

## Unauthorised absence and lateness

### 1 . Not turning up for work

Unauthorised absence is when someone does not turn up for work and either:

- has not got permission from their employer beforehand
- does not follow the organisation's policy for reporting an unexpected absence – for example someone is off sick but does not tell their employer

### What might count as unauthorised absence or being 'awol'

Unauthorised absence can include when someone is late for work.

Other terms people might use include:

- 'awol' or absent without leave
- absent without permission

Some employers might count any absence that they have not authorised beforehand as unauthorised absence. For example, returning late from annual leave.

Leaving work early without permission can also count as unauthorised absence.

Employees and employers should check any relevant policy their organisation has to find out:

- what counts as unauthorised absence
- how the organisation handles lateness

### Checking an employee is safe

Employers have a duty of care towards their employees. They must do all they reasonably can to support their health, safety and wellbeing.

When an employee does not turn up for work, their employer should follow steps to check where they are and if they're safe.

They should first check if the employee has a planned absence. For example, if they're on holiday or have an appointment.

If the employee should be at work, the employer should:

1. Try contacting the employee using their work contact details
2. Try contacting them using their personal contact details
3. Get in touch with the employee's emergency contact

### Using emergency contacts

Employers should check with employees who their emergency contact is.

Employees should make sure their emergency contact is happy:

- for their contact details to be shared with the employer
- to be contacted if the employer is concerned about the employee's safety

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

- speak calmly
- explain why they're calling
- ask open questions
- not jump to conclusions

## Lone workers

'Lone workers' are employees who work by themselves, without other employees from their organisation. They're more vulnerable than other employees because they work alone.

Lone workers can include employees who:

- travel alone to and from work, or between work locations
- work from home
- are first at a workplace before other employees arrive, or last there after others have left

Employers must take steps to protect lone workers from health and safety risks.

They should do a health and safety risk assessment with any lone workers. This is to agree on how they can reduce or remove risks to their safety.

For example, an employer might agree in the risk assessment who to contact if:

- the employee does not show up for work and cannot be contacted
- the employer is concerned about their welfare

[Find out more about protecting employees who work alone from the Health and Safety Executive](#)

## If an employer cannot contact their employee

If an employer has tried all options and still cannot get hold of their employee or their emergency contact, they might be concerned about their welfare.

As a last resort, to check they're safe they could:

- go to the employee's home address – if appropriate
- contact the police to ask for a welfare check – if they have serious concerns about their safety

## Recording unauthorised absence and lateness

Employers should record when an employee is late for work or has an unauthorised absence.

Keeping a record means the employer can:

- identify any patterns of absence or lateness, for individuals or across the organisation
- speak to an employee if they're repeatedly late or absent, to find out if there's a reason for it that they can help with

Employers must consider data protection rules and confidentiality because individuals can be identified by these records. [Find out more about data protection from the Information Commissioner's Office \(ICO\)](#).

How an employer records lateness will depend on the organisation and the nature of the work. For example, some employers might be more flexible about lateness and allow employees to work time back. In other cases, even being 5 minutes late could have an impact on the organisation.

## Avoiding discrimination

Employers must not discriminate against employees when recording absence or lateness.

For example, a pregnant employee might be repeatedly late for work due to morning sickness. If their employer disciplines them for this, it could be discrimination on the grounds of pregnancy or maternity.

Recording some types of absence separately could help the employer avoid discrimination. For example, they could record pregnancy and disability-related absence or lateness separately.

Recording these absences separately does not mean the employer should ignore them. They should still speak to the employee to find out how they can support them.

For example, a pregnant employee is repeatedly late for work due to morning sickness. Their employer agrees they can work from home until they feel better, so that they do not have to leave the house early to travel to work.

## 2. If there's a valid reason

An employee who is late for work or does not come to work might have a valid reason for it. For example:

- they're unwell
- they have been delayed by travel disruption
- there's an unexpected emergency involving someone who depends on them
- someone close to them has died

The employer should:

- follow their policy for recording the absence or lateness, if they have one – this might be a general policy for absence or a specific policy for a type of leave
- remind their employee of how to report absences or lateness – if it's appropriate
- offer any support the employee needs

Find out more about:

- [disruption getting to work](#)
- [time off for dependants](#)
- [time off for bereavement](#)
- [keeping in touch during absence](#)

## Checking if there are reasons for absence or lateness

An employee might not give a reason for their unauthorised absence. However, employers should consider if there's something they reasonably could know about that is causing absence or lateness. For example:

- mental health problems
- a disability
- being bullied at work

An employee might not feel comfortable telling their employer about the reason behind their absence or lateness.

Employers should try to create an open and supportive environment to discuss this. They should:

- make sure conversations are in private
- ask open questions and not make assumptions
- consider allowing the employee to bring someone with them to any meetings – this could be someone they work with or a trade union representative, if they're a member

Employees should be honest with their employer about the reasons for their absence or lateness. If the employer knows what's happening, they can offer support.

Employers and employees should talk to see if the employer can offer support to help the employee attend work. For example:

- [flexible working](#)
- [reasonable adjustments](#), if the employee is disabled

Find out more about:

- [supporting mental health at work](#)
- [supporting disabled people at work](#)
- [bullying at work](#)

### 3. If there's no valid reason

An employer might find that an employee is off work or late for work with no valid reason.

The employer should follow their policy on how to handle this, if they have one.

They should try to handle the situation informally, if it's appropriate. This can help stop unauthorised absences or lateness in the future.

Employers should speak with their employee to:

- check [if there's a reason for the absence or lateness](#) that they can support them with
- make sure they know the policy for unauthorised absence and lateness, if there is one

### If the absence is a disciplinary issue

An employer might treat the absence or lateness as a disciplinary issue, for example if:

- the absence or lateness has serious consequences
- the employee is repeatedly late or absent without a valid reason and they're making no attempts to improve their behaviour

Employers should:

- follow their policy on dealing with unauthorised absence and lateness, if they have one
- follow a fair disciplinary procedure

[Follow our disciplinary procedure step by step](#)

## Dismissal for unauthorised absence

An employer might decide to dismiss an employee for unauthorised absence or lateness.

Dismissal should always be a last resort. Before making this decision, an employer should follow a fair [disciplinary procedure](#).

### Contact the Acas helpline

[Contact the Acas helpline](#) for more advice if you're:

- an employer considering dismissing an employee for unauthorised absence or lateness
- an employee being dismissed for unauthorised absence or lateness

## 4. Pay

If someone does not turn up for work or is late, their employer does not have to pay them for the time they did not work. This is because the employee is not fulfilling their contract of employment.

However, an employer should:

- follow any policy they have on it
- be fair and reasonable – an employee might have a good reason for not being at work, for example sickness or a family emergency

Some employers might offer pay when an employee cannot get to work if they have a valid reason. For example, in the event of widespread travel disruption.

Alternatively, they might allow the employee to work back the time lost. Employers should make clear which absences are paid and which are unpaid in the employee's contract or in a policy.

To find out whether they will get paid for unauthorised absence, employees should:

- check their organisation's policy, if there is one
- check their employment contract
- talk to their employer

## Deducting pay for being late

An employer does not have to pay an employee for time that they did not work.

If it's agreed in their contract, employers can deduct additional pay from employees when they're late for work.

The amount of pay the employer deducts should be reasonable for the amount of time the employee is late. Deducting more pay than is reasonable could cause more absence.

For example, an organisation deducts an hour's pay from employees when they're 15 minutes late. Blake is running 15 minutes late for work. They decide to take a full hour off work, because they know they'll lose an hour's pay regardless.

An employer must not take an employee's pay below the National Minimum Wage, even if the contract allows deductions.

[Find out more about deductions from pay and wages](#)

## Contact the Acas helpline

If you have any questions about pay and unauthorised absence or lateness, you can [contact the Acas helpline](#).

## 5. Having a policy

Employers should have a policy that covers unauthorised absence and lateness so that they can:

- make clear to employees what counts as unauthorised absence
- handle unauthorised absence and lateness in a consistent way
- set out what happens to an employee's pay when they do not turn up for work or they're late
- use it to train managers

[Find out more about creating absence policies](#)

## Making an unauthorised absence and lateness policy flexible

Employers should make their policy on unauthorised absence and lateness flexible. Policies that are not flexible might cause more absence.

### Example of a policy that is not flexible causing more absence

Sam is running late for work because their train is delayed. Their organisation's policy is not flexible. It states employees will get a warning for being late or having an unauthorised absence. Sam decides to take the day off work because they know they'll get a warning either way.

### Example of a flexible policy reducing absence

Sam is running late for work because their train is delayed. Their organisation's policy is flexible about lateness and unauthorised absence. They contact their employer to let them know they'll be half an hour late because of the train delay. Sam makes up this time at the end of the day.