



East Bierley CE (VC) Primary School

# Attendance Management Policy and Procedures for School Based Employees

# 2019



Date Reviewed: January 2019

Approved by Governors: The School Committee.



Our vision:  
Always Giving; Always Here

The decision to portray it on a dove is to symbolise the hope that is behind all we do, all we are and how we live our lives

Friendship, Trust, Courage, Respect, Forgiveness

## Introduction

The school recognises that if absence is not managed properly problems such as classroom cover, lesson delivery, pupil performance and staff morale can be adversely affected.

We will offer support to all employees who experience difficulty in maintaining acceptable levels of attendance. If attendance becomes a concern then we will apply these procedures and support the employee in improving their attendance and bringing it back to acceptable levels.

## Policy key principles

- The Headteacher recognises a duty of care to all staff and for their health and wellbeing and will arrange to support the employee throughout the process, keeping a note of the contact(s).
- Attendance is monitored and managed proactively within the school, including timely and appropriate referrals to Employee Healthcare.
- Short term/intermittent sickness cases are pro- actively managed by utilising the three stage attendance management procedures.
- Sickness cases which go beyond a month are subject to timely and appropriate reviews. This will require appropriate advice from HR.
- If despite this continuing support, the employee is unable to maintain acceptable levels of attendance, dismissal for unsatisfactory attendance or ill health dismissal will be given serious consideration
- If the Headteacher is subject to the sickness absence procedures the Local Authority should manage the absence with appropriate support. The Chairs of Governors on behalf of the Governing Body have a duty of care for all staffs wellbeing.

## Available Support

### HR Service

HR provides training, one to one coaching and support on the Attendance Management Policy and Procedures and good practice. Headteachers can also access additional HR guidelines and fact sheets on good practice to facilitate the proactive and preventative management of attendance. HR is not the decision maker but will advise Headteachers in determining what their options are and highlight any

### Employee Healthcare working in partnership with HR

Employee Healthcare offer Headteachers advice on supporting an employee either back into the workplace or in improving attendance levels. Employee Healthcare provides occupational health advice and offer case reviews when requested. They also provide counselling and other wellbeing initiatives.

## **Carefirst**

Carefirst is an independent provider of confidential workplace support programmes. Carefirst offers a professional 24 hour telephone counselling, information and advice service. Carefirst can help with a range of problems from practical everyday matters to sensitive, traumatic or emotional issues. Carefirst can also provide advice over the phone for Headteachers managing difficult situations.

## **Headteacher**

The Headteacher will support the employee throughout the process, keeping in regular contact with them when on long term sickness and through supervision and attendance meetings where necessary. They will also make the employee aware of support available to them.

## **Stress Risk Assessment**

If the absence is stress related then it is good practice to complete an assessment with the employee working with them to address the stressors in the workplace to try and relieve or reduce the effects of stress in the workplace.

## **Employee Healthcare**

Employee Healthcare offer a range of support to employees including; Health MOT's, lifestyle advice, counselling, physiotherapy, rehabilitation and medical referrals.

## **Trade Union or Professional Association**

Employees can access support from their trade union or professional association throughout this process.

## **Employee responsibilities**

The Headteacher will ensure that all employees are aware of their responsibilities when absent due to sickness.

All employees should refer to and follow their schools absence notification process; a return to work date will be discussed and or a date for the next point of contact.

Where employees are absent due to sickness for over 7 continuous days (including weekends) they must provide a 'Fit Note' from their GP.

Employees are expected to co-operate with referrals to Employee Healthcare and to help support their attendance by following the advice of medical experts and through discussions with the Headteacher.

## **Procedures**

### **Recording Sickness Absence**

The absence details should be completed on the 'Manager Self Service' area in SAP. For accurate sickness absence reporting it is essential that this is completed accurately and promptly. Special attention should be taken when selecting the type of sickness absence.

### **Sickness absence trigger**

The school has set a sickness absence trigger of 6 days in 6 months or 3 occasions in 6 months or a pattern; this is pro rata for part time employees. A sickness absence trigger is a level of sickness absence which, once reached, causes concern to the school and cannot be sustained by the school. The school considers this sickness absence trigger to be realistic and achievable. The Headteacher will monitor the absence of their employees and will identify any triggers.

### **FIT Notes**

A fit note is issued after the seventh calendar day of sickness. The note may make recommendations for the school to consider when supporting the employee back into the workplace. The note is not an instruction and if any suggested adjustments cannot reasonably be accommodated then the Headteacher will need to consider whether the employee should remain absent.

### **Referrals to Employee Healthcare**

The Headteacher will complete the Employee Healthcare Referral form on Onehub and provide the employee with a copy. Once this is received by HR the employee will be contacted by a member of HR who will provide advice and support on this case.

The Headteacher will receive a written report from Employee Healthcare usually advising on the likelihood of a return to work, timescales for a return to work, future predicted levels of attendance, Ill Health Retirement, Reasonable Adjustments etc. The Headteacher will consider any recommendations including any suggested adjustments and decide whether the school can accommodate them.

### **The framework to consider for managing absence**

This is a framework only and decisions should be made based on the individual circumstances of a case and the factors above.

### **Informal management of sickness absence**

- **Keeping in touch** - The Headteacher and employee have a responsibility to keep in touch in all cases, this could be via e-mail, telephone, letters and or meetings. Headteachers should ensure that employees are aware of the attendance policy and procedures; information for employees is available through Kirklees HR Professional Services
  
- **Return to Work Discussion** - This is an informal meeting carried out on the employees return to work. The focus of the meeting is to welcome the employee back, ensure they are well enough to be back, discuss previous levels of sickness absence (if appropriate), cover areas of work they have missed and bring them up to date.
  - If an employee is returning from long term sickness the Headteacher should consider a phased and or a supported return (a supported return is only available for teachers) to ease them back into the workplace. This works well with a rehabilitation back into the workplace support plan. The Headteacher should complete the on line Return to Work form and an Attendance Management Plan for their records.
  - Short term / intermittent sickness absence meeting / trigger point discussion - When an employee has reached a trigger this will be discussed with them as part of a return to work discussion or an informal meeting. At this meeting the manager will decide whether it is appropriate to set a review period and improvement target. The outcome of the meeting should be confirmed in writing.
  
- **Long Term sickness absence** - The procedures for long term sickness differ from short term and intermittent sickness absence. How it is managed is very much dependent on the medical prognosis for example, how long is the employee likely to be absent? Is a return to work likely? Do we have an expected return to work date? Is the return to work predictable and sustainable by the school?

At a long term sickness absence meeting the Headteacher will set a review date or agree a return to work date. In the early stages the Headteacher may decide to meet with the employee to discuss a referral to Employee Healthcare and where a return to work is known, plan the return to work. Regular meetings or contact during periods of absence should be timely e.g. prior to the end of a current medical certificate and / or advice from Employee Healthcare.

### **Formal management of sickness absence**

Where a return to work is unpredictable or the length and frequency of absence cannot be sustained by the school, then the Headteacher will carry out a formal meeting.

The purpose of the formal meeting is to assess whether the employee and or the Headteacher can do anything to improve attendance levels, to agree a way forward and set a review period and improvement target. The employee will receive a letter inviting them to the meeting and will be advised of Trade Union or a work colleague representation.

- **Short Term / intermittent sickness absence formal meeting** - held if the employee has failed to meet their improvement target. Sets a formal review period and formal improvement target, and outlines possible outcomes of not making the required improvements. Meeting outcome to be confirmed in writing. Headteachers may extend the review period or target based on the individual circumstances of the case, for example disability related sickness or extenuating circumstances.
- **Long Term sickness absence formal meeting** - tend to be held after the employee has been absent for over a month and a return to work needs to be established. A summary of the meeting should be put in writing to the employee.

## Final Formal meeting – Consideration

Where an employee has failed again to meet their improvement target and sustain acceptable levels of attendance or has been unable to return to work and the school can no longer sustain the absence then, the case is referred to the Governors staffing Dismissal's Committee to consider either:

- **Short Term/ Intermittent sickness absence** - Dismissal for Unsatisfactory Attendance.
- **Long Term sickness absence** - Dismissal due to ill health.

## The sickness absence meeting

When making decisions about trigger points, reviews, improvement targets, formal procedures and dismissal, the manager will consider the following factors;

- **Is the absence disability related?** - As part of making a reasonable adjustment the Headteacher should consider making allowances for sickness absence related to a disability.
- **Is the absence maternity related?** – **This would not normally lead to formal action.**
- **Underlying issues** – which may be health/ work related / personal issues which need to be addressed
- **Reasonable Adjustments** - These are adjustments the Headteacher may consider to help the employee return to work and/or maintain acceptable levels of attendance. For example:
  - Reasonable Adjustment Leave – paid or unpaid leave which an employee can request to cover a number of circumstances related to their disability such as medical assessment, treatment, rehabilitation, counselling, emergency treatment etc.
  - A change to hours of work
  - A change to job role and duties
  - A Work Place Assessment
  - Adaptations to workplace
  - Temporary working arrangements
  - Management may also consider seeking suggestions from the employee or an Occupational Health provider.
  - At any sickness absence meeting and dependent on whether the case is short term or long term the Headteacher will discuss:
    - The attendance record/ sickness absence trigger
    - Any underlying personal / work / health related issues
    - The employee's wellbeing
    - A review period and improvement target where appropriate
    - A return to work / phased return to work
    - A referral to Employee Healthcare and/or Discuss Employee Healthcare advice
    - Agree any necessary support/reasonable adjustments
    - Consider the appropriateness of ill health retirement / Teachers Pension
    - Advise employee of potential outcomes should their absence continue i.e. dismissal on ill health grounds / unsatisfactory attendance

## Sustaining good attendance

If your employee has met their improvement target in the first or second review period then you must write to them to let them know that the review period has ended. In the letter you must also let them know that if they hit another sickness trigger point in the next 2 years (from the start date of their last review period) it is likely that they will move to the next stage of the procedure and not start at the beginning.

## Potential Outcomes

**Return to work** – Employee returns to work in an agreed timescale and consideration made in respect of a formal review period.

### Options to consider when supporting an employee to sustain a return to work

In some long term sickness absence cases it may be considered beneficial for an employee to ease themselves back into work on a gradual basis. It should be agreed with either an Occupational Nurse or Physician at Employee Healthcare or by the employee's GP. It should also be agreed by the manager if it is sustainable by the business. A phased return is usually for up to a maximum of 4 weeks but may be

extended if there are extenuating circumstances. The manager must plan the return to work with the employee and agree the working patterns and their key work objectives, the working pattern will need to meet the operational need of the school as well as the individual. They must also ensure that regular meetings are held with the employee and that any reasonable adjustments are put in place. Whilst on a phased return employees are paid for the hours they work and receive sick pay for the hours they are not working.

For teaching staff, consideration should also be given to the employee returning on a 2 week supported return basis, whereby the school retains the temporary/supply teacher for the 2 weeks whilst the employee returns and re familiarises themselves with the school and the role. This can be particularly helpful where a teacher is returning from a stress related illness.

The Teachers cover scheme allows for up to a maximum of 10 days' supply cover to be used in phased and supported returns. Usually this enables a school to keep the support teacher in place for an additional 10 days after the employee on sick leave returns.

**Dismissal on ill health grounds**

The Headteacher will usually have held at least one formal meeting prior to this and have up-to-date Occupational Health advice. This is dependent on the individual circumstances of the case. If an imminent return to work is unlikely or, difficult to predict, the Headteacher will make a decision on whether the School can continue to sustain the absence.

**Dismissal for Unsatisfactory Attendance**

When an employee has failed to meet two improvement targets, the Headteacher will prepare the case and present it to the School's Governing Body's Staffing Dismissals Committee or a Headteacher with the delegated authority to dismiss.

**Appeal**

An employee has the right to appeal against dismissal and appeals should be referred to the Governing Body's Appeals panel within 15 working days of the employee receiving the written decision.

The appeal must be in writing and specify:

- Their job title, place of work in which employed.
- The decision being appealed against and the grounds for the appeal.

<b>Notice Periods Meeting</b>	<b>Minimum Working Days' Notice</b>
Formal Management Meeting	5 Days
Dismissals Hearing	10 Days
Appeal Hearing	20 Days
Appeal Hearing Paperwork Exchange	10 Days

**Special Occasional Leave of Absence**

Other leave of absence will normally be on an unpaid basis, unless otherwise specified. The operational needs of the school will be paramount and, except in emergency circumstances, adequate notice of a request for leave of absence must be given.

- The responsibility for exercising discretion, particularly for teachers, on behalf of the Governing Body is the Headteacher's, in accordance with the professional duties defined in the School Teachers Pay and Conditions Document.
- Any dispute or grievance about a request for leave of absence or payment during leave of absence will be dealt with through the Schools Grievance Procedure.

**Time off for a sick child**

The first day is normally paid to allow the employee to make arrangements for child care. Any further absence should be unpaid except in exceptional circumstances e.g. hospitalisation.

**Compassionate, Emergency or Exceptional Leave**

Staff will normally be granted up to 5 days paid leave per academic year in compassionate, emergency or exceptional circumstances, such as the death or serious illness of a close relative or equivalent. The leave is to deal with the immediate issues and to sort out long term arrangements if necessary. The school will,

only in exceptional cases, offer time in lieu; if beneficial to the school, for absence beyond 5 days. Longer periods of absence may be approved on an unpaid basis.

### **Other personal reasons**

Exceptionally, there may be other personal reasons for requesting leave of absence. Examples might be attendance at a funeral (other than parents, spouse, siblings and children), a child's graduation ceremony or "once in a lifetime" visits to relatives overseas. Such leave, where granted, will normally be unpaid and subject to adequate notice so that replacement staff can be employed if necessary.

### **Extended leave of absence**

Requests for longer periods of leave will be considered on an unpaid basis, for example, in the case of a lengthy period of caring for a chronically sick, disabled, or terminally ill, dependent relative. Extended leave can be for up to a year's duration. Sufficient notice that allows the appointment of a replacement should be given wherever possible.

### **Moving house**

One day paid leave will be granted.

### **Service with Auxiliary Forces**

Volunteer members of UK Armed Forces are allowed two weeks paid leave to attend an annual summer camp. Teaching staff are only granted paid leave if the force's unit cannot arrange exercises during holiday periods.

### **Mobilisation**

When reservists are needed to fulfil their part of the UK's defence strategy, they are 'mobilised' or 'called out' into full time service with the regular forces or military operations. While the reservist is mobilised the school does not have to continue to pay them, the Ministry of Defence (MOD) will pay their salary. For further information on mobilisation, please refer to the SaBRE (Supporting Britain's Reservists and Employers) website: [www.sabre.mod.uk](http://www.sabre.mod.uk)

### **Religious Festivals**

Where staff can show that they follow any organised religion and that they require leave for the purpose of an official holy day, the Governing Body will allow up to 2 days paid leave. Staff taking such leave are asked to make up this time at a later date if possible.

### **Sporting Events**

Up to 18 days paid leave per year may be granted for staff who represent their country in recognised sporting events.

### **Attendance at Court Proceedings**

- Jury Service  
Staff required to attend for jury service should arrange for the loss of earnings certificate to be forwarded to the school's payroll team. The certificate will be returned to the member of staff completed to show to what extent the salary will be stopped during their absence. The amount will then be claimed from the court.
- Witness summonses and subpoenas  
Staff subject to a witness summons or subpoena should be allowed paid time off work to attend court.

### **Public Duties**

School employees may be granted up to 18 days per annum paid leave to carry out the duties of the office of Leader, Mayor, JP or Chairman of Local Authorities. For employees who are School or College Governor's, up to 3 days per annum will be paid, In addition to this, unpaid leave can be granted for employees carrying out public duties.

### **Study/Examination Leave**

For employees who are sitting examinations relevant to their current post or career, providing the employer is paying the fees, half a day study per examination plus half a day per examination will be paid.

### **Time off for Trade Union duties**

The school recognises the legal requirement for employers to allow reasonable time off work for the school's elected representatives of recognised trade unions to carry out their duties. Duties that warrant time off with pay include:

- consultation on terms and conditions of employment or the physical conditions of work;
- consultation on recruitment and selection policies, redundancy and dismissal arrangements;
- meetings with school management or LEA officers on matters of joint concern;
- representing a union member at grievance, capability or disciplinary interview;
- attendance at relevant training courses organised by the trade union.

The Council has a separate agreement with Trade Unions and Professional Associations to provide paid time off for their county representatives. The nominated county representatives are allowed time off each week to carry out their duties and the school is reimbursed from a council budget.

### **Bad weather conditions**

There may be circumstances when the employee is unable to attend work due to bad weather, but the school remains open to staff. All reasonable effort should be made to attend work. Alternative arrangements may be agreed with the Headteacher, e.g. working from home or at a different location. Where this is not possible, non-attendance will normally be treated as unpaid leave, but exceptional circumstances may warrant paid leave.

### **Time off for medical appointments**

Where possible, school employees are expected to make appointments out of school time. Where this is not possible, reasonable paid time off will be allowed and time will be made up.

### **Maternity, paternity, adoption, carers leave and antenatal care**

There are specific entitlements for maternity, paternity, adoption, carer's leave and antenatal care contained in the Carers Guide for Schools, a copy of which can be obtained from the school office.

### **Interviews**

The Governing Body recognises the increasing tendency for prospective employers to require interviewees to attend for more than one day, especially for school management posts. There is also a growing tendency to expect prospective candidates to undertake a preliminary visit before the formal interviews.

In order to maintain a fair balance between the operational needs of the school and to minimise the burden on other staff, and to be fair to employees who will be seeking to further their career, the Governing Body will grant leave of absence for interviews as follows:

- The Headteacher is empowered to approve up to a maximum of 6 days paid leave of absence for interviews, to cover both formal and informal stages of the process, during any one academic year.
- Further leave of absence for this purpose will normally be agreed and will be on an unpaid basis.
- For support staff any days beyond the initial 6 days could be made up during holiday periods, instead of being on an unpaid basis, provided that their work can be carried out during holiday time.

### **Unauthorised Absence**

If an employee takes leave of absence without the prior consent of the Headteacher this may warrant an investigation under the School's Disciplinary procedure.