

Managing Attendance At Work Procedure

For Schools and Centrally
Employed Teachers

MANAGING ATTENDANCE AT WORK PROCEDURE FOR SCHOOLS AND CENTRALLY EMPLOYED

1. INTRODUCTION AND POLICY ISSUES

1.1 Principles

Our employees are the most important resource in providing quality services and, as such, it is vital that their attendance at work is managed effectively.

Doncaster Council and all Doncaster schools have a clear written policy for handling staff sickness absence and for taking decisive action to reduce sickness absence levels which disrupt the provision of services. This includes clear procedures for the monitoring of staff absences, for taking appropriate responding action and for encouraging the promotion of good health and supporting staff who become ill.

Managers should be adequately informed about staff sickness absence. Appropriate monitoring of sickness absence is of benefit to the general well being of the service as good practice for personnel management.

The term 'manager' is a generic term and refers to the most appropriate manager to implement this procedure. It could therefore mean a member of the school management team, including: Headteacher, Deputy Headteacher, Head of Department, Office Manager, Bursar, a member/members of the Governing Body or a Local Authority officer.

In some instances an employee may wish to speak to someone other than their own manager. This may be in cases where there is alleged harassment or issues specific to a particular gender. In these circumstances arrangements should be made for an alternative manager to manage this process.

Effective monitoring and management of attendance will help to:

- Make a positive contribution to the health and well-being of the workforce;
- Reduce costs;
- Enhance service provision;
- Identify factors in the workplace which may be affecting employee attendance.

Absence may occur for the following reasons:

- (a) Physical or mental incapacity
- (b) Disability
- (c) Long term ill health
- (d) Short term sickness

At the appropriate point in this procedure an employee may be asked to attend a Health and Well Being interview so that information can be gained to help manage issues of health and attendance. Any referral to Health and Well Being must be done by the manager in agreement with the individual.

The procedure will not apply to matters relating to conduct. The Disciplinary Procedure will be used in such circumstances.

An employee has the right to be accompanied by his/her Trade Union or a colleague **at every stage of the procedure**. Employees must be informed of this right throughout the procedure.

1.2 Scope

The procedure applies to **all** employees in school and teachers employed within central establishments or sections of the Council.

It is intended to provide a fair and consistent framework of good practice which will help managers to deal with the issues related to absences from work, and encourage attendance, by looking for solutions to underlying problems. However, it is important to take account of the circumstances surrounding each individual case in deciding appropriate action and if managers are in any doubt, they should consult their Human Resources consultant for advice.

Health or any other physical or mental issues which are leading to problems with attendance, should be dealt with under this procedure.

This procedure does not deal with health or any other physical or mental issues which are leading to performance problems.

2. MONITORING

2.1 In the first instance, managers will:

- Ensure every employee knows what is expected of them in relation to sickness notification;
- Inform new starters, during their induction, of the importance of maintaining regular attendance;
- Monitor attendance on an on going day-to-day basis.

Subsequently, as part of normal duties, managers will:

- Take action in line with this policy when an employee is absent from work;
- Undertake return to work discussions every time an employee returns from sickness absence, where at all possible, within 24 hours of the employees return to work;
- Conduct or participate (as appropriate) in the various stages of the Short-term Absence Review Process outlined in Section 3 which is first “triggered” when an employee has been absent for a total of 15 working

- days (where an employee works less than a 5-day working week then the 15 day trigger point should be pro rata-ed) or 5 separate periods in a 15 month period, or has a pattern of absence which is causing concern;
- Conduct or participate (as appropriate) in the various stages of the long-term absence review process, outlined in Section 4 of this procedure.

2.2 Notification, Contact and Certification of Sickness Absence

On the 1st day of sickness absence

The employee must telephone the designated person within school by the agreed specified time, stipulated by the school (it is expected that this would be prior to the employee's 'normal' starting time). Where possible the employee should speak directly to their manager. If the designated person is not available the employee should leave brief details of their absence with a colleague, along with a contact telephone number. If all the necessary information has not been provided then the designated person will then return the call as soon as possible that day. The person taking the call will establish the nature of the illness and the anticipated length of the employee's unavailability for work. They will finally agree that if absence extends to day 3, whether a further call would be appropriate and what time this should be made by. The absence should then be recorded by the manager as appropriate and notified to Pay & Employment via weekly sickness returns.

In some circumstances it may not be possible for the employee to make contact themselves e.g. hospitalisation or severe illness. In these circumstances a nominated relative, friend or representative may act as the contact person on their behalf.

On 3rd day of sickness absence

If absence continues to a 3rd day and it has been agreed that further welfare contact is required, then the employee is encouraged to contact their manager, at the time agreed on day 1, to discuss their health and well being and again, establish the likely length of the employee's unavailability for work. If the employee indicates that the absence is likely to exceed 5 working days, the manager will remind them of the need for a medical certificate from the 6th working day. If the employee does not make contact by the agreed time on day 3 then the nominated person will contact them instead. The outline for this conversation is included on Fact Sheet – Notification of Absence.

On the 6th working day of absence

The school must be provided with a medical certificate from a Doctor. Again the employee (or someone on their behalf) should provide an update on their continued absence. This will help school to plan, make appropriate cover arrangements and offer support to the employee. Consecutive medical certificates should then be submitted to cover the total period of absence.

On return to work from absence of 5 working days or less

The employee should complete a Self-Certification form (SCS1) on their return to work and pass this to the designated person in school during their return to work interview.

It is important that employees who become fit for work on a day that is not part of their normal working week e.g. weekend or an off work day, make sure they notify their manager of the exact day that they became fit for work, otherwise it will be recorded as the next working day they return to work. The accuracy of these records is important to ensure that pay is correct and that trigger points are recorded correctly.

Failure to notify

Failure to notify, or delay in notifying sickness absence may result in a colleague attempting to make contact in a supportive capacity to ensure all is well from a welfare aspect.

If an employee fails to provide appropriate sickness certification, a discussion should take place with the employee to determine why they have not complied with the procedure. If the explanation is satisfactory then no action will need be taken however, if the explanation is not satisfactory then disciplinary action may be taken which may result in a variety of sanctions one of which may be the stopping of pay.

2.3 Absence due to Industrial Injury

When an employee is absent from work due to an industrial injury, this will still form part of the absence review trigger points, and will be included as part of the normal monitoring process to ensure that any necessary support is identified and provided.

Where absence is due to an industrial injury, and appropriate documentation has been completed, sickness pay will not be reduced to half pay and will remain at full pay for the length of sickness pay entitlement.

2.4 Absence related to a Disability

When an employee is absent from work and the absence is related to a disability managers need to consider whether any reasonable adjustments are necessary to assist return to work, limit future absence and support the employee in achieving an appropriate level of attendance.

Consideration of reasonable adjustments for employees with disabilities is a legal requirement of the Disability Discrimination Act. However, as an employer we will also extend the consideration to other employees who may not meet the definition of disabled but are either permanently or temporarily unable to undertake their job for health reasons.

If reasonable adjustments are being considered, guidance and support should be sought from Health and Well Being, who may also be able to advise about external sources from which to access further assistance. Where advice is provided by Health and Well Being then, except in exceptional circumstances, this should be followed. Examples of reasonable adjustments could be:

- extending trigger points;
- providing specialist equipment;
- modifying days or hours of work;
- modifying duties;
- providing additional classroom assistance

2.5 Return to Work Discussions

Where at all possible, within 24 hours of the employees return to work, the designated manager in school will arrange to see the employee for a return to work discussion. This discussion provides an opportunity for the manager to:

- Welcome the employee back to work;
- Enquire after the employee's health;
- Give the employee an opportunity to draw their manager's attention to any particular problems of either a work or domestic nature, which may affect their attendance;
- Offer appropriate help and support e.g. access to counselling, workload adjustments etc
- Update the employee on any developments of work during their absence;
- Receive any self or medical certificates as appropriate;
- Advise the employee where they are within the procedure.

A brief record should be kept of this meeting, which should be agreed and signed as a true record by the employee and the manager conducting the discussion. If not agreed a record will be kept of both parties views.

If as a result of either the length or frequency of the employee's sickness absence they hit a trigger point, the manager should commence with the appropriate absence review as outline below:

Short term Absence Review Trigger Point is defined where an employee's record shows:

- 15 working days of absence, in any 'rolling' twelve month period (where an employee works less than a 5-day working week then the trigger point should be pro rata-ed);
- 5 periods of absence in any 'rolling' twelve month period;
- a pattern of absence which is causing concern, for example, regular Friday or Monday absences or absences regularly occurring on a particular day of the week.

Long term Absence Review Trigger Point

- any period of continuous absence of 4 weeks or more.

3. Short Term Absence Review Process

When an employee has exceeded the short-term absence trigger points, and if no action had been previously taken, the following process will be adopted.

Note: In operating this process, care must always be taken to comply with the Disability Discrimination Act 1995.

Also note that managers may exercise appropriate discretion in relation to progression through the stages of the process. Where managers exercise this discretion then approval of this will need to be given by their manager.

3.1 Summary of Short Term Absence Review Process

<p>Stage 1*: Informal Counselling Interview If no action previously taken and first time employee has reached trigger point</p>	<ul style="list-style-type: none"> • employee should be strongly advised to contact and be represented by their trade union • discuss absences with employee and identify underlying reasons • see if any assistance can be offered • advise employee of the next stages of the process • note kept on personal file
<p>Stage 2*: Formal Absence Review Interview If attendance level is still unacceptable i.e. 8 days or more in the subsequent 6 months</p>	<ul style="list-style-type: none"> • letter sent to employee with sick record requesting attendance at formal interview, with manager, with representation if so wished • advice should be sought from HR • employee should be strongly advised to contact and be represented by their trade union • discuss absences with employee and identify any underlying reasons • see if any assistance can be offered • options available <ul style="list-style-type: none"> - continued monitoring - referral to Health & Well Being - workplace assessments and adaptations - written warning/appeal explained at meeting
<p>Stage 3*: Further Formal Absence Review Interview If attendance level is still unacceptable i.e. 8 days or more in the subsequent 6 months</p>	<ul style="list-style-type: none"> • letter sent to employee with sick record, requesting attendance at formal meeting with manager, with representation if so wished • advice sought from HR • employee should be strongly advised to contact and be represented by their trade union • discussion similar to previous meeting • options available <ul style="list-style-type: none"> - continued monitoring - referral to Health & Well Being - workplace assessments and adaptations - First/final written warning; containing advice that employee may be dismissed if attendance fails to improve

<p>Stage 4: Attendance Hearing If attendance level is still unacceptable i.e. 8 days or more in subsequent 6 months</p>	<ul style="list-style-type: none"> • Letter sent to employee with sick record, requesting attendance at formal hearing, with Hearing Manager. Employee should be strongly advised to contact and be represented by their trade union • HR Adviser will normally be in attendance • manager reviews attendance record and puts forward case for dismissal on grounds of failure to maintain acceptable level of attendance • employee given opportunity to respond and/or offer mitigation • Governing Body or Hearing Manager considers alternatives to dismissal • if decision to dismiss, employee dismissed with notice, and action confirmed in writing including right of appeal
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*Stages 1, 2 and 3 may be repeated as appropriate.

3.2 Monitoring Periods

Following either an informal or formal attendance meeting, the individual will be advised that their absence will be monitored over the following 6 months. They will also be advised that should their absence levels reach the level equivalent to half the annual trigger point i.e. 8 days or 3 periods, then they may be required to attend an attendance review meeting at the next stage of the procedure.

However, if the employee's attendance during the 6-month monitoring period improves significantly and they do not reach the 8-day or 3-occasion trigger point, they will be advised in writing that their absence has reached a satisfactory level. They will also be advised that their absence will continue to be monitored over the following 12 month period and that if they reach a trigger point during that 12 month period they will automatically re-enter the procedure at the same stage. If it can be objectively justified, for example to demonstrate a continuing and sustained improvement in attendance, managers may consider extending monitoring periods.

4. Long Term Absence Review Process

The long term sickness absence trigger point is any period of continuous absence of 4 weeks or more, depending on the nature of the absence.

4.1 Summary of Long Term Absence Review Process

<p>Stage 1: Initial Discussion/ Meeting If employee has been absent for a period of 4 weeks</p>	<ul style="list-style-type: none"> • manager contacts the employee and holds discussion either face to face or via telephone • employee should be strongly advised to contact and be represented by their trade union • discuss state of health of employee • manager explains that medical certificate needed • action plan agreed (may include): <ul style="list-style-type: none"> - supported return to work plan - Health & Well Being referral - risk assessment (if appropriate) - workplace adaptations/reasonable adjustments
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	<ul style="list-style-type: none"> - redeployment (temp or perm) - continued monitoring and timescales and date of next meeting - arrangements for maintained welfare contact with colleagues <ul style="list-style-type: none"> • copy of action plan sent to employee
Stage 2: Formal Absence Review Meeting Where all agreed actions from the Action Plan have been met and the individual does not return to work	<ul style="list-style-type: none"> • letter requesting formal meeting with employee to discuss relevant information received to date with manager and H&WB (if appropriate), and representation if so wished • advice sought from HR&OD • employee should be strongly advised to contact and be represented by their trade union • discuss state of health of employee, Health & Well Being reports and any other medical advice available • see if any assistance can be offered • action plan agreed (may include) <ul style="list-style-type: none"> - supported return to work plan - Health & Well Being referral - risk assessment (if appropriate) - workplace adaptations/reasonable adjustments - redeployment (temp or perm) - continued monitoring and timescales, and date of next meeting - ill health retirement • copy of action plan sent to employee
Stage 3: Further Formal Absence Review Meeting If individual does not return to work as a result of second action plan	<ul style="list-style-type: none"> • letter requesting further formal meeting with employee to discuss progress with manager and H&WB, with representation if so wished • advice sought from HR &OD • employee should be strongly advised to contact and be represented by their trade union • discussion similar to previous meeting • <u>If the employee is likely to return to work:</u> agree a further action plan as outlined above • <u>If the employee is unlikely to return to work or be able to undertake their duties in the foreseeable future:</u> inform employee in writing that if alternatives such as redeployment are not successful, they may be dismissed for incapacity • Keep a signed record of meeting, copy to employee • If at this stage there is mutual agreement that termination is the most appropriate solution, termination may be arranged without the need for an attendance hearing
Stage 4: Attendance Hearing If employee does not return to work as result of third action plan	<ul style="list-style-type: none"> • Letter sent to employee requesting attendance at formal meeting, with Governors Panel, Employee should be strongly advised to contact and be represented by their trade union, to consider options outlined previously, which may include dismissal on the grounds of incapacity • HR adviser will be in attendance • Manager reviews attendance record and outlines actions taken so far • Employee given opportunity to respond and/or offer mitigation • Governors' Panel considers alternatives to dismissal • If decision is not to dismiss, agree action plan for future actions • If decision to dismiss, employee dismissed with notice,

If at any stage during the short or long-term absence review process, the employee's medical adviser states that they are not well enough to attend a meeting then it may be appropriate to postpone this meeting. However, alternative attempts should be made to gather information in order to help the manager manage the absence appropriately. This may include meeting with, or speaking to, the individuals representative; contacting the employee in writing to ask for a written update; or seeking information via the employee's medical adviser via Health and Well Being.

5. Pre-Absence Referral

Where it is known, prior to an absence, that an employee is going to require time off work for health related issues e.g. elective surgery, then a Pre-Absence Referral should be completed. The employee should be referred, in agreement with themselves, to Health and Well Being. Health and Well Being will then advise both the individual and the manager of what they may expect in terms of length of absence, in circumstances normal to their situation.

At any point where an employee is suffering ill health, for any reason, they may request that their manager refers them to Health and Well Being for support and advice. If the individual wishes to seek counselling for stress related illness then they can self refer themselves directly to Health and Well Being by telephoning 01302 737746.

6. Phased Return to Work

During the review process for long-term absence it may be recommended that a phased return to work would be beneficial. Once an employee has been certified as fit to return to work following a period of long term absence, if the recommended phased return is of four weeks or less and involves reducing the normal working hours, this will be with normal full pay. If it is recommended that a phased return to work is longer than four weeks, consideration may be given to extending normal full pay beyond four weeks. If the employee wishes to request to increase the phased return beyond four weeks and this is not medically supported, they will be advised that non-working time will be without pay or, where applicable, annual leave should be taken. A phased return to work may include modification to days or hours of work **or** adjustment to duties.

7. Right of Appeal

Employees have the right of appeal against any formal written warning and against the decision to dismiss.

Appeals should be put in writing within 15 working days of receiving notification of the decision. Appeals should be sent to and will be heard by:

- the Chair of Governors (in schools)

- the manager of the manager who issued the warning (in central establishments).

The appeal letter should contain the following:

- action being appealed against;
- reason for the appeal;
- the name and address of their representative (where applicable).

If the appeal letter does not contain the above, the Chair of Governors, or appropriate manager, will write to the employee requesting the information.

Where applicable, the appeal will represent the first meeting under the statutory grievance procedure to consider any grievance submitted by the employee (or former employee) associated with the action taken about which they have a statutory entitlement to raise a grievance.

Following the appeal hearing the employee should be informed of the decision, in writing, and that this is the final stage of the procedure.

Original Approved By: Governing Body – Date:

First Edition: Version 1 Adopted Date:

Schools Managing Attendance at Work – Short-term Absence

The definitions of short-term absence

The short-term sickness absence trigger point is:
15* working days of absence in any rolling 12 month period
5 periods of absence in any 'rolling' 12 month period
A pattern of absence which is causing concern, e.g. regular Friday or Monday absences

NOTE - where any employee works less than a five day week, the trigger point should be pro-rata

Managing short-term absence

The management of short-term absence is broken down into four stages. The employee has the right to be accompanied by a trade union representative or work colleague at stages two, three and four although it is strongly encouraged at all stages.

Stage 1 Informal Counselling

This takes place the first time a trigger point, as outlined above, has been reached and is to discuss the absences with the employee. Identify any underlying issues and see if any assistance can be offered. A note should be kept of the discussion, a further period of monitoring agreed and the employee advised of the next stage of the process if the acceptable level of attendance is not reached.

Stage 2 and 3 Formal and further formal absence reviews

These meetings take place if attendance levels are still unacceptable e.g. monitoring trigger points as identified in the policy have been reached. At this point advice should be sought from HR & OD. These reviews cover the same issues as the informal counselling but also consider options for the way forward.

Continued monitoring

Referral to Health and Wellbeing

Workplace assessments and or adaptations

Information can be made available in other languages, or other formats such as Braille or Audio Tape, on request.

Please ask a member of our staff for more information, or if you need any other help or advice.

They can arrange to speak to you in your own language if you need them to.

Stage 2 - Written warning and right of appeal

Stage 3 - Further/final written warning and right of appeal

Stage 4 Attendance hearing

If the level of attendance is still unacceptable a letter is sent to the employee with a copy of their sickness record requesting their attendance at a formal hearing and advising them that their employment may be terminated at the hearing. A HR advisor will normally be present to advise the hearing manager. At the hearing the Governing Body or hearing manager will consider the attendance record and any action taken and the employee will have the opportunity to offer mitigation. The Governing body or hearing manager will consider whether there are any alternatives to dismissal, if not the employee is dismissed with paid notice. This must be confirmed in writing including a right of appeal

For more information contact:

Pay and Employment Direct

Telephone: 01302 862630

Schools Managing Attendance at Work – Case Conferencing

Reasons for a case conference

If an employee is absent long term, it may be appropriate during any of the review stages of the Long term Absence Review Process to hold a case conference. Health and Well Being will advise if they think a case conference is appropriate and would be beneficial.

People to be included in the case conference

A case conference brings all the relevant parties together and enables them to discuss the employee's ongoing absence, identify any barriers which are preventing the employee from returning to work and help the manager to understand what support and guidance may be necessary.

Parties the case conference can include:

- The employee
- The employee's trade union representative or a work colleague
- An appropriate school manager
- An HR consultant
- A nurse advisor

Outcome of the case conference

The outcome of a case conference will be an agreed action plan. The action plan could include:

- A return to work date
- How a return to work will look, e.g. will it be a phased return to work and if so on what basis
- What, if any reasonable adjustments/modifications are required
- Contact with any other agencies which may be appropriate, e.g. Scope or Access to Work
- To undertake an assessment for ill health retirement
- Dates for further reviews or case conferences

For more information contact:

Pay and employment direct
Telephone: 01302 862630

Information can be made available in other languages, or other formats such as Braille or Audio Tape, on request.

Please ask a member of our staff for more information, or if you need any other help or advice.

They can arrange to speak to you in your own language if you need them to.

Schools Managing Attendance at Work – Staff Induction

Everyone makes an important contribution to the work of the School and when you are absent you are missed. We are all affected when someone is ill but you are not expected to come to work when you are not well, nor should you feel guilty about being ill. You are expected to return to work after sickness as soon as you are fit to do so.

Your responsibilities:

- You should ensure that you are aware of the School's Managing Attendance Policy and the potential consequences of continued absence. A copy of the policy is available on the Council's intranet or, alternatively, ask your manager for a copy.
- You have a duty to attend work unless you are not fit to do so. It is your responsibility to decide if you are well enough to attend work. You are encouraged to seek advice from your GP if necessary.
- You must contact your line manager, or agreed alternative, as soon as possible in your first day of absence, preferably before your normal start time. If possible give an indication of when you expect to be able to return to work. If you cannot return when planned you must let your line manager know as soon as possible.
- Keep in touch with your line manager during your absence.
- Your line manager will speak to you in private on your first day back at work. This discussion is an opportunity to discuss your health and whether your absence has been influenced by any work-related matters or underlying health issues.
- If your absence is prolonged or there are underlying health issues identified then your manager may refer you to Health & Well Being for further advice. If this happens then Health & Well Being will contact you to either attend an appointment with an Adviser or may hold a discussion with you over the telephone. The purpose of this is to gather further information in order to support your attendance at work and is not 'checking up' on you.
- The School's Managing Attendance Policy has the following trigger points:

Short Term Absence Review Trigger Point is defined where an employee's record shows:

- 15 working days of absence, in any 'rolling' twelve month period;
- periods of absence of 2 days or more in any 'rolling' twelve month period;

Information can be made available in other languages, or other formats such as Braille or Audio Tape, on request.

Please ask a member of our staff for more information, or if you need any other help or advice.

They can arrange to speak to you in your own language if you need them to.

- a pattern of absence which is causing concern, for example, regular Friday or Monday absences or absences regularly occurring on a particular day of the week.

Long Term Absence Review Trigger Point is defined where an employee's record shows:

- Any period of continuous absence of 4 weeks or more
- Where a trigger point is reached then they will normally prompt further actions in order to work with you to improve your attendance at work. This may include the issuing of formal warnings that may ultimately lead to dismissal if your attendance does not improve sufficiently.

Should you have ongoing health issues then it is recommended that you discuss these with your line manager so that any appropriate adjustments can be made to your working practices or environment in order to support your continues attendance at work.

For more information contact:

Pay & Employment Direct
Telephone: 01302 862630

Information can be made available in other languages, or other formats such as Braille or Audio Tape, on request.

Please ask a member of our staff for more information, or if you need any other help or advice.

They can arrange to speak to you in your own language if you need them to.

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Schools Managing Attendance at Work – A Referral to Health and Well Being

The reason for referral

Your manager has a responsibility to manage your attendance and health and safety at work and this means that in some circumstances, they may need to refer you to H&W-B for advice. They should explain to you the reason why you have been referred. Examples may include:

- You have had frequent short term sickness absence
- You are on long term sick leave of more than 4 weeks
- Your manager has concerns about your health and well-being at work
- As part of your job you need to undergo health surveillance
- You may be about to have surgery, which will mean that you are going to be absent from your job

Your first appointment

An appointment will be made for you to meet one of the Nurse Advisors. The meeting will usually take between 30 minutes and 1 hour and they will discuss the following with you:

- that we have your correct details
- your current state of health and any medication you may be taking
- any planned surgery or treatment you may be undergoing
- the type of work you do
- when you are likely to be fit to return to work
- any barriers to you returning to work

The Health and Well Being Advisers are bound by confidentiality just like your GP or any other health professional. They will agree with you what information will then be shared with your manager.

Further appointments may be made if the Nurse Advisor feels this is necessary for the management of your return to work, or if they need to apply for more medical information. In some circumstances they may need to make arrangements for you to be seen by the Health and Well Being Doctor.

Information can be made available in other languages, or other formats such as Braille or Audio Tape, on request.
Please ask a member of our staff for more information, or if you need any other help or advice.
They can arrange to speak to you in your own language if you need them to.

If you are undergoing treatment e.g. chemotherapy or radiotherapy, we will not ask you to attend Health and Well Being until your course of treatment is finished. In these circumstances we will telephone you periodically to monitor your progress.

Getting further information

In some instances it may be necessary to get further information about your medical condition, which will involve writing to your GP or your Consultant – we will need your written consent to contact them.

This will be used by the Nurse Advisor to assess:

- The likelihood of a return to work
- What support you need to help you return to work
- That your health is not put at risk by returning to work too early
- What information can be given to your manager about your current state of health and your likely return to work
- If you will need a phased return to work
- If you will need any modifications and/or adjustments, either temporary or permanent, that will help you to return to your job

The information that will be sent to your manager

A report will be sent to your manager giving the reasons and likely length of your absence, together with recommendations, where appropriate, on what support / job modification and/or adjustments may be required to enable you to return to work. The report will also advise on any short or long term limitations your illness or condition may cause and the impact this may have on your ability to carry out your current duties.

In-work support

In some instances the Nurse Advisor will keep in touch once you return to work to give you support and advice.

For more information contact:

Pay and Employment Direct
Telephone: 01302 862630

Schools Managing Attendance at Work – Long Term Absence

The long-term sickness absence trigger point is any period of continuous absence of 4 weeks or more, depending on the nature of the absence. Where an employee is absent from, or expected to be absent from work for this period of time as a result of illness/injury, the manager should:

- Maintain contact with the employee personally
- Try to assess the state of health and likely duration of absence
- Gather information on the prognosis for a full recovery
- Identify any limitations that may exist in the future as a result of the illness/injury and assess the likely implication of this
- Ensure that the employee is kept up to date with what is happening at work, including any changes that may have occurred. The level of discussion about work should be agreed with the employee or their representative and should never include any requirements or expectations that they undertake work or contribute to the workload of the school during their absence.
- Consider the appropriate timing of a Health & Well Being referral and discuss this with the employee
- Ensure the employee is aware of the dates relating to full, half and nil sick pay and discuss these with the employee accordingly.
- The management of long-term absence is broken down into 4 stages. The employee will have a right to be accompanied by a trade union representative or work colleague at every stage:

Stage 1 Initial Discussion - This will consider and discuss the issues outlined above and an Action Plan agreed. The Action Plan may include (proforma available):

- Supported return to work plan
- Health & Well Being referral
- Risk assessment (if appropriate)
- Workplace adaptations/reasonable adjustments

Information can be made available in other languages, or other formats such as Braille or Audio Tape, on request.

Please ask a member of our staff for more information, or if you need any other help or advice.

They can arrange to speak to you in your own language if you need them to.

- Redeployment (temporary or permanent)
- Continued monitoring, timescales and date of next meeting
- Arrangements for maintained welfare contact with colleague

Stage 2 & 3 Formal and Further Reviews – These meetings will consider the outcomes of previous Action Plans and agree further Action Plans in order to progress towards a return to work. All key people should be invited to attend this meeting e.g. Health & Well Being, Human Resources, other identified specialists or experts.

Stage 4 Attendance Hearing – Where Action Plans have not been met by the employee, or it is agreed that a return to work is unlikely in the foreseeable future, then the case should be referred to an Attendance Hearing.

For more information contact:

Pay and Employment Direct

Telephone: 01302 862630

Schools Managing Attendance at Work – Manager Induction

Manager's responsibility

As a manager it is your responsibility to ensure that the attendance at work of your staff is appropriately managed. You are also responsible for the health and safety of your staff. The aim of managing attendance is to ensure that staff are able to attend work for the maximum amount of their contracted hours as possible.

Your responsibilities

- You should ensure that you are aware of the School's Managing Attendance Policy and the potential consequences of continued absence. A copy of the policy is available on the Council's intranet or from your headteacher.
- You should also ensure all new and existing staff are made aware of the policy. Where they do not have access to the intranet then a hard copy should be provided to them.
- You should take an interest in the health and well-being of your staff. Be approachable, treat anyone who is ill sympathetically and do not assume that an absence is due to anything but genuine sickness. Treat any information you are given confidentially.
- You should ensure staff report their absences directly to you wherever possible. Staff should also know whom to contact if you are not available.
- You should keep in touch with staff during their absence. (Further advice is available via the Maintaining Contact with Staff During Absence Fact Sheet).
- You must monitor and manage sickness absence. You must ensure that sickness absence records are completed and return to Pay & Employment on a weekly basis. (Further advice on the completion of forms is available from Pay & Employment Direct tel. 862630.)
- You must monitor patterns and frequency of staff absences and take appropriate actions in line with the Managing Attendance Policy in order to address these.
- You must take time to see your staff in private on their return to work, where possible within 24 hours of their return after any period of sickness. This should be a confidential and sensitively handled meeting conducted according to individual circumstances. (Please refer to the Return to Work Discussion Fact Sheet for further advice). The discussions should take place during the employee's directed time.

Information can be made available in other languages, or other formats such as Braille or Audio Tape, on request.
Please ask a member of our staff for more information, or if you need any other help or advice.
They can arrange to speak to you in your own language if you need them to.

- You must consider any implication of the Disability Discrimination Act. This will include consideration of any reasonable adjustments that could be made to either an employee's working practices or environment to ensure that they are appropriately supported in attending work.
- You should seek further advice from your line manager, Human Resources or Health & Well Being as required in order to ensure that all cases of absence are appropriately managed

Further Fact Sheet and Guidance are available on the Intranet. Please ensure that you are familiar with these prior to undertaking stages of the Managing Attendance Policy.

For more information contact:

Pay and Employment Direct

Telephone: 01302 862630

Schools Managing Attendance at Work - Manager's Referrals to Health and Well-Being

Reasons for referral

Referrals to Health and Well-being should be timely and appropriate. An employee may be referred if:

- They hit a trigger point under the short or long term absence review process
- They have a pattern of absence which is causing concern, for example, regular Friday or Monday absences
- They appear to have an ongoing medical condition which is causing regular absence but not necessarily causing trigger points to be hit
- It is known that an employee is going to require time off work for health related issues, e.g. elective surgery
- Your job requires some health surveillance to take place, e.g. for hand arm vibration syndrome

Referral process

Whatever the reason for the referral, once it has become necessary all referrals should be done on a Med10 form. (Copies of which are available on the intranet or from your Headteacher.) In most cases referrals will be agreed with the employee before they are done. If it is not possible to gain agreement with the employee then a manager must inform the employee that a referral has been done and why - Health and Well-being will not make contact with an employee until they have been informed that a referral has been made.

Managers should complete all sections of the Med10 form before sending to Health and Well-being. If there is certain information which a manager does not have, contact should be made with Pay and Employment Direct, who will be able to provide the necessary information. Wherever possible forms should be completed electronically and emailed to Health and Well-being.

Information can be made available in other languages, or other formats such as Braille or Audio Tape, on request.
Please ask a member of our staff for more information, or if you need any other help or advice.
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Upon receipt of the completed Med10, Health and Well-being will make arrangements to meet with the employee. Once this has take place a report will be sent back to the manager. Any subsequent meetings between Health and Well-being and an employee will be reported back to the manager. Managers should use these reports to inform any meetings/discussions with the employee about their absence and/or return to work.

For further information please contact Pay & Employment Direct on 01302 862630.

For more information contact:

Pay and Employment Direct

Telephone: 01302 862630

Telephone: 01302 868220 Schools

Schools Managing Attendance at Work – Monitoring Periods

Trigger points

Line managers are responsible for monitoring the attendance of their staff. There are a number of triggers, which will alert a manager to take some action under the Managing Attendance at Work Policy, these are:

- 15 working days absence in any 'rolling' 12 month period*
- 5 periods of absence in any 'rolling' 12 month period
- a pattern of absence causing concern, e.g. regular Mondays or Fridays
- a continuous absence of 4 weeks or more

*Note – employees who work less than a 5-day working week will have a pro rata-ed trigger point

Line managers are constantly monitoring attendance levels and if, during any 12-month period an employee hits one of these trigger points, the appropriate review process will commence.

Short-term absence review process

When an employee has hit a trigger point during any rolling 12 month period their manager will commence the review process with an informal counselling interview. At this or any subsequent stage in the review process, a manager may decide to undertake further monitoring. It is recommended that further periods of monitoring take place over 6 months and have the appropriate trigger points (8 working days of absence or 3 separate occasions). If employees do not achieve an acceptable level of attendance managers will progress through the short term absence review process putting in place further monitoring periods at each stage as appropriate. Please refer to the short term sickness fact sheet.

If an employee's attendance improves sufficiently, they should be informed of this in writing, and also told that their attendance will continue to be monitored for a further 12 months. If they hit a further trigger point during this period the manager can automatically re-enter the review process at the same stage at which they left it. If, at the end of the 12 months, attendance has improved sufficiently, the employee should be informed in writing that this is the case and that monitoring of their absence will no longer be within a formal stage of the procedure. Managers can extend monitoring periods beyond those specified if they can objectively justify it.

Information can be made available in other languages, or other formats such as Braille or Audio Tape, on request.
Please ask a member of our staff for more information, or if you need any other help or advice.
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Long term absence review process

If absent for 10 working days an employee can expect to have an initial discussion/meeting with their line manager to discuss the ongoing absence and agree an action plan for the way forward. If the period of absence extends to 4 working weeks and beyond the line manager will continue to monitor the absence, as well as meeting with the employee and agreeing further action plans. This is ongoing throughout the period of absence until the employee is fit enough to return to work or some other action is taken. Please refer to the Long Term Sickness Fact Sheet.

It is important that managers keep records of the interviews that place

For more information contact:

Pay and employment direct

Telephone: 01302 862630

Schools Managing Attendance at Work – Notification of Sickness Absence

Purpose of fact sheet

This fact sheet is designed to provide a checklist for managers, however, this list should not be considered exhaustive.

Procedure of notification

On the first day of absence the employee (or nominated person in exceptional circumstances) must telephone the designated person by the agreed specified time, stipulated by the school or service (it is expected that this would be at least 1 hour before the start of the school session).

The purpose of this telephone conversation is to establish the full reasons for absence and any other information that will manage the absence within the section/school.

It is recommended that a number of issues are covered during this conversation. This fact sheet is designed to provide a checklist, however, this list should not be considered exhaustive. As a minimum the following information should be determined:

- The first date of illness (this may have been on a non-working day)
- The nature of the illness
- Do they need any assistance of a practical nature e.g. are they able to look after themselves
- Have they sought medical advice
- When do they expect to return to work
- If they improve today, will they be in later
- Are there any work issues that someone else can attend to e.g. keys, appointments to be kept/rearranged, flagging up priority work items, other issues
- Would a Health and Well Being referral be appropriate and/or beneficial at this point
- When will the next welfare contact be
- Is the current emergency contact number correct.

Information can be made available in other languages, or other formats such as Braille or Audio Tape, on request.
Please ask a member of our staff for more information, or if you need any other help or advice.
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In exceptional circumstances it may not be possible for the employee to make contact themselves e.g. hospitalisation or severe illness. In these circumstances a nominated relative, friend or representative may act as the contact person on their behalf.

The manager should ask the employee to keep in touch regularly, if this does not happen then the manager should contact the employee instead.

It is important to remember that the purpose of the call is to gather information to help the school/section manage the period of absence. At no point should there be any request for the employee to undertake any work or contribute to the school's workload whilst they are absent.

For more information contact:

Pay and Employment Direct

Telephone: 01302 862630

Schools Managing Attendance – Phased Return to Work

The purpose of a phased return to work

The purpose of a phased return to work is to rehabilitate the member of staff to their full duties, where appropriate, and gradually build back up to undertaking their normal working hours within the earliest agreed timescale. After a member of staff has been absent from work due to illness and over a prolonged period of time, Health & Well Being may recommend to the line manager in the first instance a phased return to work to allow the member of staff to re-adjust to full attendance/performance at the workplace.

The phased return to work programme

The phased return to work programme will normally not exceed four working weeks, bearing in mind the need for a degree of flexibility since the member of staff's progress might be difficult to predetermine. The programme will be time-limited and targets will be agreed. Should there be difficulties related to the phased return arrangements, advice should be sought from Health & Well Being.

Reviews

The appropriate Manager should review the member of staff's progress on a weekly basis and should he/she recognise that the member of staff is unlikely to be able to resume his/her normal working hours and duties before the four week period expires, further advice can be sought from Health & Well Being. This may result in a further time-limited extension of the phased return or a temporary contractual reduction in working hours, or agreeing the need for the member of staff to resume sick leave and to re-submit medical certificates. In some cases, consideration may be given to a permanent reduction in working hours or the possibility of redeployment.

Medical certificates

If the GP and/or Occupational Health Service have recommended that a phased return to work is appropriate, and the line manager has agreed a rehabilitation programme, the member of staff should submit a final medical certificate from the GP which confirms that the individual is fit to return to work. Further medical certificates will not be required relative to a phased return as the member of staff will no longer be on sick leave and sick pay will not apply.

Information can be made available in other languages, or other formats such as Braille or Audio Tape, on request.
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Salary during a phased return to work

During the first four weeks of phased return payment will be at full pay. In respect of any further agreed extension of phased return beyond four weeks', payment will be pro rata to hours worked, unless a short extension of the phased return to work is envisaged. In this case agreement to continue full pay will be subject to agreement by the line manager.

The line manager should notify Pay & Employment via the weekly sickness of the return to work date, so that salary records can be updated.

For further information please contact Pay & Employment Direct on 01302 862630.

For more information contact:

Pay and Employment Direct

Telephone: 01302 862630

Schools Managing Attendance – Reasonable Adjustments or Modifications to Duties

This guidance applies both at the recruitment stage or for existing employees who may have a disability, whether temporary or permanent. It is also extended to those employees who may not meet the full criteria of the DDA but are temporarily or permanently unable to carry out their job due to health reasons.

The definition of disability

The DDA (Disability Discrimination Act 2005) defines a person as having a disability:

“where they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities”

Reasonable adjustments

When decided what reasonable adjustments can be made, the manager may take into account:

- The practicality and cost of the adjustment
- The likely disruption to the service
- The level of resources they have access to
- The availability of any assistance they can call on

In some circumstances external funding is available – advice and guidance on this should be sought from Health and Well-Being.

There are a number of options that can be considered:

A temporary or permanent adjustment to hours of work or a change to the normal work pattern

Example : A member of staff is newly diagnosed with diabetes and there are problems with their medication which is still being adjusted to see if they are getting the right dosage. In these circumstances it is reasonable for a manager to allow this employee to adjust their working hours until their condition is stabilised.

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Flexible working options e.g homeworking

Example 1: An employee has undergone surgery or treatment which has left them either temporarily or permanently susceptible to infection. They have asked if they can work from home. It would be reasonable for the manager to consider if this is feasible. OR

Example 2: You are recruiting to a post and one of the applicants asks if they can work from home for all or part of the time. If they are the most suitable candidate for the job, it would be reasonable to explore if their duties and responsibilities could be undertaken at home.

A temporary or permanent adjustment to duties

Example 1: An employee has suffered a broken leg but is keen to return to work. Their GP and Health and Well Being indicate that they are well enough to return to work but should refrain from physically exerting duties. It would be reasonable for the manager to make alternative arrangements for them to swap classes during PE sessions or for them to be taken off the playground duty rota until they are better.

Relocation whether temporary or permanent

The manager will need to assess whether it may be possible for someone to work at a different location.

Example: A teaching member of staff has recently had surgery which has reduced their level of mobility. Normally they would work in the teaching block at the furthest end of the school from the car park. They would also work within a number of different classrooms during the day. It would be reasonable to look at relocating their teaching to a single classroom which is easier for them to access from the car park.

Time off for medical appointments

There is a possibility that someone with a disability or someone returning to work from long-term sickness absence may need to take more regular time off to attend for medical appointments.

This needs to be discussed with the individual and then the manager needs to assess the impact of this on their service.

Phased return to work beyond the 4-week period

Example: A member of staff is diagnosed with breast cancer. They have had surgery and chemotherapy and you are discussing with them a possible return to work. Because the chemotherapy can have a debilitating effect on the person they may still suffer from tiredness. It is reasonable in these circumstances to discuss a phased return to work possibly beyond 4 weeks to say 6 weeks or beyond. It may also be reasonable to look at flexible working options if these are available.

Extension of the sickness absence trigger points

Where it is known that someone is likely to have more frequent absence due to their condition the manager will need to assess what is reasonable i.e. rather than 5 times in a rolling 12 month period, the manager agrees with the individual that 7 times a year will be the trigger.

The key message is that it is your responsibility as a manager to:

Keep the channels of communication open with your employee who is absent

Regularly review the situation to check if circumstances have changed

For more information contact:

Pay and Employment direct

Telephone: 01302 737045

Health and Well-Being

Telephone: 01302 862630

Schools Managing Attendance at Work – Return to Work Discussion

Return to work discussion

A return to work discussion should take place after **EVERY** absence even if it is only a single or part day. The discussion should be friendly and welcoming even if the manager is concerned about the level of absence. It is important that the employee recognises that they are valued and have been missed

- Where possible the return to work discussion should take place within 24 hours of returning to work
- If the designated manager is not in work on the day the employee returns to work, an alternative appropriate manager should undertake the discussion
- The discussion should normally be a one to one meeting
- The discussion should take place in private to ensure confidentiality
- Agree between the two parties what information will be shared and with whom
- A record of the employee's absence should be available during the discussion
- In some cases there may be issues that mean that it is appropriate for a different manager to undertake the return to work discussion e.g. in cases of stress where the employee identifies issues relating to the designated manager. In these circumstances it is advised that a different manager undertakes the return to work discussion or that the individual and the manager are accompanied during the discussion.

Discussion points for the manager

- Welcome the employee back and enquire after their health
- Explain the reason for the discussion and confirm that is confidential
- Discuss the period of absence and reasons for the absence with the employee
- Give the employee an opportunity to draw their manager's attention to any particular problems of either a work or domestic nature which may affect their attendance
- Try to uncover any underlying health issues and ask what the employee is doing to ensure they are fit for work in the future

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- Offer appropriate help and support e.g. access to counselling, Health and Wellbeing referral, workload adjustments etc
- Update the employee on any developments in work during their absence
- Receive a self or medical certificate as appropriate
- Advise the employee if the level of absence is reaching the limit and inform them what stage they are in the procedure process. If a further meeting is required under a formal stage of the policy then agree a mutually convenient date and time which should be confirmed to the employee in writing

Action points for the manager

- The return to work discussion proforma on the self-certification form should be used as record of the meeting. Whatever record is kept should be signed by both parties and kept on file
- Self-certifications forms should be kept by the manager and filled securely and confidentially. Any medical certificates should be forwarded to Pay and Employment Direct

For more information contact:

Pay and Employment Direct
Telephone: 01302 862630