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**Extra-Ordinary**

**Attendance Policy**

**(During a Flu Pandemic)**

**Produced by Human Resources**

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**DOCUMENT STATUS**

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1. **INTRODUCTION**

 This policy is intended to outline the Council’s approach to the management of attendance during an influenza pandemic. It replaces some of the current policies, procedures and practices. Therefore anything written in this policy will override current policy in the case of an influenza pandemic being confirmed. Anything not covered in this policy will remain as normal practice.

An influenza pandemic is a world-wide epidemic affecting hundreds of thousands of people across many countries. It occurs when a new subtype of influenza A virus emerges, to which there is little or no pre-existing population immunity and can cause large numbers of cases and deaths.

During an influenza pandemic the Council will pay particular attention to the depletion of resources on a daily basis, as it will probably be the single most important factor in assessing our capability to deliver services.

During the pandemic staff may become absent from work if:

* They become ill with influenza;
* They need to care for children or other family members who are ill with influenza or who cannot attend school due to school closure;
* They are grieving for loved ones who have died from influenza;
* They have been advised to work from home;
* They are sick with a medical problem not related to pandemic flu;
* They are unable to get to work;
* They have been quarantined by a medical professional
* They are absent for other reasons.

Any employee who has any flu related symptoms should refrain from work (whether they feel fit to work or not), in order to reduce the risk of spreading it amongst colleagues. They should also follow all official guidance produced by Central Government, the Council and Public Health England.

It is anticipated that the provisions of this policy will be implemented when **UK** Alert level 4 is declared unless it is deemed necessary to implement it at an earlier stage.

1. **MANAGERIAL RESPONSIBILITIES**
* To report and record all absences on a daily basis and in accordance with the procedures and timescales laid down in this policy and any other guidance issued.
* To encourage employees who may have symptoms to stay at home and remain in touch with them during absences as appropriate
* To consider increased home working on a case by case basis
* To ensure employees know the rules and procedures
* To consider the welfare of employees who may be at an increased risk due to being classified as more ‘vulnerable’. (These may include lower immunity, respiratory conditions or being pregnant – managers should consider on a case by case basis and show as much flexibility as possible)

**3. EMPLOYEES’ RESPONSIBILITIES**

* To make every effort to attend work if they are fit and able subject to official advice
* To refrain from work if they are at risk of infecting others ( guidance is here - <https://www.gov.uk/government/publications/guidance-to-employers-and-businesses-about-covid-19/covid-19-guidance-for-employees>)
* To report absence as soon as practically possible
* To provide information if required with regard to skills and abilities relevant to alternative job roles
* To maintain regular contact with their manager or their deputy in order to provide updates on their circumstances, particularly in relation to availability for work in order to provide vital information for resource planning.

**4. HUMAN RESOURCES RESPONSIBILITIES**

* Reviewing attendance
* Advising SLT and chief executive or nominees of current status
* Providing support to managers
* Providing advice to employees, managers and trade union representatives where appropriate.

**5. DEALING WITH SICKNESS ABSENCE**

 All absences due to sickness during an influenza pandemic will require the following approach to be taken by managers and employees:

* Notification of absence to be reported to line manager (or nominated alternative manager) as soon an employee is aware that they will not be attending work to enable essential support to be provided to the areas with most need.
* Managers are to ensure precise and daily records of absences (see section 8)
* Employees are to maintain regular contact to inform their line manager (or nominated alternative manager) of the current status of their absence. It is recognised that managers may be under considerable pressure to maintain service delivery and may have many absent staff, therefore may be unable to make contact with absent employees.
* If medical certificates are unavailable after the first 7 days of absence due to the lack of GP availability, employees should advise their manager of this so that the extension of the period for self-certification can be considered and noted.
* Formal return to work interviews will be suspended, however a brief informal interview to ensure fitness to return as far as reasonably possible and whether any support is required should be undertaken on the date of return.
* Rehabilitation options should be considered, where practical and necessary.
* If there is no access to a GP to sign an individual back to work or access to Occupational Health advice, and a manager has concerns about an individual’s fitness to return to work, through the process of risk assessment, a decision may be made to not allow the individual to return to work.
* Welfare visits will not be undertaken, due to the need to contain the spread of infection and the limited resources that will be available.
* Attendance reviews will not take place during the period of the pandemic.
* No formal warnings will issued in relation to absence related to influenza.
* Any absence due to influenza will not count towards any future triggers under the Improving Attendance Policy.
* National guidance will be followed in terms of any change to normal sick pay arrangements

**6. OTHER ABSENCES**

The Council recognises the commitment of staff and is committed to maintaining appropriate flexible arrangements for those who may find themselves required to look after children or family members who are ill and/or required to remain at home as a result of social measures or travel restrictions.

Anyone who is not sick but has to remain at home for the above reasons will be allowed up to one week on full pay and after that, if they are still unable to return to work, they may either take annual leave or unpaid leave. The Chief Executive as Head of Paid Service has the option to increase this additional paid leave, upon advice, and paying consideration to national employers’ guidance.

Existing provisions with regard to Special Leave will not be affected by this policy.

**7.** **MEDICAL SUSPENSION**

 Where an employee reports for work, but the manager has concerns about their fitness for work and the spread of infection the manager may, on the basis of a risk assessment, decide to medically suspend the employee on normal pay. The employee should then remain in daily contact to update the manager on their progress until such time as it is agreed by both parties that the individual is fit to return to work. If available OHU advice may be sought in such cases if deemed necessary by the manager.

**8. REPORTING AND RECORDING**

It is imperative that managers keep accurate records during the period of any influenza pandemic, on attendance, overtime and any other work activity attracting additional payments as these will need to be reconciled when things return to normal and may be the only available record.

Wherever possible it is essential that absences are recorded using the normal electronic absence reporting process through SAP. This will include an additional leave field in order to record absences due to reasons other than sickness, but which are as a consequence of the flu pandemic. Information from this reporting mechanism will be needed to allow the Council to meet its reporting obligations to the Regional Command Centre and to provide information on where additional support is needed to maintain delivery of essential services.

**Daily reporting must be completed by 9:00am each morning**. Where an absence is notified after 9:00am this will need to be entered by the following day. When an absence has been entered on the system it will not be necessary to re-enter that each day as the absence should remain open in SAP for the period of absence, but it will be imperative that when an individual returns to work this is entered on to the system.

**9. SALARY PAYMENTS**

The Council’s Payroll system (SAP) has been identified as one of the council’s Top 27 systems for Disaster Recovery purposes. In the unlikely event of a technical failure every effort will be made to ensure that employees receive their basic salary in line with Employee Services’ Business Continuity plan

**10. OVERTIME**

It will be inevitable that certain services will struggle to maintain essential service delivery when an influenza pandemic hits and staff will be asked to undertake overtime. It is essential that appropriate records are kept of overtime, not just in terms of reconciling pay but also in terms of providing appropriate records in line with the Working Time Regulations 1998. Other rules and legislation (such as on Drivers Hours) still apply and need to be considered.

The Overtime/Additional Hours must be recorded electronically in line with normal procedures wherever possible.

**11. ALTERNATIVE WORK ARRANGEMENTS**

Employees who work for non-essential services will be required to undertake similar duties for the essential services.

Employees may also be asked to undertake duties they would not normally be required to do, provided they are competent and confident to do so, following any necessary training. The level, content and delivery of the training will be determined by the nature of the role undertaken and appropriate provision will be put in place as required.

Where an alternative role involves working with children or vulnerable adults normal safeguarding procedures will apply.

**12. ANNUAL LEAVE**

Annual leave approved in advance of the outbreak of influenza will be honoured where holidays have been booked and paid for and the employee is able to go away.

Requests for annual leave will not be unreasonably declined, although once this policy comes into effect, there may be an embargo on annual leave, unless, it is for the purpose of caring for dependants or other exceptional circumstances.

**13. REVIEW**

This policy will be reviewed, as and when further information is available from Central Government and in consultation with recognised trade unions and other relevant parties.

**WORKING TIME REGULATIONS**

**OPT-OUT AGREEMENT FORM**

**IN THE CASE OF A FLU PANDEMIC**

Whilst Warrington Borough Council positively discourages the working of excessive hours, it recognises that individual employees may wish to exercise their right to opt out of the 48 hour ruling contained within the Working Time Regulations under these exceptional circumstances. Employees wishing to opt out should complete this form and return it to Human Resources.

I agree that the limit on weekly working time set out in Regulation 4(1) of the Working Time Regulations 1998 shall not apply to me.

I understand that this agreement can be terminated by me giving one weeks notice in writing. I further understand and agree that I shall do all things reasonably required of me by Warrington Borough Council in relation to keeping an accurate record of my working hours for the purpose of its obligations under the Working Time Regulations 1998 and shall produce to WBC any such records thereby made or collected on request.

I am signing this agreement of my own free will and am aware that I may cancel the agreement at any time with one week’s written notice.

Date Agreement comes into affect: ……………………………………….

Signed…………………………… (Employee)………………………….(Date)

Signed…………………………… (Manager)……………………………(Date)

Job Title:………………………… (Name)………………………………

This agreement will be in place during the period for which the flu pandemic hits and the Extra Ordinary Attendance Policy is in place only.

Once completed, please return to HR for personal file.

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