

Aspire Learning Trust



Absence Management and Supporting Attendance Policy

Policy Reference: A7

To be reviewed: Annually

Policy Owner: HR Committee

Policy Progression Revisions		
Date	Reviewed	Description of changes

Date Approved	December 2016
Date Reviewed by	
Signature of Chair	
Print Name	

Policy and Procedure for the Management of Sickness Absence

1. Introduction

- 1.1 As a caring employer, the Trust recognises its responsibility for the health, safety and welfare of its staff. We want our schools to be an excellent place to work and are committed to creating a culture that encourages good attendance. This, in turn, will help us to provide the best possible environment in which our students can flourish.
- 1.2 Maintaining good attendance matters. We need our staff to be at work and performing to their full potential in order to deliver the best educational provision possible. As a result, it makes sense to ensure that we support our employees to stay fit, healthy and positive. Where people do become ill for whatever reason, we want to ensure that they are supported and encouraged to return to their normal duties as early as possible.
- 1.3 All organisations need to have rules and procedures in place which treat employee absence from work in a fair and consistent way. The Absence Management and Supporting Attendance Policy sets out our expectations on staff attendance, the approach to sickness reporting, the practice we will adopt in managing sickness absence and the support that will be offered to staff in the event of ill health.
- 1.4 This policy does not form part of any employee's contract of employment and may be amended at any time.

2. Scope

- 2.1 This policy applies to all employees at this school, irrespective of the type of terms and conditions of employment on which they are paid. It will therefore apply to anyone employed under the following conditions:
 - School Teachers' Pay and Conditions
 - Local government employees (Green Book)
 - JNC for Youth and Community Workers
- 2.2 The use of the term 'manager' throughout this policy refers to the post holder who has responsibility for managing attendance for an employee or group of employees.
- 2.3 We recognise that sickness absence and health problems that affect the employee's ability to attend work and/or perform to the required standard are not usually issues of misconduct or work performance. Action taken under this policy will not normally be regarded as disciplinary action. The policy is therefore separated from the Disciplinary and Work Performance procedure.
- 2.4 It is designed to provide an acceptable process for dealing with employees who are unable to work, or to perform to the required standards because of a health issue, rather than who choose not to do so (disciplinary procedure), or are incapable of doing so because of a lack of skills, knowledge or experience (work performance procedure).
- 2.5 The policy takes account of ACAS guidance and the documents 'Fitness to Teach' and Physical and Mental Fitness to Teach of Teachers and Entrants to Initial Teacher Training.

3. Equality Act

- 3.1 The Trust fully recognises its legal obligations to fulfil the requirements of the Equality Act and understands that a failure to comply with this duty will amount to an act of discrimination. In the event that this procedure is applied to an employee who is disabled under the Equality Act then a full investigation will be undertaken to ensure that the school's legal obligations have been met. Particular attention will be paid to a review of requests for reasonable adjustments, the implementation of those adjustments and the effects of these adjustments.
- 3.2 Absences due to an employee's disability under the Equality Act will not be taken into account when monitoring levels of sickness absence unless there is objective justification, for example where the impact of the absence on teaching and learning cannot be reasonably tolerated. Guidance will be obtained from the school's personnel provider before any action is initiated.

4. Roles and Responsibilities

4.1 The Principal and Managers

- 4.1.1 The Principal/Executive Headteacher in each school has overall responsibility for managing sickness and encouraging good attendance. However, all managers within the Trust have a general duty of care to their employees. Managers have a clear obligation to consider matters that may be contributing to sickness and to look at appropriate forms of support that will help employees to sustain good attendance.
- 4.1.2 Managers are expected to monitor and take action to reduce absence. Managers are also expected to respond effectively to actual and potential problems. The Principal/Executive Headteacher will ensure that managers receive appropriate training in order to manage sickness sensitively and effectively.
- 4.1.3 The school expects staff and students to achieve high standards of attendance. The Principal/Executive Headteacher and managers are expected to ensure that the standards are achieved and to ensure that all employees understand the importance of achieving and sustaining regular attendance.
- 4.1.4 The Principal/Executive Headteacher is responsible for monitoring the implementation of the procedure across the school to ensure it is communicated to all staff and is applied consistently.
- 4.1.5 In accordance with ACAS guidance, the Principal/Executive Headteacher will monitor levels of sickness absence and will record the average number of working days lost due to sickness per full time equivalent employee. Effective monitoring will allow the school managers to identify areas where the work of the school, in particular the continuity of teaching and learning, is affected by absence levels. This will, in turn, ensure that appropriate approaches are taken to managing sickness across the school.
- 4.1.6 As part of the monitoring process, the Principal/Executive Headteacher will prepare a termly report on sickness management for the Trusts HR Committee.

4.2 Employees

- 4.2.1 Employees have a duty to their employer, their colleagues and to the students to achieve and maintain an acceptable level of attendance at work and to do all that they can to minimise their sickness absence.
- 4.2.2 All staff must attend work when fit to do so. However, if an employee is unable to attend for work, s/he must follow the School's Notification of Sickness Absence procedures.
- 4.2.3 All staff must complete a self-certification form detailing the reason for their absence for any period of sickness absence up to seven days. The self-certification form must be completed immediately on return to work.
- 4.2.4 Where requested to do so, employees must attend a medical review with the occupational health service, or registered medical practitioner, nominated by the school. The provisions of the Access to Medical Reports Act, 1988 will, of course, apply.
- 4.2.5 All members of staff must ensure that they obtain medical advice and/or treatment in order to minimise their absence from work. This also means adhering to such advice and/or treatment in order to facilitate a return to work.

4.3 The Trust Board

- 4.3.1 The Trust Board, via the CEO, is responsible for supporting the Principal/Executive Headteacher in managing sickness effectively. This role includes setting the policy framework in which sickness is managed and staff welfare is considered.
- 4.3.2 The Trust Board has a specific responsibility for the health and well-being of the CEO and the Principal/Executive Headteacher. Where the CEO is absent from work due to ill health, the Chair of Trust Board will be responsible for monitoring and managing his/her absence. Where the Principal/Executive Headteacher is absent from work due to ill health, the CEO will be responsible for monitoring and managing his/her absence.

5. Notification of Sickness Absence

- 5.1 Where an employee is prevented by illness from reporting for duty, s/he must notify his/her line manager, or the Principal/Executive Headteacher, as early as possible on the first day of absence. Unless the circumstances are exceptional, the employee is responsible for making contact personally and should not ask a family member or friend to contact the line manager on their behalf.
- 5.2 If an employee does not report for work and has not explained the reason for absence, then their line manager will be expected to contact them the same day. This is an important part of exercising the school's duty of care, but must not be treated as a substitute for reporting sickness absence.
- 5.3 If the employee is absent for more than seven days, s/he must obtain a medical certificate (Fit Note) from the GP and submit it to the school by the eighth day of absence (including Saturdays and Sundays).

- 5.4 In cases where the first medical certificate (Fit Note) covers a period exceeding fourteen days or where more than one medical certificate (Fit Note) is necessary, the employee must obtain a final medical certificate (Fit Note) certifying that they are fit to return to work.
- 5.5 Employees must continue to submit medical certificates (Fit Notes) during school closure periods. In the event that an employee becomes fit during a closure period then s/he should obtain a final medical certificate (Fit Note) certifying that s/he is fit to return to work.

6. Illness or Injury Arising from Work

- 6.1 Any accident arising out of or in the course of employment with the Trust must be reported and recorded in accordance with the procedures laid down by the Trust. The accident will be subject to investigation and report by an employee authorised for the purpose by the school.
- 6.2 Where an employee seeks medical advice about an illness which is suspected or alleged to result from the nature of his or her employment, the employee must report all relevant information to the Principal/Executive Headteacher or senior manager at the first opportunity.
- 6.3 In the case of the first, and any subsequent absence, due to industrial disease or accident an employee must, if requested to do so, submit to a medical examination by a registered medical practitioner nominated by the school.

7. Reimbursement of the cost of Doctors' Statements.

- 7.1 Where the Principal/Executive Headteacher requires a medical certificate (Fit Note) from an employee, the employee will be reimbursed for any charge made, on production of a receipt.

8. Return to Work

- 8.1 All line managers are expected to maintain regular contact with members of their team who are absent from work. It is important to us that staff who are absent from work do not feel isolated or out of touch with the school.
- 8.2 It is also important that the line manager sets aside time to talk to the employee who is returning from a period of sickness. The return to work meeting should take place irrespective of the length of the absence and should include some or all of the following:
- i) welcome the employee back to work;
 - ii) provide the opportunity to update the employee on any changes that may have taken place in their absence;
 - iii) ensure that it is appropriate for the employee to return to work;
 - iv) consider any advice provided by the GP on the medical certificate;
 - v) help to identify any issues at home or in the school that may be impacting on the employee's health and well-being, or their attendance at work;
 - vi) agree the work to be carried out and any priorities for the employee's return.

- 8.3 The return to work discussion should be held on the first day the employee returns to work following sickness absence. A note of the meeting will be made and the employee will be provided with a copy.
- 8.4 Sickness absence can vary from short intermittent periods of ill-health to a continuous period of long-term absence and may have a number of different causes (for example, injuries, recurring conditions, or a serious illness requiring lengthy treatment). Where an employee's attendance record is causing concern, it may be necessary to hold an informal absence review meeting. A note of the meeting will be made using the absence review form at Appendix A and the employee will be provided with a copy.
- 8.5 The Trust may need to take different approaches to managing sickness, depending on whether the absence is long term or short term/intermittent, or a combination of the two. Appendix B summarises the approaches we may take.

9. Long Term Sickness

- 9.1 We define long term sickness as 28 calendar days. If an employee has been absent for 28 days or more, we will make a referral to (*the County Council's occupational health service/a registered medical practitioner*) for advice.
- 9.2 We use occupational health referrals to support the well-being of our employees. The referral allows us to obtain expert medical opinion or advice about health and/or disability issues that may be having an impact on an employee's work. Typically, OH referrals will be made where an employee's health or disability is having an effect on work performance and/or there are issues in relation to attendance levels.
- 9.3 Generally occupational health referrals are made in order to help the employee return to work on a sustained basis with appropriate support. The occupational health provider will be able to advise whether an employee is:
- fit to undertake his/her current role;
 - fit to undertake his/her present role with adjustments; or
 - not fit to undertake his/her current role.
- 9.4 Some cases or medical conditions may need to be treated differently, e.g. terminal illnesses, information on which is contained in Appendix C.

10. Phased Returns to Work

- 10.1 Where an employee has been absent over an extended period, it may be appropriate for them to return to work on a phased basis. Phased returns should not normally exceed a four to six-week period and may be agreed based on recommendations from the (*occupational health/registered medical practitioner*). The school will make reasonable efforts to support any request for a phased return, although the Principal/Executive Headteacher is entitled to balance the needs of the individual employee with the needs of the whole community.

- 10.2 Where an employee who is still in receipt of full sick pay returns to work on a phased basis, s/he will be entitled to return to work on full pay, irrespective of the number of hours worked during the phased return.
- 10.3 Where the employee is in receipt of half sick pay and returns to work on reduced hours during a first phased return in a two-year period, s/he will be entitled to receive their full salary during the phased return.
- 10.4 Where the employee has a second period of absence and requires a second phased return, s/he will receive either: the sick pay entitlement or payment for the actual hours worked, whichever is the higher e.g. if an employee who normally works full time and is receiving half sick pay, returns to work on a 60% basis, s/he will receive pay at the 60% rate.
- 10.5 Where the employee has exhausted sick pay, but makes a phased return, the salary payment made will be based on the actual number of hours worked.
- 10.6 If the employee returns to work with a medical certificate (Fit Note) which states 'may be fit for work', the advice on the note will be discussed and consideration will be given to how it impacts upon the job, the workplace, pupils and colleagues. The G.P.'s comments, any of the return to work tick boxes, and any other action that could facilitate a return to work will be considered with due regard to the Equality Act. Options may include a phased return to work, temporary or permanent adjustments to working hours, amended duties or other workplace adaptations.
- 10.7 If a return to work is possible, the agreed action plan will be documented and implemented. If it is not possible to provide the support suggested by the G.P, the note will be used as if the G.P had advised 'not fit for work'. The employee will not need to return to their G.P to obtain a revised statement. A Sickness Absence Interview will be held to review the support in place at an appropriate time.
- 10.8 Consideration will be given as to whether a risk assessment is required to ensure the health and safety of the employee in light of the reason for their ill health, for example a stress, ergonomic, maternity, or more general risk assessment may be required.

11. Informal Absence Review Meetings

- 11.1 An informal absence review meeting will normally be arranged with employees whose absence record falls into one, or more, of the following categories (triggers):
- i) 3 periods of absence within a term;
 - ii) 10 working days absence within 12 months (i.e. in a rolling 12 month period); or
 - iii) where the employee appears to have a pattern of absence e.g. always absent after a bank holiday; Monday or Friday absences; extra days linked to annual leave; or absences linked to particular work tasks.
- 11.2 Managers will be expected to pro rata the absence triggers for part time employees or those who work a non-standard week.
- 11.3 In normal circumstances, managers with authority to hold informal absence review meetings are: members of the Senior Leadership Team, Personnel Manager, Principal's

PA and Curriculum Managers.

- 11.4 As this stage of the process is informal, there is no automatic entitlement for the employee to be accompanied at the meeting.
- 11.5 In preparation for the informal absence review meeting, the line manager will:
- consider the school's statistical data on levels and types of absence for all staff to ensure consistency;
 - review the employee's record against the triggers set out in 11.1 above; and
 - consider the employee's job description and the impact the absence may be having on the school community.
- 11.6 Informal absence reviews provide the line manager and the employee with an opportunity to discuss the absence on a one-to-one basis. The manager will:
- bring the absence record to the employee's attention and give the employee the opportunity to comment on their absence;
 - review any guidance provided by the GP or any other medical adviser;
 - explain why sustaining a good attendance record is important and identify any difficulties the absence is causing;
 - identify whether there are any barriers that prevent the employee from sustaining a good attendance record;
 - consider whether the outcome of the meeting should be a referral to an occupational health/registered medical practitioner;
 - consider any adjustments that may need to be made to the work place or working conditions, or by the employee in order to improve their attendance; and
 - agree a reasonable timescale for review and explain what action may be necessary if there is no improvement.
- 11.7 At the end of the meeting, the manager and the employee should be clear on what, if any, further action is required. Any actions or adjustments should be documented using the Sickness Absence Review Form in Appendix A. The form should specify a timescale for the next review, which should not normally exceed 2 months. The employee should sign the form and will be provided with a copy for his/her own records.
- 11.8 After conducting an informal absence review, the manager will review the employee's attendance and may, if necessary, hold further meetings during the review period if there are other absences, or to check that any adjustments are proving a success. At the end of the review period, if the level of attendance is satisfactory, no further action will be necessary.

12. Formal Absence Review

- 12.1 Each case will need to be considered on its own merits. However, if there has only been a limited, or no improvement, it may be necessary to begin formal action to seek a change in attendance. There are two stages in the formal process and the type of case (i.e. short or long term absence) will determine whether it is appropriate to move through each stage, or whether it is appropriate to move to Stage 2 immediately.
- 12.2 Appendix B sets out the possible pathways through this process. Action can end at any

point in the process if there is a sustained improvement in attendance.

12.3 Stage 1 - Formal Absence Review

Where the line manager believes that the employee's attendance record has not improved to an acceptable standard after the informal review meeting, s/he will inform the employee that the issue will be referred to a Stage 1 Formal Absence Review. Senior Managers with authority to hold Stage 1 formal absence reviews are the members of the Senior Leadership Team.

12.3.1 Before starting the formal procedure, managers will need to satisfy themselves that sufficient reasonable action has been taken under the informal procedure to:

- seek medical advice from (the occupational health service/registered medical practitioner);
- consider whether the employee has a disability under the Equality Act;
- consider any support, training and adjustments that have been requested or implemented and the outcome of these actions;
- ensure that the employee has been advised to contact their trade union;
- check whether there are any other work related issues.
- ensure that the employee has been consulted throughout the informal process;
- consider all of the circumstances and available information.

12.3.2 Preparation for Stage 1 Formal Meeting

The Senior Manager will arrange a formal meeting with the employee, giving him/her at least 10 working days' notice, in writing, of:

- the reason for the meeting, outlining the concerns about the employee's attendance;
- the time, date and location of the meeting;
- who will be conducting the meeting and who else will be present;
- copies of any documents to be referred to including any previous action plan;
- the employee's right to be accompanied and/or represented and to refer to any documents if s/he wishes; and
- the requirement, for the employee to provide the manager with the following information not less than 3 days before the meeting:
 - the name of his/her representative;
 - details of any witnesses; and
 - copies of any papers to which s/he wishes to refer.

12.3.3 Stage 1 Meeting

At the Stage 1 meeting the Senior Manager will normally have access to advice from the school's personnel provider. The Senior Manager will:

- explain the purpose of the Stage 1 meeting;
- set out the standard(s) of attendance expected of the employee;
- explain how the employee's attendance has been assessed as falling below these standards and the effect of this on service delivery/colleagues;

- review the results of the informal procedure, including any measures taken to support the employee so far, any work related issues and any medical reports and advice received;
- listen to the employee and/or his/her representative's comments and give them the opportunity to explain any mitigating circumstances;
- try to establish the reasons, including any underlying causes, for poor attendance and seek agreement from the employee for a further referral to Occupational Health if this is required;
- confirm, where appropriate, that the poor attendance is due to an ill-health issue;
- if appropriate inform the employee that they may wish to consult their pension scheme provider with regard to ill health benefits;
- discuss the way forward and determine an action plan that clearly identifies:
 - the improvements necessary to achieve the expected standards;
 - the timescale for improvement;
 - how attendance will be measured/monitored;
 - additional support/training to be provided; and the review period, (which will normally be at least one month and no more than three months).

12.3.4 Within 5 working days of the Formal Stage 1 meeting, the Senior Manager will write to the employee to confirm the action plan in writing. The letter will advise the employee that if he/she fails to achieve the improvements in the review period a Stage 2 meeting will be arranged where dismissal for lack of capability due to ill-health will be considered.

12.4 Review Period

The Senior Manager will ensure that during the review period the employee's attendance is monitored. Weekly supervision meetings may be held between the employee and the Senior Manager to ensure:

- effective monitoring;
- appropriate support is given to the employee;
- positive feedback is given where possible; and
- if further problems in attendance are identified, the reasons are discussed.

12.5 The focus will be on supporting the employee to improve their attendance level. Notes of the monitoring process will be kept by the Senior Manager and a copy provided to the employee. The notes may be referred to at Stage 2 of the procedure.

12.6 If, at the end of the review period, the employee's performance has improved to an acceptable standard, no further action will be taken under this procedure, unless standards are not sustained during the next 12 months. The decision to take no further action will be confirmed by the Senior Manager in writing, within 5 working days. This letter will also confirm that the improved attendance must be sustained consistently during the next 12 months and explain that if there are further issues the Sickness Absence procedure may be invoked at Stage 2. A copy of this letter will be kept on the employee's personnel file.

12.7 An employee, who sustains the improved performance consistently over the 12-month period, will receive a further letter to acknowledge his/her continued efforts and confirm that any future attendance issues will be dealt with informally in the first instance.

- 12.8 If, at the end of the review period, the employee's attendance has not improved to an acceptable standard, the issue will be referred to the Principal under Stage 2 of the procedure. The Principal has the authority to hold a Stage 2 meeting unless s/he conducted the Stage 1 meeting, in which case Stage 2 will be considered by a committee of governors.
- 12.9 If the employee is in a pension scheme, s/he will be given the option to explore eligibility for an ill health pension award prior to convening a Stage 2 Meeting.

12.10 Stage 2

12.10.1 Preparation for Stage 2 Formal Meeting

The Senior Manager/governors will hold a formal meeting with the employee giving him/her at least 10 working days' notice, in writing, of:

- the reason for the meeting, outlining the outstanding concerns about the employee's attendance due to ill-health;
- the time, date and location of the meeting;
- who will be conducting the meeting and who else will be present;
- any documents to be referred to in the discussions, including, as appropriate, previous action plans, notes of the monitoring process, copies of reports received from (occupational health/registered medical practitioner);
- the employee's right to be accompanied and/or represented and to refer to any documents he/she wishes, copies of which should be sent to the Senior Manager 3 days in advance of the meeting; and
- the possible consequences of the meeting, i.e. that it may result in the employee's dismissal on the grounds of lack of capability due to ill-health.

12.10.2. Stage 2 Meeting

At the meeting the Principal/Executive Headteacher/CEO will be advised by an HR adviser the school's personnel provider. The Principal/Executive Headteacher /CEO will:

- explain the purpose of the Stage 2 meeting;
- ask the Senior Manager to outline the ways in which the employee has been assessed as not meeting the expected work attendance standards due to ill-health; and the process so far under the Absence & Attendance procedure;
- review in detail, as appropriate:
 - standards of attendance/performance expected;
 - details of Sickness Absence Interview meetings;
 - records of home visits or other meetings plus any other information relating to the informal action taken;
 - monitoring of attendance against action plans;
 - medical advice received from Occupational Health; and
 - measures taken by management to support the employee, e.g. any reasonable adjustments;
- discuss with the employee and his/her representative whether the employee has been assessed as achieving the required improvements in attendance;
- review the effect of the poor attendance on teaching and learning, service

- delivery and work colleagues;
- explore, as appropriate, the potential for the employee to achieve a sustained improvement in attendance;
- give the employee and/or his/her representative a full opportunity to answer the points made and to give an explanation or put forward any mitigating circumstances; and
- discuss any options regarding the employee's pension that may be available.

12.10.3. Stage 2 Decision

Following the discussion, the Principal/Executive Headteacher/CEO will adjourn the meeting to consider the options available, which may be as follows:

- to take no further action under the procedure; or
- to set a further/final review period to allow for additional monitoring and/or additional management support. A further formal Stage 2 meeting will be held at the end of this review period. If attendance is not satisfactory by that time, then the employee will be dismissed for lack of capability due to ill-health; or
- to dismiss the employee for lack of capability due to ill-health ensuring that alternative work options have already been explored or will be explored during the employee's notice period; that there is no prospect of their return within a reasonable timeframe; or that they will be able to achieve or sustain their attendance.

12.10.4 Dismissal

If the decision at the Stage 2 meeting is to dismiss, the Principal/Executive Headteacher /CEO will inform the employee and his/her representative, orally, that the employee is dismissed, with the required contractual or statutory notice, on the grounds of lack of capability due to ill-health. The Principal/Executive Headteacher/CEO will ensure that the decision is confirmed in writing within 5 working days, setting out:

- that he/she has been dismissed;
- the grounds for dismissal and the reasons;
- the required contractual or statutory notice due and the date the dismissal will be effective; and
- the employee's right of appeal against the dismissal to an Appeals Committee of the Trust Board.

12.10.5 In exceptional cases it may be appropriate for the employee not to work his/her notice, but to remain at home on 'garden leave'. A medical certificate (Fit Note) must be provided that covers the employee's notice period.

13. Appeals against Dismissal

13.1 An employee has the right to appeal against a dismissal decision. Any appeal must be submitted within 10 days of receipt of the letter confirming the dismissal, and must clearly state the grounds for appeal. All appeals against dismissal will be heard by Appeals Committee of the Trust Board. The purpose of an appeal hearing is to review the decision made to dismiss the employee and to decide if this decision was reasonable in all the circumstances. The appeal hearing will be held as soon as practicable and the employee

will have the right to representation at the hearing by a trade union representative or work colleague.

13.2 The Appeals Committee of the Trust Board has the authority to:

- uphold the appeal (i.e. to reinstate the employee);
- and/or issue a lesser level of management action, e.g. to drop the formal process; refer to a lower stage in the formal process; and/or reduce standards of attendance or targets set in the action plan; or
- dismiss the appeal, i.e. the decision to dismiss remains in force.

13.3 The decision of the Appeals Committee of the Trust Board is final. The employee has no further right of appeal.

14. Trade Union Representatives

Trade Union representatives are subject to the same standards of attendance as other employees. However, to ensure that they are not discriminated against as a result of carrying out their legitimate trade union duties, no action will be taken under the formal process against a recognised trade union representative without prior discussion with the full time trade union officer.

15. Probationary Periods for Support Staff

All new support staff appointments are made subject to a probationary period. Sickness absence issues that arise during a support staff employee's probationary period will be taken into account in determining whether or not the probationary period is completed satisfactorily and this procedure will not apply.

16. False Information

The provision of any false information could result in disciplinary action being taken, including the possibility of dismissal.

17. Attendance at Meetings

Throughout this procedure, if an employee indicates that they are too unwell to attend a formal or informal meeting they will be given the option to:

- Meet in a neutral venue or at their home; or
- Attend via telephone conference; or
- Send a trade union representative or work colleague to represent them providing appropriate written consent; or
- Provide a written submission; or
- Request that the meeting takes place in their absence.

If an employee fails to communicate their wishes with regard to the above, the meeting may take place in their absence with the outcome communicated to them in writing. Meetings will not be postponed beyond 5 days unless there is medical evidence that the employee is not medically fit to take part by any of the means described above.

Home visits will only take place with the agreement of the employee. Any senior manager visiting an employee's home will be accompanied by another manager and the employee will be entitled to be accompanied by a person of their choice.

Appendix A

Strictly Confidential Sickness Absence Review Form

This is the management record of a meeting held under paragraph 9.7 of the Sickness Absence Policy and Procedure. It is strictly confidential. It will be held on the employee's personnel file until such time as the employee's attendance is wholly satisfactory and for 12 months thereafter. At that time, it will be securely destroyed. The record may be accessed and referred to by those with authority to manage the informal and formal stages of the Sickness Absence Policy and Procedure. A Sickness Absence Interview is not part of the formal procedure and there is no entitlement for the employee to be accompanied or represented. The meeting will be held in private.

Employee's Name:	
Date of Meeting:	
Length of Service:	
Interviewing Manager:	

Details of Sickness Absence

Period of Absence:	Number of Days Absent:
Reason(s) for Absence:	
Is absence related to a disability under the Equality Act? Y / N / Don't Know <i>(If yes – details of medical evidence must be attached)</i>	

Details of Meeting

Key points discussed: *Welcome back and update, if necessary, on work events and changes.*

Reasons for absence – any underlying medical condition(s)?

Are you fully recovered and able to resume full duties? Yes / No
If your view is “no” then action plan must be considered i.e. Referral to OH, temporary adjustments.

Action Plan

The objective is to reach a position where your level of attendance will be 100%. Is there anything we can do to improve your attendance, e.g. OH referral, counselling, a review of risk assessment, temporary adjustments, training?

Is your absence in any way related to work?

Are you doing all you can to improve your attendance? e.g. Acting on medical advice, lifestyle choices, attention to work life balance, non-medical support, counselling.

Fit note required for any period of absence during the monitoring period? (*See paras 3.1 and 11.3*)

Yes / No

Review

Attendance will be reviewed in:

1 month / 2 months / 3 months

Date of review:

Please note that further absence during this period may mean that the review is held under Stage 1 of the formal procedure.

Copy of Sickness Absence Policy and Procedure has been provided and process explained.

Yes

Date:

No

(Must be provided and explained prior to a formal meeting)

Signature of Manager:.....

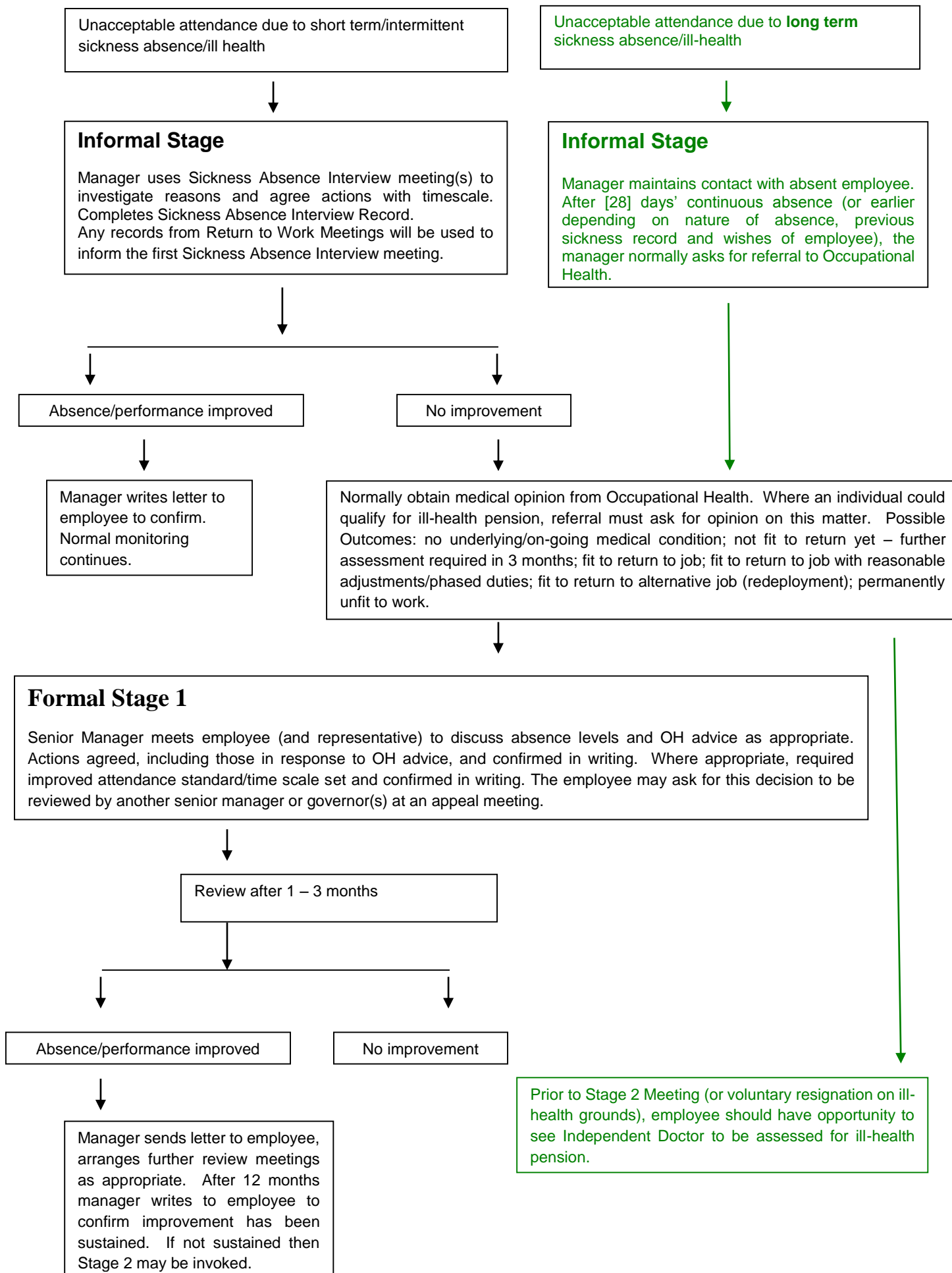
Date:

Signature of Employee:.....

Date:.....

Appendix B

Sickness Absence Procedures Flowchart





Formal Stage 2

Principal's meeting with employee and employee representative. Principal's decision based on report from manager/response from employee/representative and where appropriate should include consideration of:

- Redeployment Options/possible adjustments; and/or
- Independent Doctor assessment.



Termination of employment with or without early release of pension benefits.

Employee has right of appeal to Governors Appeals Committee (against dismissal) and right of appeal to Pensions Service (against non-release of pension benefits).

Appendix C

Terminal Illness

Where the employee is terminally ill, the school needs to be particularly sensitive, sympathetic and tactful when dealing with the employee and his/her family.

Where the employee is still able to continue in work, ideally, the Principal/Executive Headteacher will be able to discuss the issue with him/her and will make best efforts to be sensitive to his/her needs. Following discussion with the employee, the Principal/Executive Headteacher should consult the school's personnel provider and (*the occupational health/registered medical practitioner*) to determine:

- the employee's level of fitness;
- whether the employee remains fit enough to be at work;
- whether the employee's continued attendance will be detrimental to his/her health;
- the employee's ability to undertake all or some of their normal duties.

The Principal/Executive Headteacher should undertake a risk assessment, which should be regularly reviewed and updated.

Any action should take into account the employee's wishes as far as reasonably practical but the Principal/Executive Headteacher retains a responsibility to fulfil a duty of care not only to the employee but also to his/her colleagues and other members of the school community.

Local Government Pension Scheme

Special pension rules apply in these circumstances and urgent advice should be sought for local government employees from the Pensions section. Advice and a pension's estimate should be obtained in strict confidence at the earliest opportunity, to enable the employee to make an informed decision about his/her future. If the employee wishes to leave voluntarily they should be fast tracked to the independent doctor for review.

Teachers

In the case of a teacher, pension decisions will be taken by Teachers' Pensions. An application should be submitted to Teachers' Pensions without delay.

Prescribed diseases

Where the terminal illness is a consequence of a prescribed disease defined in RIDDOR, an IRF (96) should be completed by the employee's manager and sent to the Occupational Health and Safety Manager (County schools only).

Appendix D

Model Letter: Notification of Stage 1 Sickness Absence Meeting

Dear

Notification of Stage 1 Sickness Absence Meeting

I refer to your recent period of sickness absence and the Sickness Absence Interview meeting(s) on and conducted by

Your further sickness absence during the informal monitoring period means that the matter will now be considered at a formal meeting under Stage 1 of Sickness Absence Policy and Procedure. I would like to stress that this is neither a disciplinary matter nor an attempt to determine whether your absence is legitimate. The main purpose of this meeting is to discuss options to improve your future attendance positively and constructively and will cover the following:

- the standard of attendance expected of you;
- explain how your attendance has been assessed as falling below these standards and the effect of this on (teaching and learning) (service delivery) (colleagues);
- review the results of the informal procedure, including any measures taken to support you so far and any work related issues;
- give you and/or your representative the opportunity to explain any mitigating circumstances;
- try to establish the reasons, including any underlying causes, for poor attendance, and seek agreement from you for a (further) referral to Occupational Health if this is required;
- confirm, where appropriate, that the poor attendance is due to an ill-health issue;
- discuss the way forward and agree an action plan that clearly identifies:
 - the improvements necessary to achieve the expected standards;
 - the timescale for improvement;
 - how attendance will be measured/monitored;
 - additional support/training to be provided;
 - temporary or permanent work adjustments
 - the review period, (normally one month and no more than three months);

(I give below) (I enclose) details of your sickness absence from
to.....

First working day of sickness absence	Last working day of sickness absence	Number of working days lost	Reason(s) for sickness absence

The Stage 1 Absence Review Meeting will take place on (date) at (time) in (location) and will be chaired by me. You are entitled to be accompanied at the meeting by a work colleague or trade union representative. It is your responsibility to arrange for a representative to accompany you to the meeting. If, for any reason, you or your representative are unable to attend the meeting, please let me know as soon as possible so that an alternative date may be considered within 5 working days of the proposed date. In the event that you are unable to attend then I will review the position in your absence but your representative may attend on your behalf if you wish. I enclose a copy of the Sickness Absence Policy and Procedure and copies of the Sickness Absence Interview Records and other documents that may be referred to at the meeting.

Please confirm your attendance (by telephoning), (in writing),(insert arrangements).

If you believe you are too ill to attend the meeting at school, you have the option to:

- Meet in a neutral venue or at your home; or
- Attend via telephone conference; or
- Send a trade union representative or work colleague to represent you with your written consent; or
- Provide a written submission; or
- Request that the meeting takes place in your absence.

If you do not confirm your attendance or tell me you what you wish with regard to the above, then the meeting may take place in your absence with the outcome communicated to you in writing. Meetings will not be postponed beyond 5 days unless there is medical evidence that you are not medically fit to take part by any of the means described above.

Yours sincerely

Senior Manager

Appendix E

Model Letter: Outcome of First Sickness Absence Review Meeting

Dear

Outcome of Stage 1 Sickness Absence Review Meeting

Thank you for attending the Stage 1 Sickness Absence Review Meeting on (date). I am writing to confirm the outcome. *Insert the points discussed under each heading below*

- the standard of attendance expected of you;
- how your attendance has been assessed as falling below these standards and the effect of this on (teaching and learning) (service delivery) (colleagues);
- the results of the informal procedure, including any measures taken to support you so far and any work related issues;
- what you and/or your representative said were mitigating circumstances and my view on this;
- the reasons, including any underlying causes, for poor attendance, decision on referral to Occupational Health if this is required;
- confirmation, where appropriate, that the poor attendance is due to an ill-health issue;
- the way forward and the action plan:
 - the improvements necessary to achieve the expected standards;
 - the timescale for improvement;
 - how attendance will be measured/monitored;
 - additional support/training to be provided;
 - temporary or permanent work adjustments
 - the review period, (normally one month and no more than three months).

I informed you that if your attendance is not satisfactory by the end of the review period then I may decide to recommend to the Principal/Executive Headteacher that a Stage 2 meeting is held to consider termination of your employment because of your lack of capability through ill health.

I do hope that you will be able to achieve a satisfactory level of attendance and, should you do so then the process will not be escalated. However, this letter will be kept on your personnel file for 12 months. If your attendance is sustained during that period, then it will be removed and securely destroyed and any further concerns will be dealt with informally. If it is not sustained, then Stage 2 of the procedure will be invoked unless there are exceptional circumstances.

Yours sincerely

Senior Manager