

Human Resources
Goireasan Daonna

Unauthorised Absence Guidance

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Clàr-innse

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Introduction

The Highland Council Attendance Management Policy and Guidance details the processes to follow when managing employee attendance at work. This guidance should be applied in conjunction with the Attendance Management Policy, as its purpose is to support attendance management and provide advice to managers on how to deal with unauthorised absence fairly, promptly and effectively. The guidance will equip managers to support employee wellbeing and continued attendance at work.

Unauthorised absence can occur in the following circumstances:

- An employee is absent from work without seeking appropriate line management permission before the absence.
- An employee does not follow the Highland Council's Attendance Management Policy for reporting an unexpected absence. For example, an employee is off sick but does not notify their line manager as soon as possible on the first day of absence.
- An employee does not contact or respond to contact from their line manager to explain the reason for their absence.

This type of absence will be recorded and managed as unauthorised absence.

Who is this guidance for?

This guidance applies to all Highland Council employees, except those on Agenda for Change Terms and Conditions, who have separate arrangements in place. Please see [NHS PIN policies](#) for staff under Agenda for Change (NHS) Terms and Conditions.



Guidance

Ensuring an Employee is Safe

When commencing this process, the first consideration should always be the health, safety and wellbeing of the employee. When an employee does not turn up for work and immediate contact from the employee is not forthcoming, the manager should first check if the employee has a planned absence. For example, if they are on holiday or have an appointment.

If it is confirmed the employee should be at work, steps should be followed to confirm they are safe and the reason for not attending work. The manager should try to contact the employee using their work and personal contact details. If the manager is unsuccessful in contacting the employee by using these details, they should contact the employee's emergency contact.

Emergency Contacts

Managers must ensure that employees maintain up-to-date emergency contact details on MyView.

When speaking to an emergency contact, the manager should take care not to cause them unnecessary panic. For example, the manager should:

- speak calmly
- explain why they are phoning
- ask open questions
- not jump to conclusions.

The purpose of contacting the employee's emergency contact is to understand the reasons for the employee's absence and the next steps required.

Welfare Visit

If management have tried all options and still cannot get hold of the employee or their emergency contact, the following steps should be taken to ensure the safety of the employee:

- undertake a welfare visit at the employee's home address, if appropriate
- where serious concerns about the safety of the employee exist, contact the police to ask for a welfare visit.

Managers must be accompanied by a colleague when visiting an employee at home. This should be discussed with the Head of Service or Executive Chief Officer in advance to confirm whether a welfare visit is deemed necessary.

Recording Unauthorised Absence

Managers should only record unauthorised absences on MyView when an employee fails to attend work without providing a suitable reason. Unauthorised absence should not be recorded where further information is provided about the reason for the absence e.g. sickness absence or special leave.

Keeping a record of unauthorised absences means that managers can:


- identify any patterns of employees failing to attend work and contact the manager
- speak to an employee if they are repeatedly absent to find out if there is a reason that they can help with.

Continued Unauthorised Absence

If initial attempts to contact the employee are unsuccessful and the absence continues, the manager should continue to try to make contact with the employee using the following process.

Letter 1 – No Contact

If there is no contact from the employee and it is reasonable to assume they should have contacted the line manager to discuss the reasons for their absence, but have not, managers should send [Letter 1 – No Contact](#) to the employee by signed for first class



delivery and personal email address. The employee should be notified that their pay will stop from the first date of unauthorised absence if they do not respond to the letter within 5 working days from the date the letter is sent.

Letter 2 – No Contact & Suspension of Pay

If no response is received from the employee within 5 working days, [Letter 2 – No Contact & Suspension of Pay](#) should be sent to the employee by signed for first class delivery and personal email address to give the employee a further opportunity to make contact. The second letter informs the employee that the disciplinary process will commence if they do not make contact with the manager. An investigation into the reasons for the unauthorised absence will take place and the employee's pay will stop if contact is not made in response to this letter. The employee will be notified that unauthorised absence is considered gross misconduct which may lead to their dismissal. The manager must ensure the unauthorised absence is recorded in MyView and that payroll are notified by email of the effective date of the unpaid unauthorised absence.

Letter 3 – Proceed to Investigation

If a response is not received within 5 working days, [Letter 3 – Proceed to Investigation](#) should be sent by signed for first class delivery and by email to the personal email address to inform the employee that their pay has been stopped and an investigation will commence regarding the unauthorised absence.

Disciplinary Process

After sending Letter 3, if there is still no contact from the employee, the matter should be investigated in accordance with the Highland Council Disciplinary Policy. A designated officer and investigating officer should be assigned and the appropriate letters issued. A copy of the disciplinary policy should be included with the letter from the Designated Officer. The role of investigating officer should be undertaken by the line manager where appropriate.

If there is contact from the employee at any point during this process, a discussion should take place with the employee about their possible return to work. The Designated Officer should seek advice from HR regarding the reason for the unauthorised absence and whether the disciplinary process should continue or not.

HR and Payroll should be updated at regular intervals throughout this process to ensure that employees are paid appropriately.

Suggested wording for disciplinary investigation allegations is as follows:

Despite several attempts to contact you by telephone on *ENTER-DATE* and by letter on *ENTER-DATE* and *ENTER-DATE*, you have been absent from work without authorisation from *ENTER-DATE* to *ENTER-DATE* in your role of *ENTER-JOBTITLE*

Or,

Despite several attempts to contact you by telephone on *ENTER-DATE* and by letter on *ENTER-DATE* and *ENTER-DATE*, you were absent from work without authorisation due to *ENTER-REASON* from *ENTER-DATE* to *ENTER-DATE*, in your role of *ENTER-JOBTITLE*.

Disciplinary Hearing

After the investigating officer has conducted their investigation, a report will be sent to the designated officer who will determine if a disciplinary hearing is appropriate. If there is still no contact from the employee at this point, a disciplinary hearing will be arranged.

If the employee has still made no contact with either the line manager, the investigating officer or the designated officer, the employee should be notified that the hearing will proceed in their absence should they fail to attend the hearing. The employee should also be notified again that the outcome of the investigation may result in their employment being terminated due to the allegation of gross misconduct.

If the designated officer deems dismissal appropriate, this will be a summary dismissal without notice and the date of dismissal will normally be the date when the employee receives the decision or decision letter. The employee will be entitled to accrued holiday pay up to the commencement date of unauthorised leave. The employee will have the right to appeal the dismissal.

Accrued holiday pay will be deducted from any overpayment as a result of late recording of an unpaid unauthorised absence.



Summary of Process Letters and Timescales

- [Letter 1](#) – send immediately after no contact from employee or emergency contact
- [Letter 2](#) – send 5 working days after issuing letter 1 and not receiving a response
- [Letter 3](#) – send 5 working days after sending letter 2 if no response is received

Quick Links

The Hyperlinks listed here will redirect you to the related guidance, letters, information, and relevant organisations mentioned in this policy.

HR Microsite	Click Here
Letter 1 – no contact	Click Here
Letter 2 – no contact	Click Here
Letter 3 – proceed to investigation	Click Here
Attendance Management Page	Click Here
Disciplinary Policy & Procedure	Click Here
Employee Assistance Programme	Click Here
Occupational Health	Click Here
NHS PIN Policies	Click Here



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