



Management of Attendance Policy

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Next review date:	December 2021
Approval needed by:	Finance and Staffing Committee

Scope

This policy applies to all Trust staff. The policy does not form part of an employee's terms and conditions and can be amended at any time. The policy does not apply to employees in their probationary period.

Introduction

It is accepted that employees may be unwell from time to time, resulting in absence from work. However, concern can arise where the level, frequency or pattern of such absences is considered to be excessive or prolonged. This procedure covers both short term intermittent absences and long term absence which continues for more than 4 weeks.

Confidentiality of Information

Information relating to an employee's absence is sensitive personal information and as such is covered by the Data Protection Act. Managers must ensure that they are aware of the requirements of the Act and adhere to them.

Monitoring of Absence

All absences from work will be recorded and monitored to ensure that managers are aware of an individual's absence record and can apply the procedure(s) consistently and fairly. Medical information will be managed sensitively and securely and only shared where necessary.

Reporting Procedure

All employees are required to follow the correct reporting procedure(s) and contact their designated member of staff on the first day of absence, giving reasons for their absence from work and an estimation of the length of their absence.

Where it is apparent that the staff member's ill-health means that they will be absent for a long period of time, the staff member and their Line Manager should agree a frequency of contact that is appropriate and what form this should take.

Absence known in advance

All employees are required to follow the correct procedure(s) in respect of requesting a planned absence. Such absence may include attending training courses, meetings, visits, appointments etc. and employees must provide copies of appointment letters as appropriate or where requested.

Informing Others

If permission has been granted for the requested absence, the employee must inform their Line Manager and/or Head of Faculty/Department, Head of Year and Duty Team Leader(s) in good time prior to taking the absence. This is to ensure the continued effective running of the school.

If employees have duties on the days where they are to be absent, it is their responsibility to arrange a 'swap' of duties.

Absence through illness or other emergency

All employees are required to follow the correct reporting procedure (s) and contact their designated member of staff on the first day of absence, giving reasons for their absence from work and the estimated length of absence.

Cover work should be provided to the relevant curriculum lead. Where circumstances prevent this, the relevant curriculum lead will set work and brief the supply or cover member of staff.

It is important that employees inform school of their return to work as soon as possible and, at the latest, on the morning of their return.

If employees are absent due to sickness for up to 7 consecutive calendar days, they can 'self-certify' their absence, and this is done by way of the Staff Sickness Return to Work form (please see below). If employees are ill for more than 7 calendar days a Statement of Fitness to Work (fit note) must be obtained from the doctor.

Return to Work Interviews

A return to work interview will take place with the employee and Line manager following every period of sickness or unplanned absence. The interview should take place preferably on the first day back following absence and ideally before the employee begins work but if this is not possible within 2 days of his/her return. It is important that the Line manager is informed of any recommended or requested workplace adjustments as soon as possible either prior to or upon return, so these can be discussed at the interview.

A return to work interview is an opportunity for the Line manager and employee to discuss the reasons for the absence, any contributing factors whether work related or not, medical advice/treatment received, and whether there is a likelihood of a recurrence. This discussion will assist in ensuring a full understanding of the reasons for absence, together with an exploration of any additional support that may be needed. The Line manager will ensure that the content of this discussion is kept highly confidential and will only share sensitive medical information where it is necessary for the purpose of supporting the employee and in the application of the absence management process.

Before the return to work interview takes place, the Line manager should prepare by reviewing the employee's attendance record and identify whether their absences have reached a trigger point for a review, due to frequency, duration or pattern of absence, so the employee can be advised of this as appropriate. If trigger points have been reached, the Line manager needs to inform the employee that he/she will be discussing this as part of the return to work interview, as per the procedure.

The Staff Sickness Return to Work Form will be completed and returned to Human Resources as soon as possible. This document will be treated as confidential and only used for the purpose of absence management. Failure to complete this process may affect an employee's salary.

Discretionary leave

For all leave other than for personal illness please refer to the **Leave and Time Off Policy**.

Medical Appointments

Where possible, medical appointments must be arranged in employee's own time to ensure the minimum amount of absence from work or disruption to the school. There will be exceptions to this such as emergencies and hospital appointments. The school may consider it a reasonable adjustment for appointments to be taken during the school day where staff have a disability. Time off for ante-natal appointments do not fall within this category.

Where the time off required equates to half a day or greater, the time off will be recorded in the usual way for absence monitoring purposes.

The Academy Trust will consider wherever possible any arrangements to be made to allow employees to make up time lost.

Illness of Dependents

Please refer to the **Leave and Time Off Policy**.

Attendance Management Policy

Introduction

It is accepted that employees may be unwell from time to time, resulting in absence from work. However, concern can arise where the level, frequency or pattern of such absences is considered to be excessive or prolonged. This procedure covers both short term intermittent absences and long-term absence continuing for more than 4 consecutive weeks.

Line Manager and Employee Responsibilities

It is the responsibility of the Line manager to:

- Apply procedures relating to attendance and sickness absence in a fair, consistent and timely manner
- Assist in the management of the attendance of their employees
- Communicate the absence reporting procedure to their employees and ensure the document is visible and accessible
- Maintain regular contact with employees when they are absent
- Conduct return to work interviews for all planned and unplanned absences, and complete the relevant documentation
- Hold reviews as part of the return to work interview when trigger points are reached
- Escalate employees in the procedure when attendance remains unacceptable
- Ensure that employees are trained in safe and healthy working practices and adhere to them
- Undertake risk assessments to ensure that the working conditions are as safe and healthy as possible, and that significant risks are appropriately managed
- Where necessary and under the guidance of Occupational Health, seek to make temporary or permanent adjustments in the workplace in order to facilitate a successful and sustained return to work for absent employees.

It is the responsibility and expectation of all employees to:

- Seek to achieve maximum attendance by adopting a positive approach to their own health and wellbeing and to the management of their absence
- Follow the correct reporting procedures when they are unable to attend work
- Maintain regular contact with their Line manager and the school throughout their period of absence

- Provide medical statements as required by the procedure
- Maintain an open dialogue with their Line manager regarding issues which impact on his/her ability to attend work and carry out their full duties
- Comply with requests to attend appointments with the school's Occupational Health provider
- Follow safe and healthy working practices and procedures, and report any concerns to their Line manager
- Comply with the requirements of this procedure

MANAGING ABSENT EMPLOYEES

Absence Reporting Procedure

On the first day of absence the employee should make contact with their designated member of staff as soon as possible, preferably by a telephone call and not via text, detailing:

- that they are absent
- the reason for the absence. If the reason for absence is sensitive or confidential, and the employee does not want to leave a message to this effect, then an email should be sent, stating the reason for absence, to Human Resources
- the length of time they feel they will be absent and likely return to work date
- if they have made a GP appointment
- any urgent outstanding work that may need attention before their return
- any student work that the school will need to provide cover for

It is expected that employees will make contact personally with the absence line to inform of their absence. It is only acceptable for someone else to make contact on the employee's behalf in exceptional circumstances, i.e. if the employee is in hospital and is unable to make the call themselves.

Administration Process

All employees are required to follow the correct reporting procedure regarding completion of Sickness Absence forms on the first day back or within the specified timeframe(s) to ensure correct recording of absence data for the monitoring of sickness absence trigger points, and maintain the correct administration of sick pay.

Maintaining Contact

Contact with the individual Academy should be made from day one onwards. The member of staff who is absent should retain a two-way contact by keeping his/her Line manager updated on his/her absence. The Line manager, member of Human Resources, or an appropriate member of the Leadership Team will contact the employee if no contact is forthcoming. This is intended as a supportive mechanism, and as a way to inform him/her of any updates that may be relevant.

Whilst some absences can be sensitive and personal, it is reasonable for a member of the Human Resources team or an appropriate member of the leadership team to ask the employee relevant non-intrusive questions about their absence to enable alternative arrangements for cover, and to maintain service delivery with as little disruption as possible.

In the case of long term sickness absence, it is important for the Academy to maintain sympathetic levels of contact with the employee (or another appointed member of their

family or friend if the employee is too ill) to ensure he/she is kept up to date with treatment etc. and also to look at ways in which any employer support can be facilitated.

Stress Related Absences

When an employee reports that they are suffering from stress, stress related illness, anxiety or depression, or where the manager or other senior leader believes they are, then a referral to Occupational Health should automatically be made whether they are at work or absent. A Stress Risk Assessment must be completed as soon as possible, even if the employee is absent from work, and any stressors identified would need to be considered and/or temporarily removed (and noted on the form) under workplace adjustments.

Self-Certification and Fit Notes

An employee can self-certify for up to and including 7 calendar days due to sickness.

Where an employee is unable to attend work for more than 7 calendar days due to sickness, he/she is required to provide the Academy with a Statement of Fitness for Work (fit note) which indicates that he/she is:

- Not fit for work
- May be fit for work taking account of the medical professional's advice

Fit notes are provided by the employee's GP. Where a fit note is due to expire and the employee does not feel well enough to return to work, he/she must seek GP advice and request a fit note to cover the absence. The absence dates must be continuous in order for the employee to continue to receive sick pay.

Where a fit note indicates that an employee 'may be fit for work' the note should include suggestions for changes that could be made to the employee's duties, working environment or hours of work to enable him/her to return to work. The information provided must be discussed between the employee and the Line manager, member of the Human Resources team, or an appropriate member of the Leadership Team, before they return in order that full consideration can be given to accommodating any recommended adjustment(s). If it is felt that the adjustments are not suitable for the employee's job role further guidance may be sought from Occupational Health.

Failure to Supply Fit Notes/Medical Information relating to Sickness Absence

Where there is a failure to provide an appropriate medical statement to cover any part of an absence exceeding 7 calendar days, a formal letter will be sent to the employee to inform them that if they do not provide the necessary medical information relating to their absence by the deadline date that pay may be withheld until such time as they have followed the correct procedure. Where no certification is provided, the absence may be treated as unauthorised and this may be dealt with as a potential disciplinary matter.

Unapproved Absence

Unapproved absences will be recorded by the Academy Trust. In such cases the Line manager, member of Human Resources, or an appropriate member of the Leadership Team will first try to establish the reason for the absence by telephone or by letter. Where these methods create no response, a member of Human Resources or an appropriate member of the Leadership Team will write to the employee to inform him/her that if they do not respond by a deadline date pay may be withheld until such time as the circumstances of the case can be verified. Continuous or frequent occurrences of unapproved absence may constitute serious misconduct, and will be investigated under the Academy's Disciplinary Procedure, potentially leading to dismissal.

Examples of Unapproved Absence:

- Non-compliance with the relevant absence reporting procedure
- Leaving the workplace without permission during working hours
- Sickness absence lasting more than 7 calendar days for which no medical statement or 'fit note' has been provided within a reasonable period of the timescales set within the procedure
- Failure to attend work after permission for time off has been refused e.g. holidays
- Failure to report for duty without approval (not sickness related)

Disability-Related Absence and the Equality Act 2010

The Trust will adhere to the provisions within the Equality Act of 2010 for the employer to make reasonable adjustments to accommodate the needs of a disabled individual to enable them to undertake their role. The Trust would usually seek advice from the OH provider and any evidence offered by the employee's consultant or doctor to identify reasonable adjustments. Where an employee's health deteriorates to a point where no further suitable adjustments can be made, the Trust needs to consider other procedures i.e. ill health retirement or dismissal on the grounds of ill health.

Fitness to Teach (Teaching Staff)

Before taking any action in relation to a teacher's fitness to teach the head teacher **must** seek advice from Human Resources.

Statutory Basis

The Education (Health Standards) (Regulations) England 2003 states that employers and training providers must ensure that a person has the health and physical fitness to teach. These regulations explain that a "relevant activity" may only be carried out by a person if, having regard to any duty of his employer under Part II of the Disability Discrimination Act 1995 (DDA), he has the health and physical capacity to carry out that activity. If it appears to an employer that a teacher or other may no longer have the health or physical capacity to

carry out a relevant activity the employer must follow the procedures under the 2003 regulations.

Governing bodies and head teachers of academies have powers to take emergency action and suspend teachers where it is believed he/she may have become medically incapable of performing teaching duties and are putting the health, education, safety or welfare of themselves, pupils and staff at risk, or where they have become medically unfit to perform teaching duties. Where a medical suspension may be necessary, the headteacher or chief executive must immediately refer the teacher to Occupational Health and with Human Resources guidance, put in place means of support for both the teacher and the school.

Employers have the wider remit of considering whether a teacher in relevant employment has become medically unfit to perform teaching duties (whether or not emergency action has been taken by a school).

Referrals to Occupational Health

Referrals will be made to the OH provider either after an employee has been on sick leave continuously for four weeks, or, if the initial medical certificates indicate an absence of 4 weeks or more. If there is evidence that an employee is suffering from stress, depression or a related condition, referral will always be immediate as a matter of course regardless of whether that employee is in school or absent.

SHORT TERM ABSENCE MANAGEMENT

Short-term sickness absence under the terms of the Policy is defined as up to 4 weeks (28 calendar days). When an employee reaches any one of the identified trigger points, the short-term absence management process will be as follows:

- Informal Absence Review / Initial Trigger Meeting
- Stage 1: Formal Absence Review
- Stage 2: Formal Absence Review
- Stage 3: Final Absence Hearing

Triggers for Further Action:

The triggers to commence the Absence Review process are as follows:

- 3 separate absences or absences totalling 10 days or more in a rolling 6-month period
- a pattern of absences (e.g. preceding or following Bank holidays, school holidays, weekends)

These conditions will apply to all unplanned absences whether covered by a medical certificate or not.

Informal Absence Review / Initial Trigger Meeting

The Line manager will conduct the normal return to work interview process. (See Appendix 3). Following this, the Line manager will then explain that due to the last absence the employee has reached one of the triggers above. The Line manager should then discuss the absences that have caused the trigger.

This is an informal stage of the attendance management and sickness absence procedure and provides an opportunity for the Line manager to have an informal and confidential discussion around the reasons for the absence and the employee's circumstances. It allows the Line manager to proactively discuss and explore any potential underlying work or medical issues, including any disability, so that he/she can review any support and further assistance that may be required to help increase the employee's attendance. It also gives the Line manager the opportunity to find out from the employee what they themselves are doing to support their return to the workplace i.e. attending counselling, physiotherapy etc.

A referral to Occupational Health may also be discussed and considered if the Line manager feels it is appropriate, particularly if stress/anxiety/depression are factors or if the employee requests it. Where stress is the reason for the sickness absence, the Line manager should ask the employee to complete a stress risk assessment and discussion should be held with the employee regarding the implementation of practicable control measures.

During the meeting the Line manager should also explain to the employee what is expected regarding their attendance, and where appropriate highlight the effect their absence may have on the school and other colleagues.

The Line manager should conclude the meeting by explaining that attendance will continue to be monitored, improvement and targets will be set where appropriate, and any further unacceptable absences or exceeded targets may lead to a meeting at the First Stage Formal Review Meeting.

1. Stage 1 Formal Review Meeting

The meeting should be confirmed in writing on the review form detailing the key points of the discussion with a copy to the employee.

If following the meeting, and for a period of not less than 12 weeks, the employee's attendance improves to an acceptable level, escalation to a formal review may not be necessary and the employee should be advised of this as appropriate.

Failure to meet Required Improved Attendance

If an employee's absences remain unacceptable i.e. further absences occur or targets have not been achieved, the employee will be advised that a Stage 2 Formal Review meeting will be arranged.

2. Stage 2 Formal Absence Review Meeting

The Head of Faculty (with support from a member of Human Resources if necessary) will hold a formal absence review meeting with the employee which will be arranged and conducted in accordance with the procedure set out in the Academy's Disciplinary Policy and Procedure (the Academy will make arrangements to hold this meeting at a convenient location if the employee is unable to attend the workplace). At the Head of Faculty's request, a member of the leadership team or a member of Human Resources may be present.

The letter of invitation will allow 5 working days' notice from receipt of the letter. It will include the date, time and venue of the meeting, the people present, the right for the employee to be accompanied by their trade union representative or work colleague

For **continued absence**, the purpose of the meeting will be to discuss:

- the reasons for and impact of the employee's absence;
- the anticipated duration of the employee's absence;
- if it has not been obtained, consider whether medical evidence is required. If it has been obtained, consider the advice that has been given including advice provided by Occupational Health, and whether further advice is required;
- whether the reason for the absence is related to or caused by a disability;

- whether it is necessary for the Academy to consider taking reasonable measures to facilitate the employee's return to work
- whether it is necessary to undertake a stress or job risk assessment
- the employee's ability to return to their job in view of their capabilities and the Academy's operational needs;
- action the employee has taken in order to improve their attendance e.g. attending counselling, physiotherapy etc.
- action that will be taken and a time-scale for review and/or a further meeting. Depending on steps that have already been taken, this may include a written warning.

For **repeated absences**, the purpose of the meeting will be to discuss:

- the reasons for and impact of the employee's absences;
- if the employee has met the targets set at the informal stage;
- the anticipated duration of any further absences;
- if it has not been obtained, consider whether medical evidence is required. If it has been obtained, consider the advice that has been given and whether further advice is required;
- whether the reason for the absence is related to or caused by a disability;
- whether it is necessary for the Academy to consider taking reasonable measures to assist the employee in the workplace and to minimise the occurrence of repeated absences;
- the employee's ability to remain in their job in view of their capabilities and the Academy's operational needs;
- action the employee has taken in order to improve their attendance e.g. attending counselling, physiotherapy etc.
- action that will be taken and a time-scale for review and/or a further meeting. Depending on steps that have already been taken, this may include a first **written warning** in accordance with the Capability Policy and Procedure.

The employee can appeal against this decision, within 10 working days of receiving it, to the Head of the school in accordance with the disciplinary appeals procedure set out in the Capability Policy and Procedures.

If the appeal is upheld and the outcome of the appeal is that the decision to issue a first written warning is overturned, it may be that the absence management process is deemed unnecessary or the employee goes back to the informal stage (depending on the facts).

3. Improved Absence

If following the Formal Absence Review an acceptable level of attendance is achieved within the review period, the procedure can be halted at this stage. The formal absence management procedure may continue to be applied by the academy during the period when the warning is live on the individual's file, even if they have met the targets during a further review period. Review meetings will continue every four weeks for the duration of the life of the warning.

Failure to meet Required Improved Attendance

If an employee's absence levels remain unacceptable, i.e. further absences occur or targets have not been achieved, the employee will be advised that the short-term absence has progressed to a Stage 3 Final Absence Hearing.

Stage 3 Final Absence Hearing

This stage applies where there is an unacceptable continued absence or pattern of absences calling into question the employee's capability to carry out the requirements of the job.

The employee will be required to attend a meeting with one of the Heads of the Trust and a member of the Human Resources team (if they have not been involved earlier in the process) which will be arranged and conducted in accordance with the Capability Policy and Procedures, who will review the meetings that have taken place and the matters that have been discussed with the employee.

A letter of invitation will allow 10 working days' notice from the receipt of the letter. The letter will include the date, time and venue of the meeting, the people present, the right for the employee to be accompanied by their trade union representative or work colleague, and will include a copy of the relevant flowchart

The hearing will consider a history of the case to date and whether any further support or actions are appropriate in the circumstances. A case history can include the absence record; the impact the absence has on the school, standards of teaching/learning, service delivery and other staff; financial and cost implications, representations made by other staff/or their representatives; actions taken to enable the employee to continue in employment, any medical advice (including Occupational Health reports) received, and any other relevant documentation.

The employee will have an opportunity to give their opinion with regards to their health and fitness for work.

At this hearing, a decision will be made to either:

- Review the situation for a period not exceeding 3 months including obtaining further medical advice if required. Where there is a further absence during this review period, it may be appropriate to move to the dismissal procedure.

- Where it is appropriate to keep an employee under review for a specified period, the Final Stage Hearing will be reconvened at the end of that period.
- Where evidence suggests that there have been no further absences within 6 months of the Final Stage Hearing the Absence and Attendance Management Procedure may be closed down and the employee informed of this.
- Dismiss the employee on the grounds of the employee's inability to fulfil their contract of employment due to non-attendance.
- Dismiss the employee on the grounds of capability due to ill health.

The outcome of the meeting should be confirmed in writing by the Head who conducted the meeting normally within 5 working days.

If the employee is dismissed, they have a right of appeal against the decision, which must be presented in writing to the clerk to the governors within 10 working days of receiving the dismissal letter. The appeal will be heard by a panel of governors with no prior involvement in the case.

Where any of the recorded absence is related or potentially related to pregnancy, disability (as defined by the Equality Act 2010) or an accident at work (industrial injury) the following applies:

Disability Related Absence

Disability related sickness absence will be recorded with other unplanned absence, but management consideration should be given to the reasons why. A key requirement of the Equality Act 2010 was for the employer to make reasonable adjustments to accommodate the needs of a disabled individual to enable them to undertake their role and consideration should be given to adjusting the trigger points for formal action. The employer is required to think broadly of adjustments that could be made and to give the matter serious thought. The employer can discuss possible adjustments with the disabled employee but cannot rely on the employee alone to think of adjustments. If specialist equipment is required, an assessment can be arranged via Human Resources. Disability related absences can vary from time to time and medical conditions can change. If this happens, the Line manager should arrange a meeting with the employee to talk through any adjustments and offer Occupational Health support. Notes of the meeting should be kept, and a copy given to the employee. Where health deteriorates to a point where no further suitable adjustments can be made, managers need to give consideration to other procedures i.e. ill health retirement. The definition of disability will be made in accordance with the Equality Act 2010.

Pregnancy Related Absence

Pregnant employees are protected from discrimination if the absence is due to pregnancy.

Accident at Work (industrial injury)

Absence resulting from an injury at work that was not caused by the employee's negligence will still be recorded but may not count towards the calculation of triggers.

Occupational Health Reports

Upon receipt of any Occupational Health report, contents need to be considered by the Line manager along with a member of Human Resources and/or Headteacher and may need to be discussed with the employee either during or outside an agreed meeting, depending on the content. Any discussions and agreed recommendations should be confirmed in writing. The content of any report will be kept confidential and only accessed by a member of Human Resources and/or Headteacher, any other relevant key staff and the Academy's Human Resources advisers, solely for the purpose of supporting the employee and for absence management.

LONG TERM ABSENCE MANAGEMENT

Long-term absence under the terms of the policy is an absence of more than 4 weeks. During such absences it is particularly important for Head of Faculties to maintain regular contact with the employee, whilst being sensitive towards the circumstances of the absence, and where it is clear the employee will need to be managed under this process, make the employee aware of this.

Where necessary, at the fourth week of absence, the employee should be referred to Occupational Health as a duty of care.

Long-term absence review meetings should consist of the following process:

- A first formal meeting at 12 weeks' absence;
- A second formal meeting at 18 weeks' absence, and where it is clear that there is no foreseeable return to work date;
- A formal hearing at 28 weeks' absence

In addition to the formal meeting, managers can request a meeting informally at 4 and/or 8 weeks if they feel it would be beneficial.

First Formal Meeting – at 12 Weeks

A first formal meeting should be arranged by a member of Human Resources at 12 weeks if the employee is still absent from work due to ill health and a return to work date has not been provided or where it is likely that they are going to be absent for a significant period of time. A letter of invitation allowing 5 working days' notice from receipt of the letter will be sent to the employee. At the managers' request, a member of Human Resources may be present at the 12 week review meeting. The letter will include the time, date and venue of the meeting, the people present, the right for the employee to be accompanied by their trade union or work colleague, and will include a copy of the relevant flowchart.

The purpose of the meeting is to review the employee's absence from work to date, what support they have received and what further support may be necessary to assist them in their return to work.

The following should be discussed as appropriate:

- Explain the procedure to the employee
- How long the absence is likely to last
- Advice provided by Occupational Health
- In exceptional circumstances whether it would be in the academy's interests to consider a referral for private diagnostic appointment (the academy will fund this)
- Whether any further advice is required

- Whether they have a disability
- What reasonable adjustments would assist the employee in their current role
- Opportunities for alternative duties within the same school
- Any other information relating to the employee that may have an impact on their ability to return to work

The outcome of the meeting will be confirmed in writing to the employee and a copy retained on the employee's file at school.

At this meeting, a date should be agreed between Human Resources and employee to meet again at 18 weeks if it seems unlikely the employee will return or there is no foreseeable return to work date prior to then.

Second Formal Meeting – at 18 Weeks

A letter of invitation will allow 5 working days' notice from the receipt of the letter and will include the date, time, venue, people present and the right to be represented by a Trade Union representative or accompanied by a work colleague of their choice.

Further consideration will be given to:

- How long the absence is likely to last
- Any progress since the previous first formal meeting
- Whether they have a disability
- Any further advice provided by Occupational Health or other specialists
- Adjustments to hours, duties and location
- What additional support can be offered to assist the employee to return to work
- Opportunities for alternative duties within the same school
- Whether ill health retirement may be appropriate

The outcome of the meeting will be confirmed in writing to the employee and a copy retained on the employee's personal records.

Formal Hearing – at 28 Weeks

If an employee is still absent at 28 weeks, depending on the progress and the circumstances of the employee and following advice from Occupational Health and/or other appropriate medical practitioners, as well as information gained at the second formal meeting, if there is no foreseeable return to work date or where such a date is too far into the future for the school to continue to sustain the absence, a formal hearing should be arranged. This will consider what action is appropriate under the circumstances, heard by the headteacher (where delegated the power to dismiss and not disbarred by previous involvement) and accompanied by a member of Human Resources or the school's Human Resources advisor acting in an advisory role.

A letter of invitation will allow 5 working days' notice from the receipt of the letter and will include the date, time, venue, people present and the right to be represented by a Trade Union representative or accompanied by a work colleague of their choice.

Consideration will be given to:

- The length of absence and the reason(s) for the extended absence
- The advice sought and received regarding the health and capability of the employee
- Whether they have a disability
- Any reasonable adjustments considered/made including flexible and mobile working options, where appropriate
- Opportunities for alternative duties within the same school
- The likelihood of the employee returning to work in the foreseeable future
- Whether any other options are available to assist the employee in returning to work that have not already been discussed
- Whether retirement on the grounds of ill health is an option
- Having exhausted all other options, whether dismissal on the grounds of capability/non-attendance is the appropriate option

The outcome of the meeting will be confirmed in writing to the employee normally within 5 working days and a copy retained on the employee's file. In the case of dismissal on the grounds of ill health, pay in lieu of any notice period will be made.

The employee has a right of appeal against dismissal, which must be presented in writing to the Clerk to the Governors within 10 working days of receipt of the letter of dismissal. The appeal will be to the Appeals Panel of the Trustees and will consist of 3 Trustees with no previous knowledge or involvement of the case.

Long-term absence will not normally extend beyond 12 months. All circumstances in each case will be taken into account when determining appropriate actions and line managers must seek support and advice from Human Resources to ensure that a fair and consistent approach is adopted across the Trust.

SICK PAY AND ANNUAL LEAVE ACCRUAL

Exhaustion of Sick Pay

Once the employee has exceeded their entitlement to SSP/sickness benefit, medical certification will still be required in the form of a Doctors Certificate (fit note) to cover ongoing absence.

Annual Leave and Sickness Absence

Annual leave continues to accrue throughout periods of short and long-term sickness absence. Where an absence extends beyond the end of a holiday year and the employee has not been able to use their holiday entitlement, the unused contractual entitlement will be carried forward and be added to the following year's holiday entitlement. If employment is terminated any remaining annual leave entitlement will be paid in the final salary payment.

Employees may request to take annual leave during a period of sickness absence. If this is agreed by the line manager this will not end or interrupt the sickness absence and a break should not be recorded. Managers should communicate with Employee Service Centre to ensure that the correct pay elements are applied.

If employment is terminated any accrued holiday entitlement accrued to the point of termination will be paid in lieu, in the final salary.

Suspension and Sickness Absence

If an employee falls ill whilst under suspension for a disciplinary matter, they must report this to their manager/Headteacher and after a period of 7 days' supply a medical certificate to cover their absence and be placed on sick pay for the period of time they are covered by a medical certificate. Arrangements should be made for the employee to attend an appointment with OHU if the absence continues beyond 7 days.

If they are later certified as fit to return to work, they should return to normal pay but remain suspended (if this is still the case). The same applies to an employee who is absent and then suspended.

Please refer to the Disciplinary Procedure for further guidance.

Abuse of Sick Pay

In most cases, sickness absence is genuine and there is no need to suspend payment of sick pay. However, there may be occasions where a manager has reasonable belief that the Sick Pay Scheme is being abused. In these cases, managers may suspend the payment of an employee's sick pay.

The manager must write to the employee to inform them that their sick pay may be suspended, giving the reasons, and invite them to a meeting to discuss the matter.

Employees may choose to be represented by a TU representative or a work colleague of their choice.

Following the meeting, the manager will decide whether sick pay will be suspended and inform the employee in writing of the decision.

An abuse of the Sick Pay Scheme will be dealt with under the Disciplinary procedure and a serious abuse may constitute gross misconduct.

Appeal against Suspension of Sick Pay

Employees may appeal against the decision to suspend sick pay. An appeal should be sent to the chair of governors in writing within 10 working days of receipt of the written decision from the Principal.

The Chair of Governors will arrange a meeting and will be accompanied by their Human Resources Consultant. The employee may be represented by a Trade Union representative or a work colleague of their choice. A decision will be made and confirmed in writing to the employee.

Equality

The governing body will ensure that, when implementing the Attendance Management Procedure, no employee will be disadvantaged on the basis of their gender or transgender, marital status or civil partnership, racial group, religion or belief, sexual orientation, age, disability or pregnancy or maternity, social or economic status or caring responsibility. This means that the procedure may need to be adjusted to cater for the specific needs of an individual including the provision of information in alternative formats where necessary

Monitoring

Information relating to sickness will be collated and monitored regularly to ensure that the procedure is operating fairly, consistently and effectively. Issues that are identified from the information will be dealt with appropriately.

Long Term Absence Management - The Governing Body has Adopted the Following Principles and Practices

The flowchart supports, and should be used in conjunction with, the Attendance Management Procedure

The employee should be referred to Occupational Health if:
The absence is looking to be longer than 4 weeks
The manager has concerns and would like further information on fitness to work

A manager may meet informally at 4 or 8 weeks if they feel it would be helpful / supportive.

At 12 weeks absence: First Formal Review Meeting

Before the meeting at 12 weeks the manager

Informs their schools HR officer of the absence
Writes to the employee with a minimum of 5 working days' notice of the meeting (see model letters)
Shares the Attendance Management Procedure with the employee
Allows the employee to be accompanied by their TU rep or a work colleague

At the meeting the manager should discuss:

The employee's absence and how long it is likely to last
Progress to date – what is the employee doing to help speed up a recovery and return to work
When the employee is likely to return to work
Occupational Health advice via their report
Work options and workplace adjustments that would help support a return to work
Any other information which may help the employee return to work
Confirm the contents of the meeting in a letter to the employee and keep a copy on file

Employee Confirms their return to work

Agree a return to work date with the employee and the contents of the meeting in writing (see model letters) along with any agreed adjustments/support to put in place.

Identify when and how the support will be monitored and reviewed.
Confirm timescale for review

If Employee Remains Absent at 18 Week: Second Formal Review Meeting

Before the meeting at 18 weeks the manager:

Informs their Schools HR Officer who will attend the meeting
Writes to the employee with a minimum of 5 working days' notice of the meeting (see model letters)
Allows the employee to be accompanied by their TU Rep or Work Colleague

At the meeting the manager should:

Follow the process for First Formal Meeting and also discuss:
If there are any potential redeployment opportunities to consider, and
Whether ill health retirement may be appropriate – seek OHU advice on this
The position of the employee and the next stage of the formal process
Confirm the contents of the meeting in a letter to the employee and keep a copy on file

If Employee Remains Absent at 28 Weeks: Third formal Review Meeting

Before the meeting at 28 weeks the manager:

Informs their Schools HR Officer who will attend the meeting
Writes to the employee with a minimum of 5 working days' notice of the meeting (see model letters)
Allows the employee to be accompanied by their TU Rep or Work Colleague

At the meeting the manager should:

Follow the process for First Formal Meeting and also discuss:
If there are any potential redeployment opportunities to consider, and
Whether ill health retirement may be appropriate – seek OHU advice on this
The position of the employee within the formal process and the implications on employment if the absence continues

An assessment will be made as to:

No foreseeable Return to Work Date:

After exhausting all options and following advice from Occupational Health, the manager with HR support must decide whether dismissal on the grounds of continued absence with no foreseeable return to work is an appropriate action

Confirm the outcome in writing and give the employee notice of referral to GB (see model letters) and set up a Formal Hearing

A foreseeable Return to Work Date:

OHU advice needs to continue to be sought
Management under the Attendance Management Procedure needs to continue
An agreed return to work date needs to be sought

If a change in circumstance means no foreseeable return to work can be achieved, the manager will revisit the Third Formal Review Meeting process

STRESS RISK ASSESSMENT

This risk assessment should be completed by the Manager / Supervisor or another person who has a full knowledge of the Team or Individual's role. Employee(s) should be advised that they can be accompanied either by a Union Health & Safety Representative or another colleague.

Directorate / Service:	Team / Employee's Name(s):
Manager / Supervisor's Name:	Team / Employee's Job Title:
Manager / Supervisor's Job Title:	Team / Employee's Service Area:

• Do you feel able to talk to me as your Manager / Supervisor?	Yes / No
• If 'No' then please provide the name and contact details of the Team / Individual's Grandparent Manager	

	DEMANDS	YES	SOMETIMES	NO	N/A	BY WHOM	BY WHEN
1.	Do you think your skills and abilities are matched to your job?						
	Action / Control Measures / Comments / Done						
2.	Is the allocation of your work monitored by your Manager?						
	Action / Control Measures / Comments / Done						

	DEMANDS continued	YES	SOMETIMES	NO	N/A	BY WHOM	BY WHEN
3.	Have you received relevant induction and job training for your current role?						
	Action / Control Measures / Comments / Done						
4.	Were your working hours agreed during your recruitment?						
	Action / Control Measures / Comments / Done						
5.	Do your working hours cause you a problem? For example: taking breaks; taking holidays; unrealistic time pressures etc						
	Action / Control Measures / Comments / Done						
6.	Do you understand the reasons for temporary increases / decreases in your work load?						
	Action / Control Measures / Comments / Done						
7.	Are you able to cope with any temporary increases in your work load?						
	Action / Control Measures / Comments / Done						
8.	Do you have to neglect some tasks because you have too much to do?						
	Action / Control Measures / Comments / Done						

	DEMANDS continued	YES	SOMETIMES	NO	N/A	BY WHOM	BY WHEN
9.	Do you have any problems with your working environment such as noise, vibration, ventilation, humidity etc?						
	Action / Control Measures / Comments / Done						
10.	Are there adequate resources for you to do your work?						
	Action / Control Measures / Comments / Done						
11.	Is there sufficient suitable equipment available for you to do your job?						
	Action / Control Measures / Comments / Done						
12.	If you have informed your employer that you have a disability, have adjustments been made as part to accommodate this? (this may have been during Induction)						
	Action / Control Measures / Comments / Done						
	CONTROL	YES	SOMETIMES	NO	N/A	BY WHOM	BY WHEN
13.	Do you have control over the pace of your work?						
	Action / Control Measures / Comments / Done						

	CONTROL continued	YES	SOMETIMES	NO	N/A	BY WHOM	BY WHEN
14.	Can you choose what you do at work?						
	Action / Control Measures / Comments / Done						
15.	Can you choose how you do your work?						
	Action / Control Measures / Comments / Done						
16.	Can you choose when you take a break?						
	Action / Control Measures / Comments / Done						
17.	Do you have control over the way you work?						
	Action / Control Measures / Comments / Done						
18.	Can you delegate tasks?						
	Action / Control Measures / Comments / Done						
19.	If you have an issue with the control of your work, are you able to talk to someone?						
	Action / Control Measures / Comments / Done						

	CONTROL continued	YES	SOMETIMES	NO	N/A	BY WHOM	BY WHEN
20.	If 'yes' to Q19, do you feel your concerns are listened to?						
	Action / Control Measures / Comments / Done						
21.	Are staff involved in identifying any stressors involved in their job?						
	Action / Control Measures / Comments / Done						
	RELATIONSHIPS	YES	SOMETIMES	NO	N/A	BY WHOM	BY WHEN
22.	Are you aware of the policy on Dignity at Work? Consider: bullying, harassment, conflicts etc						
	Action / Control Measures / Comments / Done						
23.	Do you feel you are being bullied?						
	Action / Control Measures / Comments / Done						
24.	Do you feel subject to harassment due to gender, race, colour religion, ethnic origin, sexual orientation or disability?						
	Action / Control Measures / Comments / Done						
25.	Do you feel supported at work? Consider activities such as lone working etc						
	Action / Control Measures / Comments / Done						

	RELATIONSHIPS continued	YES	SOMETIMES	NO	N/A	BY WHOM	BY WHEN
26.	Do you know how to report any unacceptable behaviour which you have received from colleagues / your Manager / customers / members of the public etc?						
	Action / Control Measures / Comments / Done						
	CHANGE	YES	SOMETIMES	NO	N/A	BY WHOM	BY WHEN
27.	Are you consulted and involved in changes that may affect you at work?						
	Action / Control Measures / Comments / Done						
28.	Are you kept informed during periods of change?						
	Action / Control Measures / Comments / Done						
29.	Do you know who to raise concerns about change?						
	Action / Control Measures / Comments / Done						
	ROLE	YES	SOMETIMES	NO	N/A	BY WHOM	BY WHEN
30.	Do you have the opportunity to meet your Manager / Supervisor regularly to discuss your role?						
	Action / Control Measures / Comments / Done						

	ROLE continued	YES	SOMETIMES	NO	N/A	BY WHOM	BY WHEN
31.	Do you have a clear job description?						
	Action / Control Measures / Comments / Done						
32.	Are you clear about what is expected of you at work?						
	Action / Control Measures / Comments / Done						
33.	Is the correct training available for all the jobs you do?						
	Action / Control Measures / Comments / Done						
	SUPPORT / TRAINING / OTHER FACTORS	YES	SOMETIMES	NO	N/A	BY WHOM	BY WHEN
34.	Are you aware of the support which the Occupational Health Unit can offer you?						
	Action / Control Measures / Comments / Done						
35.	Do you have the opportunity for training and / or career development?						
	Action / Control Measures / Comments / Done						

	SUPPORT / TRAINING / OTHER FACTORS continued	YES	SOMETIMES	NO	N/A	BY WHOM	BY WHEN
36.	Do you feel able to talk to me as your Manager / Supervisor if you have a problem at work?						
	Action / Control Measures / Comments / Done						
37.	How can we help you to alleviate the stress which you feel is caused by your work?						
	Action / Control Measures / Comments / Done						
38.	Are there any other workplace factors which you feel should be taken into account as part of this assessment?						
	Action / Control Measures / Comments / Done						
39.	Are there good communication channels set up so that staff are kept well informed?						
	Action / Control Measures / Comments / Done						
40.	Is there a feedback process in place for staff comments and / or complaints?						
	Action / Control Measures / Comments / Done						
41.	Do informal discussions between managers and staff take place e.g.: Team Meetings?						
	Action / Control Measures / Comments / Done						

	ADDITIONAL FACTORS RELEVANT TO THE INDIVIDUAL'S SITUATION	YES	SOMETIMES	NO	N/A	BY WHOM	BY WHEN
42.	Do you feel that ill health may be affecting your capacity to work?						
	Action / Control Measures / Comments / Done						
43.	Are you suffering now, or have you previously suffered, from a stress related illness?						
	Action / Control Measures / Comments / Done						
44.	Are there any current life events which you feel are affecting your ability to do your job?						
	Action / Control Measures / Comments / Done						
45.	What can you do to manage your stress?						
	Action / Control Measures / Comments / Done						
46.	What support do you need (from the Council) to help you to carry out these actions?						
	Action / Control Measures / Comments / Done						

	Final comments / observations from the Manager:
	Final comments / observations from the Individual:

Within their area of ability / remit, the Manager is now responsible for addressing the action points discussed and noted above. This may include advising individual(s) to visit their GP and / or a referral to the Occupational Health Unit for an assessment.

Signed (Individuals):	Date:
Signed (Manager):	Date:

ACTION PLAN

NO.	ISSUE CAUSING STRESS	AGREED ACTION TO TAKE	BY WHOM	BY WHEN	COMPLETED

CONFIDENTIAL

Please return to HR Team by the end of the day of return

FAILURE TO DO SO COULD IMPACT ON PAY

Staff Sickness Return to Work Interview including Informal Absence Review

Employee's Name:

Date absence Started: Time:

Date Absence Ended: Time:

Contracted working days lost because of the absence:

Nature of illness, as agreed with employee at the return to work interview or as shown on the medical certificate:

.....

Number of absences to date:.....

Threshold reached for informal review: Yes ☐ No ☐

To be completed by employee (self-certification form)

I declare that I was unfit for work due to sickness during the period shown above and that the information given on this form is correct to the best of my knowledge.

☐ I have attached a medical certificate (if available)

Signed:

.....

Date:

.....

To be completed by the Line Manager

Notes from informal review:.....

.....

Support offered:.....

Please continue overleaf if required

Consequence of further absence discussed? ☐

I (name) have conducted a return to work interview.

Signed:

.....

Date:

.....

This image shows a full page of white paper with horizontal dashed lines, typical of primary-ruled notebook paper. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Signed: Date:
Human Resources

Input on Payroll..... Date:.....