

Bourne Education Trust Attendance Management Policy

1. Introduction and Purpose of Procedure

The purpose of this procedure is to encourage and support employees to achieve and maintain a high level of attendance at work, to promote a healthy workforce and to assist Line Managers in their role by providing a clear and consistent framework for managing unsatisfactory attendance.

This procedure is applicable to the management of both short and long-term sickness absence of all members of staff employed at the school with the exception of employees serving a probationary/induction period. Employees on temporary or fixed-term contracts will be subject to this procedure with adjustments made, where appropriate, to reflect the likely duration of the contract.

This procedure does not cover conditions or entitlements in relation to sick pay. Such payments will be made in accordance with the relevant conditions of service for teachers and support staff.

Other absences not classified as either short or long-term sickness are not covered within this procedure. Members of staff should refer to the Leave of Absence Policy for guidance.

The Bourne Education Trust is mindful of its obligations under the Equality Act 2010 and acknowledges that it is its' obligation to consider that reasonable adjustments for employees with a disability may occasionally result in the different treatment of certain individuals in the interests of removing a significant disadvantage.

2. Policy Statement

The Trust recognises that managing sickness absence can be a sensitive matter and at all times aims to give due consideration to the welfare of staff, the needs of the school and the impact that absence has on the effective education of pupils.

In particular, the Trust is committed to:

- Ensuring that the procedure is conducted in a constructive and non-discriminatory manner, taking account of individual circumstances and respecting confidentiality;
- Recording and monitoring absence effectively, in order to assist employees to improve attendance;
- Exploring the reasons for sickness absence to understand any underlying issues relating to absence;
- Identifying and seeking to address work-related causes of sickness absence;
- Dealing robustly with any identified abuses of the sickness absence system;
- Promoting the physical and mental well-being of all staff.

3. Roles and Responsibilities

In each school the local Governing Body is responsible for the overall monitoring of the effectiveness of this procedure. The Trust's HR & Remuneration Committee is responsible for monitoring the effectiveness at Trust level.

The Chair of Governors will be responsible for monitoring the absence levels of the Headteacher and will act as the Line Manager in relation to the management of the Headteacher's absence in accordance with this procedure.

The Headteacher is responsible for ensuring that those with line management responsibilities are suitably skilled to manage sickness absence and have received appropriate training. The Headteacher will also fulfil the responsibilities of the Line Manager in respect of certain individuals.

All Line Managers (including the Headteacher) are responsible for ensuring that members of staff are familiar with the expectations placed upon them in relation to their attendance at work, for monitoring absence, ensuring that consistent reporting is in place and conducting informal and formal meetings with individuals in accordance with the various stages outlined within the procedure. References in this procedure to actions taken by the Line Manager are intended to refer either to the Headteacher or the line manager acting in consultation with the Headteacher.

All employees are expected to comply with reporting and certification procedures outlined in this procedure (or as otherwise notified to them) and to take responsibility for maintaining general health and fitness in order to sustain a high level of attendance.

4. Reporting Sickness Absence

An employee who is unable to attend work because of sickness or injury should report this in compliance with the reporting requirements of their individual school, as set out in the local Staff Handbook.

Reporting should include the reason for absence and the likely duration, as well as any necessary briefing on work commitments so that appropriate arrangements for cover can be made. The employee may ask to discuss the medical reasons for absence with another person, such as a different Line Manager or occupational health adviser, where he/she views the information as particularly sensitive.

If absence continues for longer than initially anticipated, the employee is expected to regularly update the Headteacher/Line Manager in the same way, confirming the likely duration of absence.

Employees who become unwell during the course of the working day should ensure that the Headteacher/Line Manager (or a member of senior management if the Headteacher/Line Manager is unavailable) has been notified before leaving work early.

Any accident or incident at work must be reported as soon as possible in accordance with the school's health and safety procedures so that it can be appropriately recorded and any required action taken at an early stage.

All absences, including part days, should be notified and recorded.

5. Certification Requirements

Absences of up to and including seven calendar days must be supported by a self-certificate form completed upon return to work.

Absences of longer than seven calendar days must be supported by medical evidence from a registered medical practitioner, usually in the form of a fit note from the employee's doctor, which must be submitted as soon as possible to the Line Manager. Additional fit notes must be submitted thereafter as necessary to ensure that the whole period of absence is covered, including any intervening school closure periods. Any period of absence caused by sickness or

injury which is not covered by an acceptable medical certificate may be treated as unauthorised and therefore unpaid. Unauthorised absence may also be treated as a disciplinary matter.

In exceptional circumstances, employees may be required to provide a fit note from a doctor for periods of absence of less than one week. In such cases, the cost of providing such a certificate will be paid by the school.

The decision regarding what medical evidence is acceptable in individual cases rests with the school although a doctor's fit note will usually be deemed acceptable evidence of incapacity. In exceptional circumstances, and with compelling evidence to do so, the school reserves the right to reject a particular piece of evidence and require the individual to provide an alternative.

6. Return to Work Discussions

All Line Managers have a responsibility, with appropriate training, to conduct return to work discussions following every period of absence (including part days) to ensure that the employee is well enough to return to work, to support his/her return and ensure he/she is updated on work matters.

For longer periods, or otherwise where there is concern about the nature or frequency of the absence, a more structured discussion will be appropriate. This discussion will be recorded on a return to work form, a copy of which should be given to the employee. The Line Manager is responsible for ensuring that he/she has all relevant information to hand, such as risk assessments and/or occupational health reports.

Return to work discussions are informal in nature but will be documented, as noted above. If there are grounds to believe that formal action is required under this or any alternative procedure (if necessary), the individual should be informed of this and arrangements made to hold a formal meeting. The Line Manager will discuss and consider reasonable adjustments to assist the employee to return to work where this is appropriate.

7. Occupational Health Referrals

The involvement of the school's occupational health ('OH') provider in individual cases can be crucial to understanding the impact of a medical condition upon an employee's ability to perform their normal duties and to support an employee's return to work; it is in the best interests of both the school and the employee. Referrals to OH will be made at the Line Manager's discretion and you may be asked to give consent for us to consult with an OH advisor to determine the extent of your incapacity.

The contents of the referral form and the subsequent report must be shared with the employee, preferably face-to-face where circumstances permit. In considering the referral, OH may wish to obtain a report from the employee's own doctor(s) but will obtain the employee's written consent before doing so. In the event of a refusal, decisions about the employee's future employment will be made on the basis of the information available at the time.

8. Managing Short-Term Absence

Definitions	
A day's absence	A day's absence refers to a standard working day for the individual concerned (and the equivalent half day, multiple days etc.)

Short-term absence	'Short-term absence' is intended to refer to absences which typically last for between one day and up to one calendar week and which are sporadic and attributable to minor ailments, often unrelated.
Trigger Point	The trigger point represents the stage at which referral to the formal procedure will usually be considered. This is: <ul style="list-style-type: none"> ▪ Three separate occasions, irrespective of length, during a 6-month period; or ▪ A total of ten days' absence in a 6-month period (over two or more occasions); or ▪ Where there are concerns about an employee's absences, such as the level or pattern.

Genuine short-term absences which occur over a limited period of time are usually best managed through discussion with the individual at return-to-work interviews, which may include consideration of advice from occupational health.

Where, however genuine, the number and/or frequency of absences becomes detrimental to the normal operation of the school, formal action will proceed under the Trust's Capability procedure as applicable.

9. Managing Long-Term Absence

Definitions	
Long-term absence	Long-term absence is intended to refer to absences that have lasted, or are expected to last, for a period of at least 4 weeks.

Long-term absence will occur for different reasons and is therefore best managed according to the individual circumstances of the case. The key principle in managing long-term absence is ensuring that a balance is struck between the needs of the employee and the needs of the school.

Where it becomes apparent that absence is likely to be long term, an appropriate strategy should be put in place to ensure that the individual does not become isolated from work and that timely OH advice is received about the prognosis. Maintaining regular contact is essential although managers are expected to act considerately to avoid the employee feeling that he/she is being put under undue pressure. Where possible, the mechanism and regularity of contact will be agreed with the individual or his/her nominated representative. Where the employee is a member of a union, he/she may also wish to involve his/her union representative as a source of support and as a means of facilitating communication.

OH advice should be sought as soon as it becomes likely that the absence will be long term and periodically thereafter as necessary to support the employee's return to work, which will often include consideration of a phased return. Where OH advice indicates that there is no realistic prospect of a return to normal duties within the reasonably foreseeable future, consideration will be given to whether temporary or permanent redeployment might impact positively on the employee's ability to return to work. Where this is not possible, ill-health retirement or dismissal on the grounds of capability will ultimately be considered. These options are explained in more detail as follows:

Options for Managing Long Term Absence	
Phased Return	After a period of long-term absence, the employee's doctor and/or OH will often recommend a phased return programme to support the employee's return to full duties. Whilst the duration and nature of a phased return will depend on the individual circumstances, it is expected that, in general, this will not exceed a period of six weeks. Changes to an employee's working hours, pattern or duties on a longer term basis will be considered as a temporary redeployment (see below).
Temporary Redeployment or Adjustments	Where the employee is deemed currently unfit to carry out the full duties of his/her post but could be temporarily redeployed to alternative work (or adjustments made to the role or working hours on a temporary basis), the school will consider what options might be realistic and reasonable, taking into account the advice of OH and the employee's doctor(s). Unless such arrangements are short term and therefore being treated as a phased return (see above), the ramifications in relation to salary, pension and any other affected terms and conditions, must be explained to the member of staff and confirmed in writing. Where temporary redeployment cannot be facilitated, the employee will remain on sick leave until he/she is either fit to return to normal duties or whilst the remaining options are considered.
Permanent Redeployment or Adjustments	<p>Where the employee is deemed permanently incapable of carrying out the duties of his/her current post but may be fit to return to work in another capacity (or permanent adjustments could be made to the role or working hours), the school will consider what posts or adjustments might be available and suitable, taking into account the advice of OH and the employee's doctor(s).</p> <p>The likelihood of a successful redeployment will depend on a number of factors, including the employee's skills, abilities and flexibility over hours and work location. Each situation will be treated individually according to the circumstances. The employee will remain on sick leave pending consideration of the adjustments or redeployment options available. An employee permanently redeployed into another role will be appointed on the terms and conditions applicable to the new post.</p> <p>Sometimes the likelihood of suitable alternative posts arising is simply not a realistic prospect and the employee's expectations will be managed accordingly.</p>

<p>Ill-Health Retirement or Dismissal</p>	<p>Where the employee is deemed unfit to carry out the duties of his/her present post in the reasonably foreseeable future and where redeployment has already been explored and an alternative post has not been secured, the matter will be referred for consideration according to the Trust’s Capability procedure.</p> <p>Retirement on the grounds of ill health may be an option to be investigated under certain conditions, as an alternative to dismissal (in the case of teachers, the application process for ill-health retirement is initiated by the individual).</p> <p>In determining the point at which it becomes appropriate to refer the matter, the manager will seek HR advice and further OH advice as necessary, and take into consideration the following factors:</p> <ul style="list-style-type: none"> ▪ The length of absence to date and the prognosis for a return to work; ▪ The nature of the illness and the medical advice obtained; ▪ The ‘Fitness to Teach’ regulations, as appropriate to the role; ▪ Whether the individual’s absence is related to a disability; ▪ The effect of the absence on the school; ▪ What options, as alternatives to dismissal, have already been considered; ▪ Any relevant personal circumstances pertaining to the individual that may be impacting on their attendance. <p>The employee should be given the opportunity to input into this consideration before a formal meeting under the Capability procedure is called. This may be a meeting in person, if circumstances permit, or via another agreed mechanism, such as communication via the employee’s union representative. The purpose of this exchange is to ensure that all relevant factors and options have been taken into account before a recommendation is made to terminate employment on the grounds of incapability through ill health.</p>
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10. Procedural Points and Specific Circumstances

10.1 Disability and Reasonable Adjustments

The Attendance Management Procedure applies to all employees, including those with a disability. Employees are, however, encouraged to inform the school if they have a disability, particularly where this may affect their ability to perform their current duties, in order that reasonable adjustments can be considered and discussed.

Attendance monitoring will distinguish between absences which are disability-related and those which are not, where this is known to the school.

Managers will seek HR and OH advice on reasonable adjustments to ensure that a disabled employee is not placed at a substantial disadvantage when compared with a person who is not disabled. Reasonable adjustments may include adjustments to the operation of the procedure where this is appropriate in the individual circumstances of the case.

Disability is a protected characteristic under the Equality Act 2010. To come within the definition of disability, the employee must have an impairment which has a substantial and long-term adverse effect on the employee's ability to carry out normal day-to-day activities. The impairment may be either physical or mental, meaning that conditions such as depression will be covered provided the effect of the condition on the individual meets the overall definition.

10.2 Pregnancy-Related Absences

Sickness absence which is pregnancy-related will be recorded in the normal way and will count against sickness entitlement but will be disregarded for the purposes of the trigger point for short term absence. An OH referral will usually also be appropriate if such absences become frequent or otherwise where advice to management on suitable workplace adjustments would be beneficial.

10.3 Terminal Illness

The Trust recognises that cases of terminal illness must be handled with compassion and sensitivity, respecting the employee's dignity and privacy. The employee and his/her nominated representative will be given a senior-level contact within the school who can act as a conduit for relevant communications and ensure that any issues are dealt with promptly and efficiently.

The school will seek HR/pension advice on the options available regarding pension entitlement, death in service benefits and benefits for partners and dependents.

Governors may give consideration to the extension of sick pay entitlement to alleviate financial worries.

10.4 Warnings

The period during which a warning issued under the Attendance Management Procedure will remain 'live' will vary depending on the nature of the sanction. A first written warning will remain live for six months; whereas a final written warning will remain live for twelve months. This is in line with the Trust's Capability and Disciplinary Procedures, and the Data Retention Policy. The Headteacher may exercise discretion to disregard the warning prior to its documented expiry date in circumstances where the employee has reached and maintained an acceptable level of attendance, confirming this in writing to the employee.

10.5 Confidentiality

The Headteacher, governors and any other manager involved with the operation of this procedure will ensure that any information relating to concerns about an employee's attendance are disclosed only to those who have a direct involvement in dealing with, or advising on, those concerns, emphasising the need for strict confidentiality.

Medical information can be particularly sensitive and, whilst it is essential for the school to have appropriate information about the nature of an employee's ill health in order to manage his/her absence accordingly, this will be balanced against an employee's desire for privacy over such matters. Where the employee is reluctant to discuss medical information that he/she views as sensitive with his/her Line Manager, the employee may ask to speak to an alternative manager or an OH adviser instead.

Date drafted	October 2019
Author	K Sanders/E Hilling
Approved by / Date	BET HR&R Committee – 29.11.2019
Next review	October 2022