

**CITY AND COUNTY OF CARDIFF COUNCIL  
CYNGOR DINAS A SIR CAERDYDD**

**POLICY REVIEW & PERFORMANCE  
SCRUTINY COMMITTEE**

**2 June 2015**

---

**ATTENDANCE & WELLBEING POLICY REVIEW**

---

**Reason for this Report**

1. To present the Committee with an opportunity to consider the 12 month post implementation review of the Attendance and Wellbeing Policy, prior to its consideration by the Cabinet on 11 June 2015.
2. To consider in more depth the impact on sickness absence levels of targeted management intervention in two individual Council directorates: Sport, Leisure & Culture, and Environment.

**Background**

3. The Attendance and Wellbeing Policy was approved by the Cabinet in April 2013 and implemented from 1 July 2013. It applies to all employees of the Council, irrespective of status and/or grade, except those employed directly by Schools. There is a separate policy for schools based on this policy that has been commended to school governing bodies. That separate version takes into account the role of school governors in any dismissal that takes place in a school.
4. The Policy replaced the Council's previous Sickness Absence Policy and included an updated Special Leave Scheme, the Council's Critical Illness Policy and a section on how the Council would address the health and wellbeing of its employees. The Policy also provided guidance on mental health issues and reasonable adjustments under equality law.
5. This Committee has had a long-standing interest in the Council's management of staff sickness levels, having undertaken an inquiry into the subject, which it

presented to the Executive in October 2011. The Committee last considered an update on the implementation of the new policy at its meeting in March 2014.

6. At that time the Committee raised a number of concerns:

- That there was still considerable variation across directorates and particularly variation in directorate completion of Return to Work interviews and trigger points. Therefore the Committee would aim to scrutinise particular directorates' implementation of the Policy in depth on its 2014/15 work programme;
- Members urged officers to explore further how Cardiff can learn from other local authorities' management of sickness, including a recommendation that officers should endeavour to learn about successful management and cultural changes which other authorities and organisations have implemented in order to effect a change;
- There is further scope for good practice to be shared across the Council; For example, Members expressed an interest in scrutinising whether the preventative work, which had started within the Environment Directorate, would be successful and if it could be rolled out to other directorates effectively;
- Members particularly emphasised during the meeting that a holistic view of sickness absence is needed. For example, the effect of high sickness levels in schools on educational attainment. Members expressed an interest in examining whether there is any correlation between higher levels of sickness and those schools which have not chosen to adopt the Attendance & Wellbeing Policy;
- The Committee expressed an interest in the views of the Wales Audit Office following their forthcoming review, as well as the operational 12 month review planned for August 2014.

7. In response the Cabinet Member with portfolio responsibility for Human Resources acknowledged that there was room for improvement and agreed to look at the experiences of other Welsh local authorities. He confirmed that there was some correlation between higher levels of sickness and those schools that had not yet adopted the Council's Attendance and Wellbeing Policy.
8. During the March 2014 meeting, the Committee also requested the approximate cost of sickness absence to the Council, and received a response confirming that the end of year position for 2013/14 was 10.18FTE, which equated to £14.4m. However, it must be remembered that this £ figure represents an opportunity cost in terms of days lost rather than a direct budget saving.
9. The Committee is updated on the Council's progress in reducing sickness absence quarterly throughout the year when it monitors the Corporate Performance report. The Committee most recently undertook scrutiny of sickness levels as part of its consideration of Quarter Four Performance on 12 May 2015, following which Members:
  - Noted that sickness absence is currently at its lowest level, though still a significant concern for the Council, and accepted there is a great deal of work ongoing to hit sickness targets;
  - Observed that there are still several service areas with challenging levels of sickness absence and acknowledged that this issue is very high on the agenda of service area managers;
  - Confirmed they look forward to an opportunity for meaningful pre-decision scrutiny of the Attendance & Well-Being Review on 2 June, at which the Committee will seek to explore in more depth specific challenges faced by those services with notably high absence rates.
10. The current Attendance and Wellbeing Policy (**Appendix 1a**) introduced the following changes in relation to the management of short-term sickness: putting in place implications for managers who do not properly manage sickness absence;

an Informal Support Stage (triggered by 2 absences in 6 months); the reduction of the number of formal stages from 4 (5 trigger points) to 3 (3 trigger points); a reduction in the number of absences required to hit triggers; and the addition of number of days and not just number of instances to hit triggers (at Stages 2 & 3).

11. In terms of long-term sickness absence, the Policy made the following changes: bringing forward contact visits from 4 weeks to 2 weeks, case conferences from 6 and 9 months to 3 and 6 months respectively and an extension of the current arrangement with University Hospital of Wales for further three years of Mental Health Partnership arrangement. Finally a new Central Sickness Management Team was established within HR People Services to support managers specifically in managing all cases of 4 weeks + sickness absence and stress related absence.

### **Issues**

12. The planned 12 month operational review of the Attendance and Wellbeing Policy is now complete. The review has taken account of the views of a range of stakeholders, the Wales Audit Office Report of May 2014 relating to the management of sickness absence (**Appendix 1d**), the Association of Public Service Excellence (APSE) Review of the policy of October 2014 (**Appendix 1c**), and has benchmarked the Council against the following Core Cities (**Appendix 1b**):

|                         |                         |
|-------------------------|-------------------------|
| Birmingham City Council | Manchester City Council |
| Bristol City Council    | Newcastle City Council  |
| Leeds City Council      | Nottingham City Council |
| Liverpool City Council  | Sheffield City Council  |

13. The outcome of the review is that, whilst there will be no major changes proposed, the Attendance and Wellbeing Policy will be tightened and strengthened in respect of the responsibilities and accountabilities of all employees and managers with a focus on compliance.

### **Actions Taken and Initiatives in Place**

14. Outside of the policy review many actions and initiatives emphasise the continued priority of sickness absence management within the Council. These include:

**Management Accountabilities** such as quarterly Cabinet Performance reports, and the inclusion of sickness absence management as a cascaded objective for all managers as part of the 2015/16 PP&DR process.

**Data Provision** such as more detailed sickness data now available directly to all managers in respect of their teams; and additional information to be made available shortly will include compliance with timescales for referral to OHS and numbers of no shows at OHS appointments; monthly reports provided to Directors and Head Teachers, detailing sickness absence compliance data such as missed returned to work interviews, missed triggers point interviews and long term absence cases.

**Stress Management** including the introduction of a new Stress Control Programme; and a commitment to redesign the Stress Risk Assessment form in order to better support employees and managers by making it more user friendly and fit for this specific purpose.

**Occupational Health Services (OHS)** – improvements in the process; clarification of the role of OHS and management responsibilities regarding referrals; and monitoring of the Employee Counselling Service to assess current waiting times for appointments.

**Directorate Initiatives** include a Sickness Absence Management Action Plan initiative in place within the Environment and Sports and Leisure Directorates around weekly focus on sickness absence by Operational Managers, regular long term absence management monitoring meetings involving HRPS, managers and Management Team and rigorous monitoring. This approach is now being extended to other Directorates such as Communities.

**Health & Wellbeing initiatives include** The Partnership for Change report; developing the principle of supporting Health & Wellbeing into a wider strategy to better support employees; exploring the viability of Employee Assistance Programmes to support the Well Being agenda and complement what is already in place; developing clear advice for staff regarding the use of e-cigarettes and a commitment to update and refresh the current No Smoking

Policy; extension of the new mediation service available to restore and maintain the employment relationship where there have been workplace issues.

### **Summary of Key Changes Proposed**

15. Although the overall sickness absence target for the Council for 2014/15 was not met, improvements were secured in a number of Directorates, for example Environment and Childrens Services who met their targets. The Council wide target for 2015/16 remains 9 FTE days. On this basis, it is therefore proposed that no fundamental changes are made to the policy at this stage with the suggested changes designed to tighten up and further strengthen provisions within the existing policy, further clarity on responsibilities and accountabilities of all employees (especially managers) and adjusting some operational matters which have emerged since the policy was implemented in July 2013.

16. General tightening up proposed includes:

- Building in a requirement that, in relation to work related stress, a meeting takes place with the employee as soon as possible to discuss issues and try to resolve prior to referral to OHS. Also made clear is the ability of the employee to request meeting with an alternative manager if the current manager is the perceived source of the stress. The revised form referred to in paragraph 14 will assist this discussion.
- Clarifying that employees can return to work at any time without seeing their doctor in line with fit note rules. RTW would address any reasonable adjustments.
- Ensuring that employees being referred to OHS understand from their managers beforehand that this is happening and why they are being referred
- Clarifying that employee compliance must include attending referrals to OHS and engagement with contact meetings plus improvements put in place to address “no shows” i.e. those who simply do not turn up and provide no explanation.

- Putting in place a clear and consistent process to be used for potential dismissal meetings in both the short term and long term absence process.

### **Short Term Sickness Absence**

17. As stated above, the review approach has been to strengthen and tighten up the policy so it is not proposed to significantly change the triggers stages within the policy. The first change is to add in that Stage 1 is triggered by '1 additional absence of 6 calendar days or more within the 8 month period'. This brings this stage in to line with Stages 2 and 3. Clarification has been added into Stage 2 and 3 that the 'additional absence of 6 calendar days or more' needs to be within the period of the caution. In Stages 2 and 3 it says that failure to achieve and sustain performance can trigger the next stage and it has been clarified that this will be the case where an employee has 2 absences in a six month period during the period of the caution.

### **Long Term Sickness Absence**

18. In respect of Long Term sickness absence there are no proposed major changes to the policy or the way that this is managed at this stage. The changes proposed are to ensure clarity of the process, which includes:

- contact "visit" changed to contact "meeting" to better reflect that it is 2 way flow of communication and information and made clearer that alternative location to home can be made for the meeting.
- removal of reference to a formal case conference. This is no longer required as cases are subject to ongoing review in addition to that which takes place at each contact meeting.
- clarification that refusal to attend or non-attendance at OH appointments and contact meetings may result in suspension of sick pay.
- Where advice is needed on whether someone is fit to attend meetings with management, employees should be asked this first by their line manager and only where they are not sure or say that they are not well enough should they be referred to OHS for a view

- Those referred to OHS must notify if they are unable to attend at the earliest opportunity and no less than 3 working days prior to the appointment.
- In cases where an employee gives no notice of non attendance, the matter will be referred back to the relevant manager to take the matter up with individual concerned. Refusal or failure to attend 2 appointments (without notice of non attendance) will result in pay being stopped and disciplinary action may be taken.
- Inclusion of specific requirements for actions required of managers following receipt of OHS reports.
- Inclusion of an example where triggers can be relaxed e.g. employee undergoing treatment and may wish to return to work between treatments rather than be on continuous long term absence.
- Made explicit that communication should also be maintained with employees who are sick whilst on suspension.

### **Development of Managers**

19. A theme highlighted by the WAO report and confirmed as part of consultation were issues around consistency of policy application by managers. Whilst there were many examples of managers who applied the policy in a consistent and fair way, the Trade Unions continued to highlight examples of where this was not always the case. Whilst the Cardiff Manager Programme and specific skills based training courses are facilitated by the Academy, there is limited capacity to offer specific training face to face in this area. Consequently, it is proposed that the current Attendance & Wellbeing e-learning module will be refreshed and updated and it would be a mandatory requirement for completion by all managers. Compliance with this requirement would be regularly monitored at a senior level.

### **Special Leave**

20. As Special Leave is part of the Attendance & Wellbeing Policy, a number of comments have been received as part of the consultation process. Whilst a number of these are clarification points, a number of policy issues have been

raised regarding time off for Election duties, interviews (mainly but not exclusively from schools) , volunteering and attendance at court and these require further consultation with stakeholders. The outcome of this will be reported to Cabinet in July.

21. In order to facilitate the scrutiny, HR People Services has provided the following papers, which are attached at **Appendix 1**:

- **Appendix 1a – Current Attendance and Wellbeing Policy.**
- **Appendix 1b – Core City Sickness Data;**
- **Appendix 1c – Association of Public Service Excellence (APSE) report, Review of Attendance & Wellbeing Policy**
- **Appendix 1d – Wales Audit Office, Briefing Paper for the Management of Sickness Absence.**

### **Way Forward**

22. Councillor Graham Hinchey (Cabinet Member, Corporate Resources and Performance), Philip Lenz (Chief Human Resources Officer) and Lynne David (Operational Manager, Human Resources) will explain to Members the changes that are proposed to the policy as a result of the review, and answer any questions Members may have. Christine Salter, Corporate Director, Resources will also be in attendance.

23. In addition the Committee will have an opportunity to look in more depth at two case study service areas. Jane Forshaw (Director of the Environment) will outline how sickness absence has been addressed in the Environment directorate, and Malcolm Stammers (Operational Manager, Leisure and Play) will outline the sickness challenges faced by Sport Leisure & Culture.

### **Legal Implications**

24. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications.

However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to the Cabinet/Council will set out any legal implications arising from those recommendations. All decision taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirements imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be taken having regard to the Council's fiduciary duty to its taxpayers; and (he) be reasonable and proper in all the circumstances.

### **Financial Implications**

25. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

### **RECOMMENDATIONS**

The Committee is recommended to:

- i. Note the information contained in these papers and presented at the meeting;
- ii. Consider whether it wishes to make any comments to the Cabinet.

### **MARIE ROSENTHAL**

County Clerk and Monitoring Officer  
26 May 2015