



Version Control	Changes Made	Author
Version 1 October 2022	Introduction of new procedure	People Management

Absence Procedure

1. Guiding Principles

Management of absence should be **person centred**. This means **prioritising wellbeing** and accounting for an employees' individual needs and circumstances, which will be different from person to person. Managers will not be limited to a prescriptive list of support options, instead all stakeholders are encouraged to apply **creativity** and **flexibility** to find bespoke solutions that best support individual employees' wellbeing. Stakeholders are also expected to be **proactive**, taking action to support wellbeing at the earliest appropriate opportunity given the circumstances of the specific case.

Individuals may require different support at different times to best support their wellbeing. By applying the above principles **consistently** and equally valuing the health and wellbeing of all employees this difference in treatment by managers is appropriate.

Managers should seek support from their People Management / HR Provider.

2. Reporting Absence

Employees or designated person must phone in as soon as possible,

- for schools staff this needs to be before 7.30. This gives managers/head teacher's* time to arrange cover. If for any reason a call is not answered the teacher must continue to phone until contact is made. Or follow school's own reporting procedure where different.
- for other council/schools staff normally within 1 hour of expected start time. If for any reason the manager/head teacher is unavailable the employee must leave a message with their telephone number to allow the manager/head teacher to call them back. If the employee is still unfit for work after 3 days, they must contact the manager/head teacher again and provide an update.

Managers need to have a verbal conversation with employees who are reporting sick to ensure wellbeing. If verbal contact is not possible then other means must be used to ensure notification.

* In some schools/services there may be a nominated contact other than the Head Teacher/manger.

3. Fit Notes

Managers and employees need to ensure every day in a period of absence is covered either by a self-certification form or a doctor's fit note.

An employee who is off sick for 7 days or less (including weekends) must complete a self-certification form to cover every day of the absence including half days, this can be done prior to, or at their Return to Work interview.

For sickness absence of 8 days or more (including weekends) a medical certificate (fit note) is needed, employees should send this to the manager/head teacher straightaway following issue by the medical practitioner.

4. Industrial Injury/Infection Control

If during the notification the employee states at their absence is due to an accident that happened at work, the manager/head teacher must follow the Health and Safety procedure, ensuring an accident form is completed, and if necessary, an investigation is carried out. The absence reason should also be recorded as an accident at work.

5. Keep in Touch

It is expected that an employee will keep the school/council informed about their absence, especially if a significant change occurs. Normally, an employee (or nominated representative) should keep in touch with and update their manager, or nominated person, on a weekly basis. Alternatively, the employee may prefer the manager/nominated person to contact them for updates at pre-arranged times. The operational guidance gives further details in cases where it wouldn't be appropriate for the manager/head teacher to be the nominated contact.

6. Sick-Pay Entitlements

Sick Pay entitlements are calculated differently depending on whether an employee comes under 'Green Book' terms and conditions (for core council and schools support staff employed by the council) or 'Burgundy Book' terms and conditions (for teachers).

The Council's Occupational Sick Pay (OSP) provisions (for 'Green Book' staff) are as follows:

During 1st year of service	1 month's full pay and (after completing 4 month's service) 2 month's half pay
During 2nd year of service	2 month's full pay and 2 month's half pay
During 3rd year of service	4 month's full pay and 4 month's half pay
During 4th and 5th years of service	5 month's full pay and 5 month's half pay
After 5 years' service	6 month's full pay and 6 month's half pay

Occupational Sick Pay (OSP) provisions under the 'Burgundy Book' (for teaching staff) are as follows:

During 1st year of service	full pay for 25 working days and (after completing 4 calendar month's service) half pay for 50 working days
During 2nd year of service working days	full pay for 50 working days and half pay for 50
During 3rd year of service working days	full pay for 75 working days and half pay for 75
During 4th and subsequent years of service 100 working days	full pay for 100 working days and half pay for 100

For green book employees, the rate of sick pay is calculated by deducting from the employee's entitlement on the first day, the total number of days absence during the twelve months immediately before the first day of absence.

For Teachers (Burgundy Book terms and Conditions) entitlement renews on 1st April each year and count back is only considered if an absence is continuous on the 1st of April.

Details of exceptions and exclusions can be found in the attached operational guidance.

7. Other time off

The council/school will support staff who reasonably require other paid time off connected to a health condition which is not appropriately classified as sickness absence. This includes medical appointments that cannot be scheduled outside of work time. Employees and Managers should refer to the Time off Work booklet for details of other leave provisions.

In some exceptional circumstances, managers/Head Teachers may need support to determine whether an absence should be classified as sickness absence, or whether another provision such as Medically Directed Absence would be more appropriate. In that case managers/Head Teachers should refer to the operational guidance and contact People Management/HR provider.

8. Return to Work

The return-to-work process is intended to support employees back into the workplace following periods of sickness absence. Managers/Head Teachers should therefore arrange an initial meeting/conversation to take place with the returning employee before they resume normal duties. The meeting is an opportunity to discuss and agree a timeline for picking work back up and any supportive arrangements that may be necessary to ensure wellbeing as the employee gets back up to speed following the absence.

9. Representation

Throughout this procedure the employee has the right to be accompanied by a TU representative or a colleague.

10. Procedure for Short-term absence

Short-term absence is normally considered to be less than 28 calendar days. The short-term procedure is intended to deal with cases where multiple instances of short-term absence are a cause for concern for the head teacher/manager.

The purpose of the formal process is to support health and wellbeing improvements that enable employees to maintain and sustain attendance levels and reduce impact on the service/school. Persistent short-term absence may cause concern to a head teacher/manager due to the impact on the rest of the school/team. However, it should be noted that persistent short-term absence is often linked to an underlying medical reason or disability.

When an employee's absence level causes concern, the manager/head teacher should arrange a formal 'Wellbeing Support Meeting' at the earliest opportunity. This meeting will discuss any underlying health or wellbeing issues that may be contributing to absence and any appropriate measures to support improvements to the employee's health and wellbeing. An occupational health referral should be considered in cases where medical advice could benefit this discussion.

If the absence level continues to cause concern, further meetings should be arranged to consider alternative support options. Managers/Head Teachers will need to hold as many meetings as reasonably required to fully consider all underlying health and wellbeing issues and appropriate support required.

Only once all reasonable avenues for support have been exhausted and absence levels remain unacceptable, the council/school may need to consider dismissal. Then the manager/head teacher will convene a 'Case Conference' meeting to be chaired by a senior manager/panel of governors.

11. Procedure for long-term absence

Long term absence normally lasts for 28 calendar days or more. Long term absences are often linked to an underlying medical reason and may be due to a disability. The purpose of the formal process is to support health and wellbeing improvements that enable employees to return to work and maintain a sustainable attendance thereafter.

When it becomes clear an absence may develop into a long-term absence, the manager/head teacher should consider an Occupational Health referral and arrange a formal 'Wellbeing Support Meeting' at the earliest opportunity. The meeting should be used to discuss any available medical advice and measures that may support improvements to the employee's health and wellbeing. If the employee is well enough to consider a return to work, there should also be discussion of any measures that may be appropriate to best support the employee's health and wellbeing on their return.

Managers/Head Teachers should use the medical advice in conjunction with other information about the employee's circumstances to determine the timings and number of meetings required, which will vary depending on the case.

The Council/School will only consider dismissing an employee on the grounds of capability due to ill health when it has considered all the available facts and medical reports, when all appropriate supportive options have been exhausted, and where the employee is still unable to sustain a successful return to work. Then the manager/head teacher will convene a 'Case Conference' meeting to be chaired by a senior manager/panel of governors.

12. Occupational Health and Sources of Support

The Occupational Health Service/School's occupational health provider is available to advise managers at any time about how best to support an employee who is off sick. Occupational Health advice may also be appropriate to support staff who have underlying health or wellbeing issues but remain in work.

There are also Occupational Health fact sheets available to managers/head teachers covering several common health and wellbeing issues and workplace adjustments that may be beneficial. These may assist with early intervention to support health and wellbeing for all employees.

Note: Schools should contact their own occupational health Service and follow their process.

Managers and employees should proactively engage with all resources available to prevent sickness, absence and disability, full details of which are available in the operational guidance, or by contacting your own providers (Schools)

The council's employee information site also provides details of external organisations providing support regarding a wide range of health and wellbeing issues:

<https://www.cumbria.gov.uk/employeeinformation/wellbeing.asp>

13. Time off for Disability

Employees may require time off related to a disability which is not appropriately classified as sickness absence. There is a disability leave procedure which provides for up to 10 days of disability leave each year (manager can grant more than 10 days), either planned or unplanned. Where employees have disclosed a disability, managers should refer to the disability leave procedure to consider whether disability leave may be appropriate.

Timescales

Task / Action	Timescale
Report sickness absence	As soon as possible, generally within an hour of normal start time Teachers – before 7.30am Update after 3 days if still unfit for work
Provide Fit Notes (Absence less than 7 days, self-certification)	on return to work (Self-Certification)
Provide Fit Notes (Absence 8 days or more, medical certificate)	Sent to manager/head teacher Immediately after receiving from Medical Practitioner
Keep in Touch	On a weekly basis
Return to Work Interview (May be face to face, virtual, or telephone as appropriate)	On or before first day back after absence – before commencing other duties.
Formal meetings under short term procedure	Employees given at least 5 working days' notice of meeting Number and timings of meetings depend on the circumstances in specific cases.
Formal meetings under longer term procedure	Employees given at least 5 working days' notice of meeting Number and timings of meetings depend on the circumstances in specific cases.
Case Conference meetings	Employees given at least 10 working days' notice of meeting

Appendices

List of associated guidance documents for managers' reference:

- Managing Wellbeing in the workplace
- Managing the Return-to-Work Process
- Accidents at Work
- Long Term Absence
- Short Term Absence
- Managing Absence Consistently.