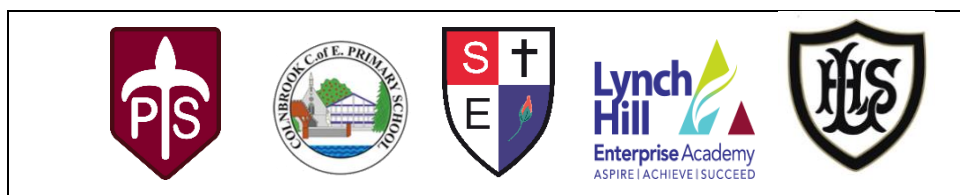





Slough and East Berkshire
C of E Multi Academy Trust



Managing Attendance Policy

Owner:	SEBMAT Directors and Local Governing Bodies	
Ratified by Trustees/Directors	July 2022	Signature: Chair of Directors 
Policy created:	January 2010	
Policy reviewed and updated:	June 2021	
Date of next review:	June 2023	
This guidance will be subject to ongoing review and may be amended prior to the scheduled date of the next review in order to reflect changes in legislation where appropriate.		

To Note:

This policy applies to all staff employed in schools and academies. Within this policy, references to the School, Headteacher, Governing Board and the Chair of Governors will, for Academies and Academy Trusts, be taken to mean a reference to the appropriate equivalent within those establishments. In instances where the Local Authority may need to be informed of matters, the trust will seek advice from HR.

Section	Contents Page	Page
1.	Scope	4
2.	Policy Purpose	4
3.	Roles and Responsibilities	4
	3.1 Employee's responsibility	4
	3.2 Headteacher's responsibility	5
	3.3 Notification and certification of sickness absence	5
4.	Medical Certification of Sickness Absence	6
	4.1 Absence beyond seven calendar days	6
	4.2 Foreign and other medical certificates	6
	4.3 Failure to notify sickness absence	6
5.	Return to Work Process	6
	5.1 General points on the return to work process	7
6.	Confidentiality	7
7.	Attendance Standards	8
	7.1 Initial attendance standards	8
	7.2 Subsequent attendance standards & review periods	8
	7.3 Reverting from fixed to rolling review periods	9
	7.4 Overlapping fixed 12 month fixed review periods	9
	7.5 Intervening sickness absence	9
	7.6 Linked absences	9
	7.7 Maintaining regular contact	10
8.	Referring Employees to Occupational Health	10
9.	Medical Appointments	10
10.	Phased Returns to Work	10

11.	Specific Categories of Employee		11
	11.1	Pregnancy-related sickness absence	11
	11.2	Terminal illness	11
	11.3	Disability – reasonable adjustments	12
	11.4	Other health issues	12

1. Scope

This policy applies to all employees in schools. The purpose of the policy is to manage absence due to ill-health. Absences for reasons other than ill-health e.g. domestic emergencies, dependants' leave etc. is dealt with under the Special Leave Policy.

This policy includes clear procedures for the monitoring of employee absence, taking appropriate action, and encouraging the promotion of good health.

Within this policy, references to the school, Headteacher, Governing and the Chair of Governors will, for academies and Academy Trusts, be taken to mean a reference to the appropriate equivalent within those establishments.

2. Policy Purpose

The school is committed to securing good employee relations through providing for the care and welfare of its employees whilst managing attendance levels and recognises that effective management of attendance will benefit all employees and contribute to the principal aim of educating the children in its charge.

The school will ensure that this policy and procedure is applied fairly and consistently.

Employees who are absent due to ill-health will be approached in a sensitive and caring manner with due regard to confidentiality.

Wherever possible, assistance will be offered to help sick employees regain full health. Support, counselling and rehabilitation, where possible, will be offered to employees when recommended by Occupational Health. Additional assistance will be offered wherever reasonably practicable to employees with disabilities or special needs. When employees are found to be partially/permanently incapable of continuing with their duties due to ill-health, the school will endeavor to offer redeployment for alternative work, subject to vacancies and suitability.

When all possible practical alternative options have been explored, the termination of employment on grounds of ill-health or incapability due to absence will be considered in line with this policy and the statutory dismissal procedure.

Where there is doubt about the application of any part of this policy and procedure or a particular circumstance is not addressed, Schools HR should be contacted.

3. Roles and Responsibilities

3.1 Employee's responsibility

The responsibility of each employee is to:

- Attend work when fit to do so.
- Comply with the school's managing attendance reporting procedures, as defined below, both during their absence and upon their return to work.

- Ensure medical advice and treatment, where appropriate, is received at the earliest opportunity in order to facilitate a return to work.
- Keep the designated person informed of any significant developments as defined under the policy's reporting procedures.
- Provide the school with a completed 'Return to Work' form after each period of sickness absence.
- Provide the school with a Statement of Fitness for Work ('Fit Note') if the absence continues after 7 consecutive calendar days.

3.2 Headteacher's responsibility

The Headteacher's responsibility is to manage the attendance of employees of the school by:

- Acting fairly and consistently in applying the appropriate procedures as set out in this policy.
- Ensuring that accurate sickness records are maintained and absence returns are promptly completed, both for monitoring and sick pay purposes.
- Establishing clear action plans for the employee where it is decided that action is justified and ensuring that these are clearly communicated to that employee.
- Seeking advice from Schools HR as appropriate.

3.3 Notification and certification of sickness absence

The school will determine who should be informed if an employee is sick and unable to attend work. This may be the Headteacher, the employee's line manager or other designated member of staff. For the purposes of this policy, this person will be defined as the "designated person".

If, for reasons of confidentiality or sensitivity, an employee does not feel able to discuss details of their absence with the designated person, they may speak to an alternative member from the school's senior management team, a governor, or their trade union representative to raise the issue with the designated person on their behalf.

This procedure recognises that individual schools will have their own sickness absence reporting procedures in place, and these should be clearly communicated to employees as part of their induction process. However, the following general principles should be adopted:

- If an employee is sick and unable to attend work they must notify the designated person as soon as possible prior to their normal starting time.
- The designated person will establish the nature of the illness and the anticipated length of the employee's unavailability for work.
- The designated person will agree with the employee that if the absence is likely to extend beyond one day, what further notification would be appropriate.

- In cases where an employee's medical condition prevents them from notifying the school personally, they must ensure that someone else notifies the school on their behalf.
- Where an employee attends work then goes home sick at any time before fully completing their normal working hours, this will be counted as half a day's sickness absence.

4. Medical Certification of Sickness Absence

4.1 Absence beyond seven calendar days

Where absence extends beyond 7 calendar days, regardless of work pattern, the employee must submit a Statement of Fitness for Work ('Fit Note') from the eighth day of absence. Where the dates of absence covered by the certificate are exceeded and the employee continues to be absent, further medical certificates must be sent within one week of expiry of the previous medical certificate. The medical certificate must also cover any periods of school holidays which may fall during the employee's continuous sickness absence.

4.2 Foreign and other medical certificates

Foreign medical certificates and other medical certificates will be dealt with on a case by case basis. The onus is on the employee to ensure that there are adequate details available to verify and contact the source. There is no guarantee that foreign certificates or other medical certificates will be accepted.

4.3 Failure to notify sickness absence

If an employee fails to notify sickness absence or provide appropriate sickness certification, the designated person should seek to find out the reasons why the employee has not complied with the process. If they are satisfied with the explanation, then no action need be taken. However, if the designated person is not satisfied with the explanation, then disciplinary action may be taken. This could include stopping the employee's pay.

5. Return to Work Process

On returning to work the employee should complete a Return to Work (Self Certification) Form (Annex 3 - **Appendix 1**) and pass it to their line manager/ the designated person before or during their Return to Work Meeting.

As soon as possible following the employee's return to work, the employee's line manager/designated person will meet with the employee for a Return to Work Meeting (Annex 3 - **Appendix 2**). It is recommended that the Return to Work Meeting should be with the employee's immediate line manager, however where this is not possible the school may wish to designate another member of staff taking into account the employee's position within the school.

Whatever the local arrangements, the school should aim to complete the Return to Work Meeting **within 5 working days** of the employee's return to work.

5.1 General points on the return to work process

The Return to Work Meeting 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 attention to any particular problems, work related or not, which may affect their attendance;
- Offer appropriate help and support e.g. access to counselling, workload adjustments where appropriate;
- Update the employee on any developments at work during their absence;
- Receive the Return to Work (Self Certification) Form/medical certificates as appropriate;
- Review the employee's absence record over the Rolling 12 month period or within the fixed 12 month period (as appropriate); advise the employee where they are within the procedure; identify whether the triggers have been breached;
- Review options for employees who might have been absent due to reasons associated with a disability within the meaning of the Equality Act 2010.

Where the line manager has any doubt about the employee's fitness to resume their contractual duties, they should seek advice from Occupational Health and discuss options with the employee.

The line manager must sign the completed Return to Work Meeting Record (Annex 3, **Appendix 2**). The employee may add written comments and will sign to confirm that they have received a copy of the record. This Return to Work Meeting Record and the Return to work (Self Certification) Form must be placed on the employee's personal file.

6. Confidentiality

All sickness absence should be treated in a confidential manner with information only being shared on a need to know basis for the purposes of meeting service delivery requirements and to implement and monitor this Policy.

All documentation will be kept on the employee's personal file. The information contained in these records will be disclosed to the line manager/designated person, Schools HR and legal services, Occupational Health and the nominated officers responsible for monitoring sickness absence but to no one else without the employee's express consent.

If, for reasons of confidentiality or sensitivity, an employee does not feel able to discuss details of their absence with their line manager/the designated person, they may speak to an alternative member of the school's senior management team, a governor or their trade union representative to raise the issue with the line manager/designated person on their behalf. However, it is considered that the principal responsibility for managing the processes outlined in this document remains with the line manager/designated person.

7. Attendance Standards

7.1 Initial attendance standards

It is recognised that setting attendance standards is important to ensure consistency and fairness in dealing with ill health and absenteeism.

Short-Term absence

The initial defined levels of short-term sickness absence that will prompt action in accordance with this procedure are as follows:

- 12 days or 4 periods of sickness absence within a Rolling 12 month period.

Long-Term absence

The defined levels of long-term sickness absence that will prompt action in accordance with this procedure are as follows:

- A continuous period of sickness absence of 4 calendar working weeks (only working weeks should be counted towards the defined levels of long-term sickness absence).

For employees who are employed on a term-time only basis, sickness absences which fall in school holidays must not be counted towards the triggers for action under this policy. This will invariably apply to long-term absences rather than short-term absences. Any school holidays which fall in one continuous period of sickness absence should be discounted for the purposes of counting the number of days/weeks/months towards the triggers.

For staff employed on a variation to the term-time only contract, any sickness falling during designated working weeks would need to be counted towards the triggers.

7.2 Subsequent attendance standards and review periods

Once an employee enters into the procedure they will be given a fixed review period, at the Sickness Absence Review Meetings, during which their attendance will be monitored against the set attendance standards, and any breaches of the attendance standards within the fixed review period will instigate the next stage of the procedure.

Short-Term sickness absence review period

A fixed 12 month review period will be set.

The fixed 12 month review period is defined as 12 months commencing the day after the First/Second Sickness Absence Review Meeting (Short-Term).

- Attendance standard triggers within the review period: 9 days or 3 periods of sickness absence.

If these triggers are breached within the 12 month fixed review period, then the Headteacher/Designated Line Manager will progress to the next stage within the Procedure for Dealing with Short-Term Absence.

Long-Term sickness absence review period

Where the employee is on sickness absence at the time of the First/Second Sickness Absence Review Meetings, the review period will be 2 months from the date of the Sickness Absence Review Meeting.

- Attendance standard triggers within the review period: If the employee has not returned to work after 2 months from the date of the Sickness Absence Review Meeting, the Headteacher/Designated Line Manager will progress to the next stage within the Procedure for Dealing with Long-Term Absence.

If the employee returns to work within the 2 month review period, then at the Return to Work Meeting, a fixed 12 month review period will be set starting from the date of the employee's return to work.

- Attendance standard triggers within the fixed 12 month review period: If the employee has a further period of a continuous absence of 4 working weeks, the Headteacher/Designated Line Manager will progress to the next stage within the Procedure for Dealing with Long-Term Absence.

7.3 Reverting from fixed to rolling review period

At the end of the fixed 12 month review period, the monitoring of absences will revert to a rolling 12 month period and this can include counting back into the 12 month fixed review period which has just ended and include any sickness absences which may have occurred in this period.

For example: If a fixed review period ended 31st March 2009 and the employee is off sick for 1 day on 3rd May 2009 then you would count back over a rolling 12 month period to see if they have triggered again within the rolling 12 month period having started from 3rd May 2009 going back to 4th May 2008.

7.4 Overlapping fixed 12 month review periods

Short-Term absence and Long-Term absence must be dealt with separately. Therefore, it is feasible that an employee will be affected by both processes at the same time and will have two different fixed 12 month review periods running concurrently. When referring to these periods, they should be clearly marked as short-term or long-term.

7.5 Intervening sickness absence

Where an employee is off sick in the period between their return to work and the date of the Sickness Absence Review Meeting, this absence will be considered at the meeting but will not count towards any subsequent triggers that are set at the meeting.

7.6 Linked absences

When an employee returns from a day or period of sickness absence, and within 7 calendar days is off sick for the same reason, the linked absences will be treated as one period of sickness absence. This must be confirmed at the Return to Work Meeting.

7.7 Maintaining regular contact

The line manager/designated person should maintain regular contact with an employee who is on long-term sickness absence. It is recommended that contact should occur at least once a month if not more frequently. Consideration should be given to the employee's preference about the appropriate means of communication, which may include telephone communication and/or letter. The primary purposes of the

contact are both to keep the employee aware of what is going on in the workplace and to keep the line manager/designated person informed of the employee's progress.

8. Referring Employees to Occupational Health

The line manager/designated person may refer an employee to Occupational Health at any time within this procedure to establish the employee's medical situation. In any event, a referral should be made after a continuous sickness absence of **4 weeks or more**.

Where the reason for an employee's sickness absence is given as stress/depression or some other mental health condition, whether work related or not, steps should be taken to refer the employee to Occupational Health **as soon as possible**.

Advice must be sought from Occupational Health prior to any action within the scope of the Contract Review Hearing stage.

The Occupational Health Physician/Advisor will investigate the employee's medical position and advise the school about the employee's fitness to return to work and to undertake the duties of the post with or without adjustments, on the information available to them.

9. Medical Appointments

Medical appointments such as GP, dentist, and optician should be taken in the employee's own time and, wherever possible, outside working hours.

Reasonable paid time off should be given for attendance for medical emergencies.

Reasonable paid time off should be given for hospital appointments as the employee has less control over the date and time when these are scheduled. The employee should be asked to produce evidence of the appointment in the form of a letter or appointment card from the hospital. This should be kept on the employee's file.

If following a medical appointment, an employee is too ill to return to work that day, the resulting absence will be counted as a half-day sickness absence.

Paid time off must be given for an employee to attend appointments arranged by Occupational Health following a management referral.

10. Phased Returns to Work

Where an employee returns to work on a part-time basis following long term sickness absence, with the expectation that they will be able to work their full contractual hours within a reasonable period of time, on medical advice provided by the Occupational Health Physician/Advisor, the following arrangements will be made in relation to pay:

- Where the employee has exhausted sick pay, the salary payment made will be based on the number of hours worked.

- Where the employee has not exhausted sick pay, the employee will be paid in accordance with the number of hours worked, or the occupational sick pay entitlement that would be payable if the employee remained sick, whichever is the greater amount.
- If the employee remains on phased hours after 3 months, salary payments will be based on the number of hours worked.

Where the phased return continues beyond a 3 month period, advice should be sought from Schools HR.

Further guidance on managing phased returns to work is given in Annex 4.

11. Specific Categories of Employees

11.1 Pregnancy related sickness absence

An employee who is pregnant is afforded protection under the Equality Act 2010 against unfair treatment because of her pregnancy. It is unlawful to dismiss an employee for reasons connected with her pregnancy. For this reason, any pregnancy related sickness absence must be recorded separately from other sickness absence and must not be counted towards the triggers for action under this policy. If there is uncertainty whether the reason for sickness absence is pregnancy related, advice should be sought from Occupational Health.

Pregnancy related sickness absences will however still be subject to the schools' sickness absence reporting procedures.

If the employee is absent due to a pregnancy related sickness in the 4 weeks before the week in which the baby is due, her maternity leave will automatically commence the day after her first day of absence.

Ongoing risk assessments for new and expectant mothers are important in identifying hazards in the workplace that could pose a health and safety risk and inform appropriate action to remove or reduce the risk and consequently help reduce pregnancy related sickness absence.

11.2 Terminal illness

Where an employee has a terminal prognosis, the line manager/designated person should seek advice from Schools HR at the earliest opportunity.

In some exceptional circumstances, where an employee is incapacitated and unable to engage with the process, there may be discretion in the operation of the policy. This discretion rests solely with the Governing Board.

The line manager/designated person needs to bear in mind that although such sickness absence is managed in much the same way as for other school employees, there are some particular points that should be noted:

The line manager/designated person, in consultation with Schools HR and Occupational Health, may use the formal review meetings to explore options with the employee in relation to entitlements to sick pay and leave, as well as the relative financial implications for the employee if they retire or die in service.

The line manager/designated person may wish to consider how to deal with a number of eventualities that may include:

- The employee may wish to continue attending work for as long as possible; a referral to Occupational Health will help to establish the employee's medical situation.
- The employee may need extensive time away from work to undergo treatment or to take a period of sickness absence.
- The employee, though fit to attend work, may wish to take time off work.
- The employee continuing in employment until their death.
- The employee leaving employment and if eligible, receiving benefits from their pension.

11.3 Disability - reasonable adjustments

An employee has a disability within the meaning of the Equality Act 2010 if 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. Long-term means that the condition must last, or is likely to last, for at least 12 months, or it is likely to last for the rest of the life of the person affected.

Line managers need to consider and be sensitive to the possibility that an employee's period of sickness may be caused by a disability. This is particularly true in respect of possible psychiatric conditions including depression, which may result in repeated periods of absence (combined possibly with poor work as a result of lack of concentration etc.)

Employers have a statutory obligation to make reasonable adjustments for employees who have a disability. When all reasonable adjustments have been explored, an employee can be dismissed, following a Contract Review Hearing, if they can no longer perform the main functions of their job. Advice must be sought from Schools HR.

The nature of the reasonable adjustments will depend on the circumstances of each case. Where no reasonable adjustment would overcome a particular disability and enable the employee to continue in their existing role, reasonable adjustments can include the redeployment of the employee to an alternative post. Reasonable adjustments can also include provisions made to assist a gradual return to the full contracted hours or, for example, a change to part-time hours. Reasonable adjustments recommended by Occupational Health will also need to be considered.

11.4 Other health issues

Where absences are related to other health issues which may give rise to claims under the Equality Act 2010, additional considerations may apply. These should be explored further with Occupational Health and Schools HR.

Whilst sickness absences related to a condition under the Equality Act 2010 are counted towards triggers, it should nevertheless be distinguished from other sickness absences.