suggests that they may be unlikely to return to work within a reasonable timescale, a Tier 3 gratuity will be paid if;

- the employee is a current member of the Local Government Pension Scheme (LGPS), with 2 or more years' service in the Scheme
- an ill-health retirement assessment has been undertaken and it is confirmed by an Independent Registered Medical Practitioner that ill health retirement does not apply

This gratuity is equivalent to one week's pay for each completed year of continuous service up to a maximum of 30 weeks. This payment will be made in addition to any

pay in lieu of notice and only applies to dismissal on grounds of lack of capability due to ill health.

The ill health retirement provisions and process for teachers/SNCT employees are separate and are available from SPPA or from line managers.

<https://pensions.gov.scot/teachers/life-events/i-am-ill>

SPECIAL LEAVE AND EMPLOYEE AIDE

It may be necessary for an employee to be absent from work due to reasons other than illness and it is important that all absence is correctly identified and recorded. Special leave provisions are available to support employees when they require time off for personal reasons. Information about the special leave arrangements are on the intranet (see link below) or available from line managers (teachers/SNCT employees have separate special leave provisions). In addition to these arrangements, Employee Aide is a provision to assist employees to deal with unexpected family, personal or domestic problems and provide managers with more flexibility in dealing with requests for time off when these situations arise.

See [Special Leave Policy](#) for more information

EXTENSION OF OCCUPATIONAL SICK PAY

The Council recognises the difficulties that employees in the terminal phase of an illness may encounter financially if their entitlement to occupational sick pay expires due to their length of absence. A continuation of occupational sick pay can be requested in order to ease the stress of financial commitments placed on employees and their families. [The Extension of Occupational Sick Pay Guidance](#) is available on the intranet or from line managers.

Annual Leave

Those employees who have choice over their holiday periods should be encouraged to use their annual leave proportionately throughout the year to maintain a healthy work life balance which supports their mental and physical wellbeing.

Abatement of Annual Leave (non teaching/SNCT employees only)

If an employee has been absent due to sickness (other than pregnancy related) for 90 days or more (either one period of sickness or an aggregate of more than one period) over a rolling period of the previous 12 months, annual leave will be abated to a period proportionate to the actual service given during the leave year. However, annual leave will **only** be abated to the statutory minimum of 28 days (pro-rated for part-time employees) and inclusive of available public holidays.

Compensatory Leave (teaching/SNCT employees only)

Under the Scottish Negotiating Committee for Teachers (SNCT) conditions of service, compensatory leave is granted to teaching staff who experience sickness absence during periods of annual leave. If a teacher is absent due to illness for eight or more consecutive days during designated annual leave periods, they are entitled to compensatory leave at a rate of two days for every five consecutive days of absence, up to a maximum of eight compensatory days per leave year. For further specifics, please refer to the [SNCT handbook](#).

Flexible Working Arrangements

Aberdeen City Council recognises that enabling employees to balance their personal and professional responsibilities leads to improved attendance, engagement, and productivity. Flexible working may include:

- Flexible start and finish times
- Compressed hours
- Part-time working
- Hybrid working
- Phased return to work after illness or significant life events

Managers should regularly review requests for flexible arrangements, taking into account service delivery needs, team dynamics, and the individual circumstances of employees. Where requests cannot be accommodated, managers must provide clear, compassionate explanations and seek alternative solutions where possible. See [Flexible Working](#) for further information

Equality, Diversity and Inclusion

The Council promotes equality of opportunity and is committed to having a diverse workforce where everyone is valued and respected. The [Equality, Diversity and Inclusion Policy](#) is available on the intranet or from line managers.

Appendix 1 - Contact Record

Personal Details			
Employee Details		Manager Details	
Name:		Name:	
Job Title:		Job Title:	
Employee No:		Contact Phone Number:	
Employee preferred contact details (phone &/or email)		Contact Email	

The frequency of contact may vary depending on the nature and complexity of the absence.

It is important to agree the method of communication for welfare contact. Some possible methods are: Phone call, Text message, Email, Video call and Face-to-face meeting (if feasible and appropriate)

Frequency and timing (e.g. weekly call on Wednesday afternoons) is completely dependent on the individual's needs and may change throughout the process. You should also agree this with the employee and review regularly with them

Designated Contact(s)	Frequency of Communication	Preferred Methods	Notes/Agreements
	e.g. Weekly, every Wednesday afternoon (to be reviewed as needed)	Phone call, Email, Video call, Face-to-face (where appropriate)	Both parties agree to review the plan regularly and adjust as required by the employee's needs.

[illegible]

Appendix 2 - Support Plan

Employee Details	
Name:	
Job Title:	
Function/Cluster:	
Line Manager:	

Reason for Support	
Long Term Absence ☐	Short Term Absence (requiring additional support) ☐
Details if applicable	

List any measures the Council can offer to support safe and sustained improved attendance/return to work: *refer to 'guidance' appendix 3.*

Date	Support Measures / Adjustments considered	Any actions required	Timescales /Review dates

***This document can be amended and updated at any time according to discussions taking place.

Signed by Line Manger and employee that they agree the Support Plan

Signed	Date:
(line manager)	
(employee)	

Appendix 3 – Guidance for Support Plan

How to complete a Support Plan

Completing the Support Plan helps employees improve attendance or return to work by allowing managers to identify needs, implement tailored interventions, and track progress. This collaborative process addresses barriers and promotes a supportive environment for ongoing wellbeing. A clear Support Plan sets expectations, reduces misunderstandings, and shows commitment to employee health and success.

When developing the Support Plan, discuss with the employee what their needs are, and any factors impacting their return or attendance. Determine practical steps and set clear, achievable goals with the employee involved in the process.

Record mutually agreed adjustments and measures, any actions that are required, including timelines and scheduled review dates, and ensuring everyone is aware of their responsibilities. Regularly follow up to assess progress and revise the plan as needed to reflect changing circumstances, ensuring strong support and prioritising the employee's wellbeing throughout the process.

Key Resources

Here are some of the key resources to help you when completing the support plan. Managers are encouraged to use or signpost to these resources proactively to ensure that returning employees feel supported and valued, and to address any potential barriers to a successful return to work.

Service/Support	Description	Type of Support
Managers Health and Wellbeing Toolkit	This toolkit covers mental health, physical wellbeing, and best practices for reintegrating staff after absence. It provides guidance on supportive conversations to help managers address sensitive topics empathetically and promote an inclusive workplace. The toolkit includes templates and checklists for return-to-work meetings, as well as links to internal and external resources such as occupational health referrals, employee assistance programs, and specialist helplines.	All
Able Futures	Have more positive days by providing support, advice, and guidance from qualified mental health professionals.	Mental Health & Wellbeing

<u>Bereavement, Grief and Loss Support</u>	Help with coping with the intense emotions and practical challenges following a loss, offering services like counselling, peer support, and helplines to navigate the process of adapting to life after a loss.	Mental Health & Wellbeing
<u>Drug and Alcohol Support</u>	Find advice, information, links to services providing harm reduction interventions and recovery planning.	Substance Misuse
<u>Stress Risk Assessments</u>	A stress risk assessment is a structured process that helps identify potential sources of stress in the workplace, evaluates the risks they pose to employees' health and wellbeing, and determines appropriate measures to manage or reduce these risks. It involves consulting with staff, reviewing work practices, and implementing strategies to create a supportive and healthy working environment.	Mental Health & Wellbeing
<u>Employee Assistance Programme (Counselling)</u>	Impartial, confidential advice from qualified counsellors for many different issues.	Mental Health & Wellbeing
<u>Mediation in the Workplace</u>	Internal mediation service to help resolve workplace conflict and improve relationships.	Workplace Conflict
<u>Men's Health</u>	Topics relating to men's health and wellbeing from Andropause, Mental Health right through to the physical and social aspects of wellbeing including signposting to support organisations specifically for men.	Men's Health and Wellbeing
<u>Menopause</u>	Help for everyone going through or supporting others with the menopause including links to employee peer support groups, training and external professionals to guide and assist the journey.	Women's Health and Wellbeing
<u>Occupational Health</u>	Preventing work-related ill-health and injuries, supporting employees with health conditions to remain in work,	General

	and ensuring workplaces are safe and conducive to good health.	
<u>Reasonable Adjustment Passports</u>	To facilitate constructive conversations between employees and their managers and to ensure that necessary support is provided, creating a consistent record that can be passed on if the employee changes roles or managers, reducing the need to repeatedly negotiate adjustments.	Health and Wellbeing
<u>Returning to Work Anxiety</u>	Tools and services to support employees returning to work after periods of absence.	Mental Health & Wellbeing
<u>Supporting Colleagues after Traumatic Events</u>	Promoting their immediate and long-term psychological well-being and recovery by providing comfort, reassurance, practical help, and a sense of safety and belonging within the workplace.	Mental Health & Wellbeing
<u>Wellness Action Plans</u>	A personalised, practical tool to proactively support individual mental health and wellbeing at work, helping individuals identify triggers and warning signs of stress or poor mental health and communicate their needs for support to managers.	Mental Health & Wellbeing

In addition to the above supports, there are several other ways to help employees return to or remain in work following periods of absence. Reasonable adjustments and alternative temporary duties play a key role in supporting individuals during this transition. For example, a phased return to work enables employees to gradually increase their working hours or responsibilities over a set period, allowing them to readjust at a manageable pace.

All support measures should be discussed and agreed with the employee, ensuring they are tailored to their individual circumstances and needs.

Support Measure	Description
Reasonable adjustments	Key role in supporting individuals during transition back to work
Alternative temporary duties	Support individuals during transition
Phased return to work	Gradually increase working hours or responsibilities over a set period
Important Dates and Required Support	Documenting key dates for an employee's support needs, such as counselling sessions or medical appointments, helps to coordinate

	and agree on arrangements in advance, supporting their attendance and wellbeing.
Change of location	Option to work from a different site or office, providing a quieter or more accessible environment
Flexible working	Adjusting working hours or patterns, such as part-time work, staggered start and finish times, or compressed hours
DSE assessment	Ergonomic assessment of workstation, providing necessary equipment or adjustments
Counselling	Access to professional counselling services, Employee Assistance Programme or external support
Buddy system	Assigning a colleague as a 'buddy' or mentor to support reintegration and guidance
Temporary adjustments to duties	Modifying tasks or responsibilities, reducing workload or reallocating duties
Authorising time off for medical appointments	Allowing flexibility to attend medical or therapeutic appointments
Support with travel arrangements	Assistance or adjustments to manage commute, such as flexible start times or access to parking
Discussion and agreement	All support measures should be discussed and agreed with the employee, tailored to individual circumstances and needs

Training on ACC Learn to Support Wellbeing in the Workplace:

[Alcohol and Drugs in the Workplace](#)

[Ask, Tell - Save A Life: Every Life Matters](#)

[Domestic Abuse Awareness](#)

[Domestic Abuse Awareness Raising Tool](#)

[Dying Matters & Grief Kind](#)

[Emotional Accountability](#)

[Living with Endometriosis](#)

[Managing ADHD at Work](#)

[Men's Health](#)

[Menopause Awareness](#)

[Mental Health Anti-Stigma and Discrimination](#)

[Mental Health Awareness Tools for Managers](#) - virtual

[Mental Health First Aid \(2 day course\)](#) – face to face

[Mental Health First Aid Refresher](#)

[Toxic Positivity](#)

[Understanding Sleep](#)

Appendix 4 – Sickness Absence Guide for Employees

How Do I Report my Sickness Absence?

If you become unwell and are unable to come to work, you must notify your line manager as soon as possible, generally within one hour of your normal start time. If you work to rotas and/or with early or late shifts, contact should be made before the beginning of your shift. You should not wait until your next scheduled work day to inform your manager of sickness absence. Normally, you should phone where possible, but other methods may be used if agreed by your manager. If your own line manager is unavailable, you should contact another manager in your area or your own manager's line manager.

Please note that your service may have their own agreed local procedures for reporting absences (for example a central number to call), and you should ensure you follow the arrangements relevant to your service area. Your manager will inform you of any service-specific arrangements.

It is not normally acceptable for someone else to call and report your absence, unless there are exceptional circumstances, for example an emergency admittance to hospital, or where this has been agreed in advance with your manager as a reasonable adjustment where you have a disability.

You should tell the manager the reason that you are sick and how long you expect to be absent for (if known). You should also let them know about any work that may need to be covered while you are absent, but only if you are well enough to do this.

Depending on how long you are likely to be absent for, you should also agree with your manager when and how you will update them on your absence.

When do I need a Fit Note?

If you will be absent for more than 7 calendar days, you must provide a Fit Note from your GP or a registered medical professional. You must send the Fit Note to your line manager on the 8th day of absence or as soon as possible after this.

You must also send copies of any subsequent Fit Notes to your line manager and these must cover the entire sickness period (i.e. with no gaps between dates).

If I am absent long term, how often should I / my manager make contact?

You should agree with your manager how often contact will be, who will instigate contact and what method you will use (i.e. by phone, MS Teams, etc). It is important to keep to these arrangements as much as possible as your manager will understandably be concerned if they are unable to contact you and may need to take further steps to be reassured about your wellbeing.

What do I do if I am ready to return to work?

You should let your manager know what your planned return to work date is and if you require any support to return. If you have been off long term, this may require further discussion and a planned approach, with support arrangements in place, either temporarily or permanently.

Regardless of how long you have been off work, you will be asked to attend a return to work meeting, either on your first day back or soon after, to discuss your absence, any support required and any next steps under the policy.

Appendix 5 - Return to Work Discussion Form

A Return to Work Discussion (RTW) must:

- take place between the employee and their line manager **for every occasion** of sickness absence, regardless of the reason or duration
- take place on the first day back at work, or as soon as practical

What to discuss

- The reason for the employee's absence and ensure that the employee is well enough work.
- Offer support around the welfare of the employee.
- Check all notification and certification requirements have been met.
- Discuss any work-related factors affecting attendance.
- Confirm the absence review levels and ensure the employee understands the Supporting Attendance and Wellbeing policy.

Short Term Review Levels	3 or more instances of absence within a rolling 12-month period.
	A total of 10 or more days of absence within a rolling 12-month period.
Long Term Review Level	An absence lasting 28 calendar days or longer.

1. Employee details

First Name:	Surname:
Job Title:	Employee No:
Team:	Cluster/Function:

2. Sickness absence details

Start date of absence:

End date of absence:

Reason for absence:

Absence reported in line with procedure?

Yes ☐

No ☐

Fit Note provided?

Yes ☐

No ☐

Not required ☐ (absence less than 8 days)

If NO what action was taken?

Has employee met an review level? (see above)

Yes ☐

No ☐

Has employee's absence been closed on the HR/Payroll system?

Yes ☐

No ☐

3. Discussion with employee			
Was absence related to an industrial injury/industrial disease?		Yes ☐	No ☐
Was absence related to pregnancy?		Yes ☐	No ☐
Any issues/requirements raised by the employee during the RTW discussion?			
Is a Support Plan required?		Yes ☐	No ☐
Is a referral to occupational health required?		Yes ☐	No ☐
Does the employee understand that future sickness absence may start the formal procedure?		Yes ☐	No ☐
Line Manager		Employee	
Signature		Signature (where practical)	
Date		Date	
4. Next steps			
1. Provide employee with a signed copy of the form 2. On the HR/Payroll System – go to the relevant period of absence and: ○ Close the absence (if not done already) ○ Attach a copy of the form ○ Click “Interview Completed” and complete RTWI date			

Appendix 6 - Level 1 – Invite To Attendance Review Meeting

NOTE: Copy and paste to letterhead and include the appropriate details within the brackets. Optional paragraphs are highlighted

Dear [name],

Level 1: Attendance Review Meeting – Supporting Attendance and Wellbeing policy

I am writing to you as your absence levels have met one of the Absence Review Levels identified in the Supporting Attendance and Wellbeing Policy.

You are therefore required to attend a meeting with me on **[DATE]** at **[TIME]** in **[LOCATION]**. If you would prefer a virtual meeting or telephone conversation instead, please let me know and this can be arranged.

The main purpose of the meeting is to discuss the reason(s) for your absence and to consider measures to support you to improve your attendance going forward. We will review the absence(s) which have resulted in this meeting and consider whether it is appropriate for a referral to Occupational Health to be made.

We will also complete a Support Plan to identify any supportive measures that can assist you. [Required for long term absence]

You may be accompanied at the meeting by a trade union representative or work colleague. Please confirm you can attend this meeting and let me know if you wish to be accompanied and if so, by whom. If for any reason you are unable to attend the meeting, I should be grateful if you would contact me as soon as possible in order to arrange an alternative date/time.

If you are medically unfit and therefore unable to attend the Attendance Review Meeting, you may wish to submit written information regarding your reasons for absence and any supportive measures you wish to have considered to assist you.

I enclose a copy of the Supporting Attendance and Wellbeing Policy for your information. I trust this letter explains the purpose of the meeting and how it will be conducted, but if you have any questions please do not hesitate to contact me.

Yours sincerely

[NAME]

[JOB TITLE]

Cc HR Service Centre – for employee's personal file

Appendix 7 - Supporting Attendance and Wellbeing Record

Personal Details			
Employee Details		Manager Details	
Name:		Name:	
Job Title:		Job Title:	
Employee No:		Contact Phone Number:	
Employee preferred contact details (phone number &/or email)		Contact Email	

Sickness Absence Details (add lines as required)		
Start Date:	End Date:	Reason:
Absences During Level 1 Review Period		
Start Date:	End Date:	Reason:
Absences During Level 2 Review Period		
Start Date:	End Date:	Reason:

Discussion Points	Details
Open conversation	Talk through their absence in an understanding way
Fair and consistent	Absence handled fairly and consistently across the organisation
Support and guidance	Offer support, guidance, and reassurance
Medical support	Discuss any medical reports or existing professional help
Policy levels	Explain Supporting Attendance and Wellbeing Policy levels and next steps
Employee Assistance (Counselling) Service	Remind about confidential counselling service, provide details or People Anytime leaflet,
Annual leave and sick pay	Discuss effects on annual leave or sick pay, options for using annual leave where on reduced sick pay
Support Plan	Where applicable fill out plan together, discuss steps for improvement, support required, reasonable adjustments

ATTENDANCE IMPROVED AND MONITORING PERIOD HAS ENDED Important information for the employee; It is important that you make every effort to sustain this improved level of attendance. If, at any point during the next 12 months (from the end of the review period), your attendance returns to an unsatisfactory level, I have the option, as your manager, to move you back into the formal procedure, to the same Level where you left. In that event, you may be progressed to Level 2 of the procedure.		☐
EXTENSION TO REVIEW PERIOD Reason for Extension: Duration of Extension: _____ weeks Next Outcome Meeting: Date: _____ Time: _____ Location: _____ If there is insufficient improvement in your attendance/no foreseeable return to work during the extension to the review period, you will be moved to Level 2 of the procedure. Please note that this meeting may be brought forward if required.		☐
ATTENDANCE HAS NOT IMPROVED The employee has moved to Level 2. The Level 2 Attendance Review Meeting would normally be commenced immediately.		☐
Employee Signature:		
Manager Signature:		

Level 2 Review Discussion	
Date of Meeting	_____
Summary of discussion:	
Target date for return to work (if still absent): _____ Is an Occupational Health Referral Required? * Yes ☐ No ☐ *If required, complete the referral with the employee so that they are aware of the content prior to being contacted by Occupational Health with an appointment date and time.	
Length of Review Period: * Normally 12 weeks	Duration of Level 2 Review: _____ weeks
Employee Signature:	
Manager Signature:	

Outcome of Level 2	
Date of Outcome Meeting	_____
Brief summary of the discussion and then tick the appropriate outcome below:	
OUTCOME: <i>Important information for the employee to be aware of is highlighted below each outcome. (Tick as appropriate)</i>	
ATTENDANCE IMPROVED AND MONITORING PERIOD HAS ENDED Important information for the employee; It is important that you make every effort to sustain this improved level of attendance. If, at any point during the next 12 months (from the end of the review period), your attendance returns to an unsatisfactory level, I have the option, as your manager, to	☐

move you back into the formal procedure, to the same Level where you left. In that event, you may be progressed to Level 3 of the procedure.		
EXTENSION TO REVIEW PERIOD Reason for Extension: Duration of Extension: _____ weeks Next Outcome Meeting: Date: _____ Time: _____ Location: _____ If there is insufficient improvement in your attendance/no foreseeable return to work during the extension to the review period, you will be moved to Level 2 of the procedure. Please note that this meeting may be brought forward if required.		☐
ATTENDANCE HAS NOT IMPROVED The employee has moved to Level 3. The Level 3 Attendance Review Meeting would normally be commenced immediately.		☐
Employee Signature:		
Manager Signature:		

Level 3 Review Discussion	
Date of Meeting	_____
Summary of discussion:	
Target date for return to work (if still absent): _____ Is an Occupational Health Referral Required? * Yes ☐ No ☐ *If required, complete the referral with the employee so that they are aware of the content prior to being contacted by Occupational Health with an appointment date and time. Does the employee have an underlying medical condition(s)? Yes ☐ No ☐ If yes, a Capability Assessment Meeting will take place at the end of the Level 3 review period. The Manager will prepare a Capability Summary Report and pass it to the Chair in advance of the meeting. If No, a Conduct Assessment Meeting will take place at the end of the Level 3 review period. The Manager will prepare a Conduct Summary Report and pass it to the Chair in advance of the meeting. Should Redeployment be considered (If no provide reason) Yes ☐ No ☐ Should Ill Health retirement be considered (If no provide reason) Yes ☐ No ☐	
Length of Review Period: * Normally 12 weeks	Duration of Level 3 Review: _____ weeks
A Capability Assessment Meeting will take place at the end of the Level 3 review period.	☐
A Conduct Assessment Meeting will take place at the end of the Level 3 review.	☐

Employee Signature:	
Manager Signature:	

Appendix 8 - Invite to Supporting Attendance and Wellbeing Outcome Meeting (following review period at level 1 & 2)

NOTE: Copy and paste to letterhead and include the appropriate details within the brackets. Optional sections are highlighted

Dear [Employee Name],

I am writing to invite you to a Supporting Attendance and Wellbeing Outcome Meeting, which will take place following the completion of your [number of weeks] week review period. The purpose of this meeting is to review your attendance record and wellbeing, and to discuss the progress made during this time. We are committed to supporting you in achieving and maintaining the expected standards of attendance and overall wellbeing at work.

During the meeting, we will review your attendance over the review period, discuss any support you may require, and consider any medical or personal circumstances that may have impacted your attendance. We will also outline the possible next steps, which include:

- End the monitoring period, if the required improvements in attendance have been made during the review period.
- Extending the review period, should some improvement have been made but the required standard has not yet been fully met; this may also be considered if annual or special leave has affected the review period, or if further medical information is required to make a decision.
- Progressing to Level [2/3] of the Supporting attendance and Wellbeing Policy if the necessary improvements have not been achieved.

You are therefore asked to attend a meeting with me on [DATE] at [TIME] in [LOCATION]. If you would prefer a virtual meeting or telephone conversation instead, please let me know and this can be arranged.

You may be accompanied at the meeting by a trade union representative or work colleague. Please confirm you can attend this meeting and let me know if you wish to be accompanied and if so, by whom. If for any reason you are unable to attend the meeting, I should be grateful if you would contact me as soon as possible in order to arrange an alternative date/time.

If you are medically unfit and therefore unable to attend the above review meeting, you may wish to submit written information to your manager regarding your reasons for absence and any supportive measures you wish to have considered to assist you in improving your attendance.

Yours sincerely,
[Manager Name]
[Manager Job Title]

Appendix 9 – Level 3 Review Period

NOTE: Copy and paste to letterhead and include the appropriate details within the brackets

To be issued following Level 3 Attendance Review Meeting

***where there is no underlying medical condition to explain the level of absence the employee is invited to a Conduct Assessment Meeting. Where absences are related to an underlying medical condition the employee is invited to attend a Capability Assessment Meeting.**

Dear [Name]

Level 3 Review Period - Supporting Attendance and Wellbeing policy

Thank you for meeting with me on **[insert date]**.

At the meeting I discussed the improvement required in your attendance and we explored whether any further steps could be taken to support you to improve your future attendance.

I informed you that your attendance will now be monitored during a Level 3 review period of **[number of weeks]** weeks.

At the end of the Level 3 review period you will be requested to attend a **[Capability or Conduct (delete one)]** Assessment Meeting. You should be aware that termination of employment is a possible outcome of that meeting, although other reasonable alternatives will also be considered.

The meeting will be chaired by a Senior Manager who will write to you separately to inform you of the date, time and location of the meeting. You should also be aware that the Assessment Meeting may be brought forward prior to the end of the review date, should this become necessary due to the level of absence becoming unsustainable.

I trust this explains how matters will be taken forward but please contact me if you have any questions on the content of this letter.

Yours sincerely,

[NAME]

[JOB TITLE]

Cc HR Service Centre – for employee's personal file

Appendix 10 – Summary Capability/Conduct Report

CAPABILITY / CONDUCT <i>(delete one)</i> SUMMARY REPORT			
1. Employee Details			
Name:		Employee No:	
Job Title:		Cluster/Function:	
Team		Location:	
Level Meeting	Date Held	Review Period (Weeks)	Extension Information if applicable
Level 1 Attendance Review Meeting	_____		
Level 1 Outcome Meeting	_____		
Level 2 Attendance Review Meeting	_____		
Level 2 Outcome Meeting	_____		
Level 3 Assessment Meeting	_____		
Note any additional information regarding Level Meetings: <i>For example, changes to job/line manager</i>			
2. Sickness absence details			
List sickness absences that resulted in the employee meeting one of the review points as well as any absences which occurred during the Level 1, 2 and 3 review periods. <i>Alternatively include a list as an appendix</i>			
3. Occupational Health and medical reports (copies attached)			
Please state the dates when Occupational Health reports were provided and extract the main points from relevant medical reports, in particular from the latest report.			

4. Record of meetings at Level 1, 2 and 3 and Support Plan (copies attached)

Include details of the meetings at Level 1, 2 and 3 of the procedure and any other communications you have had with the employee outwith formal meetings and outline the main points of your discussions. Also include the Support Plan if applicable.

This should include information on any measures the Council has taken or offered to help the employee to improve their sickness absence record, including any reasonable adjustments in relation to a disability where the Equality Act applies.

5. Employee Response

Please outline:

- what the employee's response has been to their ongoing absence(s)
- the reasons for their continued absence(s)
- why there has been no improvement
- barriers to them improving attendance
- relevant medical information etc.

Include also:

- the employee's response to measures suggested by the Council to help improve their attendance
- any other suggestions the employee has put forward

6. Other

Please include any other relevant information

7. Summary

Please provide a brief summary of how the case has reached Level 3 of the procedure, where a Capability / Conduct (**delete one**) Assessment Meeting is now necessary to consider whether dismissal on grounds of capability / conduct (**delete as appropriate**) is appropriate, i.e. the key factors that have resulted in this.

8. List of appendices

Please list all relevant documents (Level 1, 2 and 3 records, Support Plan, OH reports and any other relevant documents) which are included.

9. Line Manager Details

Name:

Job Title:

Cluster/ Function:

Signature:

Date:

Appendix 11 - Level 3 - Invite To Capability/Conduct Assessment Meeting

NOTE: Copy and paste to letterhead and include the appropriate details within the brackets

Dear [Employee Name],

Level 3: [Insert Capability OR Conduct] Assessment Meeting – Supporting Attendance and Wellbeing policy

I refer to the meeting held at Level 3 of the Supporting Attendance and Wellbeing Policy on **[insert date]**, concerning your sickness absence(s). At that meeting your line manager set a review period to enable you a further opportunity to achieve an improvement in your attendance.

Now that the review period has ended, it is necessary for you to attend the above meeting to consider whether the required improvement in attendance has been achieved during the Level 3 review period. The meeting has been arranged for **[TIME]** on **[DATE]** in **[LOCATION]**.

You have the right to be accompanied at the meeting by a trade union representative or work colleague. I will chair the meeting and will be accompanied by a People Services Adviser. Your line manager will also attend to present a report on:

- Your sickness absence record
- The management of your absence(s) up to and including the Level 3 review period
- Any measures that have been taken to assist you to improve your level of attendance, **including details of any consideration or implementation of reasonable adjustments to duties, work practices or premises required under the Equality Act** (*omit these words if not applicable*)

The possible outcomes to the meeting are as follows:

- where you have achieved the required improvement, monitoring of your attendance will end
- a further review period may be set where further information or monitoring is considered necessary
- where your attendance has not improved during the Level 3 review period, it will be necessary to consider whether it is appropriate to terminate your employment, due to you being unable to fulfil your contractual responsibilities as a result of sickness absence. However, I would emphasise that if this outcome is being contemplated other reasonable options will be considered at

the meeting, as an alternative to termination of employment, before any final decision is made.

Details of any conditions in relation to the above outcomes will be contained in the outcome letter following the meeting and will be in accordance with the procedure.

I intend to conduct the meeting using the following procedure:

1. Firstly, I will explain the purpose and format of the meeting and deal with any procedural issues that may arise.
2. I will then ask the manager who conducted the absence management meetings to present a report on your sickness absence record and on how your absence has been managed to date, including any measures taken to assist you to improve your attendance record. The manager will confirm whether the required improvement in attendance was achieved during the Level 3 review period.
3. I will also refer to the content of the latest occupational health medical report and/or any other relevant previous reports **[OPTIONAL delete if not required - I can confirm that the Council's occupational health provider has established that you do not meet the eligibility criteria for ill health retirement]**.
4. You and / or your companion will then have the opportunity to ask any questions of the manager.
5. I will then give you the opportunity to respond and to present your case, indicating whether you have any suggestions to put forward as an alternative to termination of employment and whether you have any evidence, **including contrary medical evidence (omit these words if not applicable)**, you wish to present and be taken into account.
6. Where applicable, I will consider any suggestions you put forward and any other information you present, **including any contrary medical evidence (omit these words if not applicable)** (an adjournment may be required at this point).
7. My colleague and I will then ask any questions of you and the manager and there will be an opportunity for a general discussion during which both you and the manager can raise relevant issues not covered earlier.
8. You will be given the opportunity to conclude your response by highlighting any aspects you consider to be particularly relevant or anything further in support of your case.
9. I will allow adjournments during the course of the meeting where I deem they are necessary.

10. At the end of the meeting an adjournment will occur. During the adjournment, I will consider all relevant issues that emerge from the meeting. I will then decide on the outcome of the assessment meeting.
11. I will notify you of my decision in person whenever possible and confirm it in writing, along with the reasons for arriving at that decision. I would hope to reach a decision within 24 hours of the meeting although the length of the adjournment will of course depend on the type and extent of the range of issues that I need to consider.

You are expected to take all reasonable steps to attend the meeting as arranged. I have to advise you that should you, in my view, fail to attend the meeting without good and sufficient reason; it is likely that it will proceed, and a decision will be taken in your absence.

If the companion you select is unable to attend on the above date you have the opportunity to suggest another date. However, this alternative date must suit everyone involved and be no more than 5 working days after the original date – otherwise you will need to select another companion to accompany you or attend the meeting unaccompanied.

I have enclosed a copy of the report prepared by your manager which includes any additional evidence to which they will be referring at the meeting. If you would like to submit any further information in support of your case, then you should forward this to me at least 24 hours in advance of the meeting.

Please telephone me as soon as possible to confirm that the above date and time for the meeting is suitable and whether you will be accompanied and, if so, by whom.

I trust this satisfactorily explains the Level you are at in the procedure and how the meeting will proceed but please contact me if you have any questions.

Yours sincerely

NAME OF MANAGER CONDUCTING MEETING
JOB TITLE

Cc HR Service Centre – for employee's personal file
People Services Advisor

Appendix 12 - Outcome Of Level 3 – Normal Monitoring Or Extended Review Period

NOTE: Copy and paste to letterhead and include the appropriate details within the brackets

Dear [Name],

Outcome of [Capability OR Conduct] Assessment Meeting – Supporting Attendance and Wellbeing policy

Thank you for attending the above meeting on [insert date]. I write to confirm that following the [number of weeks] week review of your attendance levels...

Please choose the relevant paragraphs depending on decision

Attendance improved

I am satisfied that your level of attendance has sufficiently improved. You will therefore move out the procedure and the monitoring period has ended.

As I have made you aware, it is important that you make every effort to sustain this improved level of attendance. If, at any point during the next 12 months (from the end of the last review period), your attendance returns to an unsatisfactory level, you may return to the formal Supporting Attendance and Wellbeing Policy, to the same Level where you left. In that event, you may be invited to attend a [Capability OR Conduct] Assessment Meeting at Level 3 of the Policy.

OR

Review Period Extended

I have decided to extend the Level 3 review period for a further [number of months] months to [insert reason e.g. give you a further opportunity to demonstrate the required improvement /seek additional medical information]. This is due to [insert reason].

We will therefore meet again on [date/time/location] to discuss your attendance levels. My letter of [insert date of invite to assessment meeting] sets out how his meeting will be conducted and outlines the potential outcomes of the meeting. However, if you have any questions regarding this then please do not hesitate to contact me.

You have the right to be accompanied at the meeting by a trade union representative or work colleague. I will chair the meeting and will be accompanied by a People Services Adviser. Your line manager will provide updated information on your sickness absence, the management of your absence and any further measures that have been taken to assist you to improve your attendance.

Please telephone me as soon as possible to confirm that the above date and time for the meeting is suitable and whether you will be accompanied and, if so, by whom.

If you have any queries on the content of this letter, please do not hesitate to contact me.

Yours sincerely

NAME OF MANAGER CONDUCTING MEETING
JOB TITLE

Cc HR Service Centre - for employee's personal file

Appendix 13 - Outcome Of Level 3 – Termination Of Employment

NOTE: Copy and paste to letterhead and include the appropriate details within the brackets

Dear [Name],

Outcome of [Capability OR Conduct] Assessment Meeting – Supporting Attendance and Wellbeing policy

I refer to the above meeting held on [insert date] in the presence of [insert names and job titles].

The purpose of the meeting was to consider whether the required improvement in your attendance was achieved during the Level 3 review period, with three possible outcomes of the meeting indicated to you, depending on what occurred during the review period. It was also to consider what occurred during earlier Levels of the Supporting Attendance and Wellbeing procedure.

At the meeting your line manager was asked to present a report on what occurred during the Level 3 review period as well as on your sickness absence record and the content of the Attendance Review meetings, including any measures taken to assist you to improve your level of sickness absence. **The content of the latest occupational health medical report was also discussed. (omit this sentence if not applicable)**

The main issues covered by your line manager were as follows:

1. *(insert issues covered by Manager) e.g. During the Level 3 review period your sickness absence record remained unacceptable with you having)*
- 2.
- 3.

You were then given the opportunity to provide a full response as to why you had been unable to achieve and maintain an acceptable level of attendance at work during the Level 3 review period and also during Levels 1 and 2 of the procedure. You were also given the opportunity to put forward any suggestions as an alternative to termination of employment and to present any evidence, **including contrary medical evidence to that contained in the latest medical report. (omit these words if not applicable)**

A summary of your response was as follows:

1. *(To insert a summary of the employee's response)*
- 2.
- 3.

Decision to terminate employment

I have given full consideration to the issues raised during the course of the meeting, from both you and your line manager, and decided on the basis of the information presented, that termination of your employment was the most appropriate outcome.

I am writing therefore to confirm my decision that your employment will be terminated on grounds of **[lack of capability due to ill health OR misconduct relating to your failure to fulfil your contractual responsibilities as a result of the extent of your sickness absence]** with effect from **[insert date]**.

Reasons for decision to terminate employment

My reasons for arriving at this decision and the main factors I took into account were as follows:

[To include some or all of the following plus any other relevant issues (only the applicable bullets):]

- You did not achieve the required improvement in your sickness absence record during the Level 3 review period, having also had an unacceptable record at the earlier Levels of the procedure.*
- The extent of your sickness absence has been a concern now for some considerable period of time. This has comprised ___ days in the last ___ months and is causing significant operational difficulties for the team.*
- Due to your level of sickness absence you have been unable to satisfactorily comply with your contractual responsibilities and it is no longer possible to continue with this situation.*
- There is no underlying medical condition associated with your absences.*
- The latest medical report indicates that there is not likely to be any improvement in your level of attendance in the foreseeable future, due to your underlying medical condition.*
- There are no further reasonable adjustments to duties, work practices or premises that can be considered or implemented to assist you to improve your future attendance. The reasonable adjustments and support that have already been put in place as part of your Support Plan have not resulted in the required improvement in your level of attendance.*
- Identifying suitable alternative employment and / or retraining have been considered and are not options that can be pursued due to _____.*

- *The Council's occupational health provider has confirmed that you do not meet the eligibility criteria for ill health retirement.*

I would emphasise that this decision in no way reflects on the way in which you carried out your duties when you were attending work and I hope that you understand the reason why I have reached this difficult decision at this point in time.

Date of termination of employment and notice entitlement

Delete one option- I therefore confirm your last day of service with Aberdeen City Council as **[insert date]**. You will receive [up to 12] weeks' pay in lieu of the amount of notice to which you are contractually entitled. **OR** You are contractually entitled to [up to 12] weeks' notice of termination of employment and you will be required to work during this period of notice with your last day of service with the Council being **[insert date]**.

OPTIONAL PARAGRAPH ONLY APPLIES IF IHR ASSESSMENT COMPLETED BY IRMP - As you are a current member of the Local Government Pension Scheme (LGPS), with 2 or more years' service in the scheme and following an ill-health retirement assessment it has been confirmed by an Independent Registered Medical Practitioner that you do not meet the criteria for ill health retirement, a **Tier 3 ill health gratuity** will also apply. This gratuity is equivalent to one week's pay for each completed year of continuous service and in your case this amounts to [up to maximum of 30] weeks' pay. This payment will be made in addition to any pay in lieu of notice. *(delete para if not applicable)*

Payment for any outstanding monies will be made to you as soon as possible and you are required to return the following items issued to you by the Council (list any such items, e.g. ID badge, keys, protective clothing, etc.).

Your right of appeal

You have the right to appeal against this decision if you consider that the outcome of the Assessment Meeting was in some way unfair or incorrect or where new and relevant matters have emerged that may affect the decision or where there have been significant defects in the procedure that have disadvantaged you.

Should you consider you have grounds to appeal against the decision you can choose to have your appeal heard by either a senior manager or by the Appeals Sub Committee.

If you wish to have your appeal heard by a senior manager, then you must register your appeal in writing to [Name of Executive Director], Executive Director - (*Function and address/email*) within **10 working days** of receipt of this letter. If you choose to have your appeal heard by the Appeals Sub Committee then you must register your appeal in writing to the Clerk to the Appeals Sub Committee, Aberdeen City Council, Governance, 1st Floor, Old Town House, Broad Street, Aberdeen, AB10 1AQ, or email appealscommittee@aberdeencity.gov.uk within **10 working days** of receipt of this letter.

In both cases, your notice of appeal must state the grounds on which your appeal will be based so must set out in sufficient detail:

- Why you consider the decision to terminate your employment to be unfair or incorrect
- Any new and relevant matters that have come to light that were previously not known
- Why you consider that the policy/procedure was not used correctly and how you were unfairly disadvantaged because of this

You have a right to be accompanied at any such appeal hearing.

Yours sincerely,

NAME OF MANAGER CONDUCTING MEETING
JOB TITLE

Cc HR Service Centre – For employee Personal File
People Services Advisor

Appendix 14 - Notice Of Appeal Hearing

NOTE: Copy and paste to letterhead and include the appropriate details within the brackets

Dear [Name],

Notice of Appeal – Supporting Attendance and Wellbeing policy

You have appealed against the decision to terminate your employment on grounds of [lack of capability due to ill health **OR** misconduct relating to your failure to fulfil your contractual responsibilities as a result of the extent of your sickness absence (*delete one*)]. I have been nominated to hear the appeal.

Date and time of appeal

The appeal hearing has been arranged for [TIME] on [DATE] in [LOCATION].

Format of the appeal

I intend to conduct the appeal using the following procedure:

1. Firstly, I will explain the purpose and format of the hearing and deal with any procedural issues that may arise.
2. I will then ask you to state your grounds and reasons for the appeal, highlighting whether any new matters or evidence have come to light that are relevant to the case.
3. I will then ask the officer who took the decision to terminate your employment to respond.
4. I will question both the manager who took the decision and yourself. My assisting colleague(s) may do so also as a means of clarifying matters.
5. I will give both parties the opportunity to make a closing statement, firstly the officer who took the decision, then yourself.
6. I will allow adjournments during the course of the hearing where they are necessary.
7. At the end of the hearing, I will adjourn the meeting.
8. During this adjournment, I will consider all of the relevant issues that have emerged from the hearing and make my decision.
9. I will then reconvene the meeting and confirm my decision, along with the reasons for arriving at that decision. I will thereafter confirm my decision in writing.

Potential outcome of the hearing

I will carefully consider your grounds for appeal, and the response made by the manager who took the decision to terminate your employment, and then decide whether there are sufficient and reasonable grounds to either:

- Uphold the appeal in full, in which case you would be reinstated to your post
- Reject the appeal, in which case the decision to terminate your employment would stand

Your right to be accompanied

You have the right to be accompanied by a trade union representative or work colleague if you so wish. Please note however that the procedure does not allow you to be accompanied by your partner, a spouse or a legal practitioner.

I will be accompanied by *(name of People Services Adviser)*.

The decision of this appeal hearing is final and there is no further right of appeal.

Confirming your attendance

Please telephone me as soon as possible to confirm that the above date and time for the hearing is suitable and whether you will be accompanied and, if so, by whom.

Yours sincerely

[NAME OF MANAGER CONDUCTING MEETING]
[JOB TITLE]

Cc HR Service Centre – For employee Personal File
 People Services Advisor

Appendix 15 - Outcome Of Appeal

NOTE: Copy and paste to letterhead and include the appropriate details within the brackets

Dear [Name],

Confirmation of Outcome of Appeal – Supporting Attendance and Wellbeing policy

On [insert date of letter], you appealed against the decision of the [Capability OR Conduct (delete one)] Assessment Meeting that your employment be terminated on grounds of [lack of capability due to ill health OR misconduct relating to your failure to fulfil your contractual responsibilities as a result of the extent of your sickness absence (delete one)].

I heard the appeal on [insert date] in the presence of [insert names, including companions if applicable]. This letter confirms my decision.

Outcome of Appeal

Having given full consideration to the issues that emerged during the course of the appeal hearing, I am writing to confirm my decision, namely that the decision to terminate your employment *stands* / is revoked** (specify if no action is to be taken or what the alternative action is if that is to apply) .

Reasons for my decision

My reasons for arriving at this decision are, and the factors that I considered relevant were:

- (To insert reasons and relevant factors)

Optional paragraphs (where employee is reinstated).

Attendance improved

I am satisfied that your level of attendance has sufficiently improved. You will therefore move out the procedure and monitoring will end.

As I have made you aware, it is important that you make every effort to sustain this improved level of attendance. If, at any point during the next 12 months, your attendance returns to an unsatisfactory level, you may return to the formal Supporting Attendance and Wellbeing Policy, to the same level where you left. In that event, you may be invited to attend a [Capability OR Conduct] assessment meeting at Level 3 of the Policy.

I will ask your line manager to contact you directly to make arrangements for your return to work.

OR

Review Period Extended

I have decided to extend the Level 3 review period for a further **[number]** months to **[insert reason e.g. give you a further opportunity to demonstrate the required improvement/seek additional medical information]**. This is due to **[insert reason]**.

You will therefore be invited to re-attend a [Capability **OR** Conduct] Assessment Meeting at Level 3 of the Supporting Attendance and Wellbeing Policy to discuss your attendance levels. The chair of the meeting will contact you in due course.

I will ask your line manager to contact you directly to make arrangements for your return to work.

You have now exercised your right of appeal under the procedure and the decision is final.

Yours sincerely,

[NAME OF OFFICER CONDUCTING MEETING]
[JOB TITLE]

Cc HR Service Centre – For employee Personal File
 People Services Advisor

Appendix 16 - Brought Forward Outcome Of Attendance Review Meeting

NOTE: Copy and paste to letterhead and include the appropriate details within the brackets

Dear **[Name]**,

Outcome of Attendance Review Meeting – Supporting Attendance and Wellbeing policy

I am writing to you regarding your recent sickness absence(s).

At the Level **[insert Level]** Attendance Review Meeting held on **[DATE]** the review period set for an improvement to occur in your attendance was due to end on **[DATE]**.

Due to the further occasion(s) of sickness absence which have occurred during this review period, the next Attendance Review meeting has been brought forward and I would now like to meet with you on **[DATE]** at **[TIME]** in **[LOCATION]**. You may, if you wish, be accompanied by a Trade Union representative or work colleague at this meeting.

At the meeting we will discuss your attendance level during the Level **[insert Level]** review period. At the end of the meeting, I will take a decision as to the outcome of Level **[insert Level]**, in accordance with the Supporting Attendance and Wellbeing Policy.

Please confirm you can attend this meeting and let me know if you wish to be accompanied and if so, by whom. If for any reason you are unable to attend the meeting, I should be grateful if you would contact me as soon as possible in order to arrange an alternative time.

Yours sincerely,

NAME OF MANAGER

JOB TITLE

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Appendix 17 - Failure To Sustain Improvement – Employee Returned To Procedure Level

NOTE: Copy and paste to letterhead and include the appropriate details within the brackets

Dear [Name],

Return to Supporting Attendance and Wellbeing policy

I am writing to you regarding your recent sickness absence(s).

We have previously discussed your attendance resulting in our meeting on **[insert date of previous meeting]**. The outcome of this meeting was that as your attendance had improved, regular review meetings were no longer required. As you were advised at that time, if there were concerns regarding your of sickness absence during the 12-month period following the end of attendance monitoring (the 12 months being from the end of the last review period); you could be returned to the procedure at the Level which you left.

Over the past **[number]** weeks, you have been absent from work on **[number]** occasions for a total of **[number]** days. As you have been unable to sustain improvement in your attendance, I am writing to inform that you will return to the Supporting Attendance and Wellbeing procedure at the end of Level **[insert 1, 2 or 3]**.

Please choose the relevant paragraphs depending on Level

Level 1 and 2

You are therefore required to attend a meeting with me to discuss your sickness absence record and identify measures that could be taken to help improve your attendance at work. At the meeting you will be given opportunity to provide a full response as to why the improvement in your attendance has not been sustained and to put forward any other relevant information.

There are two possible outcomes to the meeting, as follows:-

1. A decision may be made to set a further review period at Level **[1 OR 2 (delete as appropriate)]** where further information or monitoring is considered necessary.
2. Where it is evident that you have not sustained an improvement in your attendance you may progress to Level **[2 OR 3(delete as appropriate)]** of the Supporting Attendance and Wellbeing procedure.

The meeting has been arranged for **[TIME]** on **[DATE]** in **[LOCATION]**. You may be accompanied by a trade union representative or work colleague. Please confirm you can attend this meeting and let me know if you wish to be accompanied and if so, by whom. If for any reason you are unable to attend the meeting, I should be grateful if you would contact me as soon as possible in order to arrange an alternative time.

Level 3

You will be requested to attend a **[Capability or Conduct (delete one*)]** Assessment Meeting. You should be aware that termination of employment could be a possible outcome of that meeting, although other reasonable options will also be considered.

The meeting will be chaired by a senior manager who will write to you separately to inform you of the date, time and location of the meeting.

I enclose a copy of the Supporting Attendance and Wellbeing policy for your information. If you have any questions on this letter, please do not hesitate to contact me.

Yours sincerely

[NAME]

[JOB TITLE]

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