

Unauthorised Absence Policy and Procedure

Introduction

Cotswold District Council prides itself on being an employer of choice. With an incredibly varied role in delivering the very best for our residents, communities and businesses, our employees are committed and really make a difference. In return we seek to support and empower our employees to give their best.

Having a culture that is diverse, equitable and inclusive is core to everything that we strive to achieve and key to the creation of a positive organisational environment. CDC is committed to promoting the health and wellbeing of all employees, we wish to offer supportive and effective management of unexpected absence and would emphasise the importance of always contacting your employer.

Cotswold District Council aims to encourage all its employees to maximise their attendance at work while recognising that employees will, from time to time, be unable to come to work because of ill health or some other reason.

CDC will always treat employees fairly and sensitively during times of sickness and ill health, it must also pay due regard to its operational needs. If an employee is persistently absent from work, this can damage efficiency and productivity, and place an additional burden on the employee's colleagues.

By implementing this policy, CDC aims to strike a reasonable balance between the pursuit of its operational needs and the genuine need of employees to take time off work. However, it should be noted that all absences from work need to be authorised.

This policy on unauthorised absence applies to all employees. It applies if an employee fails to comply with CDC's sickness absence reporting procedure (or provide the necessary evidence within the required time period), fails to attend work or return from holiday, or is absent from work for any other reason without notification and/or agreement.

If an employee is absent from work without good cause and/or fails properly and effectively to notify CDC of their absence, this may be treated as a serious disciplinary offence, potentially constituting gross misconduct. ([add hyperlink to policy to finished document](#))

This policy does not form part of employees' terms and conditions of employment and may be subject to change at the discretion of the management.

Action on First Day of Absence

On the first day of the employee's absence, their line manager will attempt to contact them, making a note of the means used and keeping a record of the time. If the employee does not answer the telephone, the manager will attempt to leave a voicemail asking them to return the call. The manager can also try any other methods to contact the employee, including text message to a private mobile phone, if available.

If the manager is unable to contact the employee, they may attempt to contact the employee's next of kin or listed emergency contact.

Action on Second Day of Absence

On the second day of absence, if nothing has been heard from the employee and the manager has again been unable to contact them and has not received a satisfactory explanation from the employee's next of kin or emergency contact, the manager will write to or email the employee detailing their absence and the attempts to make contact them.

The letter will say that no satisfactory explanation for the absence has been received and will require that the employee make contact with the manager as soon as possible, but no later than three days after the date of the letter (or email). The letter (or email, with the relevant read receipt notification) will warn the employee that, if they fail to make contact by the deadline, the organisation may take serious disciplinary action.

Further Action after Second Day of Absence

If, following the deadline, the employee has still not contacted their manager, the manager will send the employee a letter inviting them to attend a disciplinary hearing to explain their absence. The letter should warn the employee that the lack of an adequate explanation could result in summary dismissal for gross misconduct.

Disciplinary Action

If the manager contacts the employee and/or the employee returns to work, a further investigation may be carried out into the reasons for their absence and their lack of contact with CDC.

If the employee can give an adequate explanation for their absence and lack of contact, the manager can conduct a return-to-work interview. If the employee is unable to provide an adequate explanation for their absence and lack of contact, CDC will treat the absence and the failure to follow the reporting procedure as disciplinary matters.

If the employee claims to have been sick (to the extent that this also precluded contacting CDC), the manager can ask for reasonable evidence of this, this may be in the form of a fit note for instance. If the employee is unable to provide sufficient evidence, CDC may consider whether the claimed sickness absence was genuine.

If the manager considers the employee's failure to attend work to be potential gross misconduct, CDC will conduct any disciplinary hearing in accordance with its disciplinary procedure- [hyperlink?](#)

Unauthorised Annual Leave

If an employee has been refused a request for annual leave but declares that they intend to take the time off anyway, the employee's manager should write to or email the employee instructing them to attend work. The letter should confirm that:

- the leave request (for the specific dates) was legitimately declined, with the reason given
- the employee is expected to attend work as usual and
- failure to do so will be unauthorised absence, be unpaid and may result in disciplinary action, which could result in summary dismissal for gross misconduct.

The letter should invite the employee to reconsider their expressed intention to be absent.

If, having sent this letter (or email), the employee fails to attend work, the manager should treat the absence as unauthorised. If an employee has been refused a request for annual leave and fails to attend

work (either by saying that they are sick or by making no contact), CDC will investigate this as a potential unauthorised absence. Should the employee have been prevented from contacting work due to serious circumstances, this should be made known at the earliest convenience.

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