## INTRODUCTION

The Trust's primary concern is for the health, wellbeing, and welfare of our colleagues. When there are concerns about a colleague due to them failing to attend duties without having made appropriate contact with the Trust or failing to maintain appropriate contact during sickness absence, this guidance should be used. The purpose of this guidance is to ensure that colleagues meet the attendance expectations, behaviours and conduct expected by the Trust, as well as providing a clear process to follow if these expectations are not met. This guidance applies to all Trust colleagues, including Medical and Dental staff.

## ABSENCE REPORTING PROCEDURE

All colleagues are required to follow the reporting procedure set out within the Health, Wellbeing and Attendance Policy and Guidance when they are unwell for scheduled duties.

If colleagues cannot attend work they should telephone an appropriate manager, person in charge or follow local procedures as soon as is practically possible. Colleagues should only use a third party to report their absence in exceptional circumstances where it is not practicably possible for them to do so themselves.

Colleagues that are absent from work should maintain regular contact with the Trust, including providing medical certificates where necessary.

Colleagues that are absent from duty without permission or authorisation and have failed to make appropriate contact with the Trust, or colleagues that have failed to maintain appropriate contact during absence will be considered as absent without leave (AWOL).

## ONCE AN EMPLOYEE IS AWOL

Where a colleague is absent from duty without permission or authorisation and have failed to make appropriate contact with the Trust, or where a colleague has failed to maintain appropriate contact during absence, the department manager / person in charge at this time should make attempts to contact the colleague. This should include via telephone and any other appropriate method of communication, such as NHS email, personal email, and home telephone number. These attempts at contact should be recorded by the department manager / person in charge at this time, including how the communication was made and the time and date of attempted contact.

The department manager / person in charge at this time should contact the emergency contact for the colleague if they are unable to contact the colleague, or do not receive contact from the colleague within 2 hours of the start time of the shift, or 4 hours from when contact was expected if the colleague is already absent (i.e., sickness). The department manager / person in charge at this time should inform the emergency contact for the colleague that they are trying to contact the colleague and ask the emergency contact to inform the colleague to contact the department as soon as reasonably possible. The department manager / person in charge at this time should also confirm with the emergency contact that the contact details for the colleague are correct. If the department manager / person in charge at this time has safeguarding concerns for the colleague in relation to the identified emergency contact, they should contact the Trust's Safeguarding Team before enacting this step for further advice and support.

The department manager / person in charge at this time should inform People Services if the colleague has not made contact within 4 hours of the start time of the shift, or 8 hours from when contact was expected if the colleague is already absent (i.e., sickness). Any information that is relevant concerning the colleague's welfare or health must be reported to People Services immediately.

The department manager / person in charge at this time should send letter 1A within 24 hours of the start time of the shift, or 24 hours from when contact was expected if the colleague is already absent (i.e., sickness) if there has been no contact from the colleague, and no appropriate reason given by the emergency contact for the absence.

## IF COLLEAGUE MAKES CONTACT

Once contact is made with the colleague, the reason for absence and the reason for not having made appropriate contact should be established. If the colleague wasn't already absent (i.e., sickness) the expected return to work date should also be established.

Upon their return, the department manager / person in charge at this time should conduct an informal meeting with the colleague. The meeting should be carried as soon as possible and within 2 working days of the colleagues normal / rostered days back in the workplace, and should be documented, and signed by the colleague and manager. If the colleague was already absent (i.e., sickness) the department manager / person in charge at this time should conduct an informal wellbeing meeting under the Trust's Health, Wellbeing and Attendance Policy and Procedure, and continue to manage the ongoing sickness absence via this route.

The purpose of this meeting is to establish the reasons why the colleague failed to maintain appropriate contact with the department and if there are likely to be any future occasions where contact may not be made. The department manager / person in charge at this time should ensure the colleague understands the procedures for reporting absence and set expectations on how the colleague should notify their absence in future, and the required timescales. It is also an opportunity to have a meaningful conversation about how the colleague can be supported to maintain and improve their attendance.

The department manager / person in charge at this time should discuss options of support through the Trust's Occupational Health and Safeguarding teams where appropriate.

## HOME VISIT

If the colleague does not make contact by the deadline set in letter 1A, the department manager / person in charge at this time should discuss with People Services whether a home visit to conduct a welfare check is appropriate. This would involve the department manager / person in charge at this time and another party attending the colleague's address.

If a home visit is deemed appropriate, the manager / person in charge should engage with Occupational Health to ensure there is appropriate support for them and the colleague. The department manager / person in charge at this time should inform the emergency contact that they are intending to conduct a home visit prior to doing so. If the colleague is at home when the home visit is conducted, the department manager / person in charge at this time should explain the reason for the visit, conduct a wellbeing and welfare check with the colleague and discuss next steps.

If it is not deemed appropriate to conduct a home visit, or the colleague is not home when the home visit is conducted, the department manager / person in charge at this time should send letter 1B to invite the colleague to a meeting and to inform them that they will be recorded as AWOL from the first day of no contact, which will mean they are on unpaid leave. Colleagues should be recorded as AWOL via HealthRoster.

## FORMAL MEETING

The focus of this meeting is to understand the reason for absence and why appropriate contact was not made. It is expected that a representative from People Services will be present for this meeting. Consideration should be given as to any patterns of absence and whether there is a substantial reason for the colleague's behaviour such as health and wellbeing, and / or safeguarding concerns.

As an outcome from the meeting there will be agreement regards an appropriate support plan, clear expectations set regards standard of attendance and timescales for review. Colleagues must also be advised that their employment may be at risk if attendance does not improve within a reasonable timeframe. The outcome of the meeting must be confirmed in writing to the colleague.

If the colleague does not attend this arranged meeting, a discussion should take place with People Services to whether there is a substantial reason for the colleague's behaviour such as health and wellbeing, and/or safeguarding concerns. If it is deemed that there are no concerns, the department manager must escalate the case to a senior manager with the authority to dismiss and no prior involvement. The department manager must provide an outline of the case including documentation demonstrating the attempts to contact the colleague. People Services should be involved with this escalation.

Following this escalation, the senior manager should progress with sending letter 2A should be sent to the colleague to advise that their employment may be at risk if they do not contact the Trust within a specified timeframe.

## TERMINATION OF CONTACT

If all appropriate actions have been taken in line with this procedure and guidance, the senior manager should progress with sending letter 2B to the colleague to inform them that their contract of employment with the Trust has been terminated. The department manager should action this termination via ESR. People Services should be involved with this step for guidance and advice.

## SAFEGUARDING CONCERNS

If it is identified that there are safeguarding concerns for a colleague that is AWOL, the department manager should contact the Trust's Safeguarding Team with immediate effect to discuss how to support the colleague. Further information can be found via Net-I.

## PATTERNS OF ABSENCE

Where it is identified that there is a persistent behaviour of a colleague going AWOL, it may be necessary to review the Trust's Policy and Procedure for Disciplinary with the support of People Services to establish whether it is necessary to take action under this policy. Consideration should be given as to whether there is a substantial reason for the colleague's behaviour such as health and wellbeing, and / or safeguarding concerns.

If a colleague does make contact after being AWOL but does not return to work by the agreed date, or makes contact and then becomes uncontactable again, the AWOL procedure should continue.

## RIGHT TO BE ACCOMPANIED AT MEETINGS

Advice may be sought at any time from Occupational Health and People Services in the best interests of the individual and may attend discussions / meetings as appropriate.

Colleagues may bring a companion to any discussions or meetings under this procedure. The companion may be either a Trade Union Representative or a fellow work colleague. It is the colleague’s responsibility to make the necessary arrangements for this.

Some companions may not be allowed: for example, anyone who may have a conflict of interest, or whose presence may prejudice a meeting.

## RECORDING OF LEAVE

AWOL leave must be recorded via HealthRoster and should be recorded as "Unpaid Unauthorised Leave" after letter 1B has been sent to the colleague. If colleagues have been AWOL and then contact the Trust, a discussion should take place with the colleague as to what the leave will be recorded as depending on the circumstances i.e., sick leave, annual leave, special leave, or unpaid leave.

Colleagues that have been AWOL that provide a medical certificate for the duration of their absence should be recorded as sick leave for the period specified on the medical certificate. This includes in cases where the medical certificate is backdated.

## SENDING LETTERS

To ensure that letters are received by colleagues in a timely manner, and to confirm receipt of the letters, all letters within this procedure and guidance should be sent via 1st Class Post with Recorded Delivery. Where colleagues have NHS email addresses, and / or a personal email has been provided to the Trust by the colleague, letters should also be sent as an attachment via email.

## CERTIFICATE OF SPONSORSHIP

For colleagues employed by the Trust on a Certificate of Sponsorship that have more than 10 consecutive days of unauthorised absence must be reported via the Home Office Sponsorship Management System. The department/specialty must ensure that the relevant recruitment team are informed at the earliest opportunity in order for this to be recorded. If colleagues employed by the Trust on a Certificate of Sponsorship have more than 28 consecutive days of unauthorised absence they may lose their sponsorship.