



ABSENCE MANAGEMENT

Policy

1. Introduction

The Governing Board understands that employees may not be able to come to work because they are unwell and we will give them as much support as we can.

The Governing Board is therefore committed to managing absence and believe it is the responsibility of everyone to work together to promote the effective management of sickness absence.

2. Scope

This Policy applies to all school employees where the governing boards of individual schools have adopted the policy.

Employees within their probationary period are excluded from the scope of this policy and their attendance will be managed under the probationary procedure.

3. Aims of the Policy

This policy aims to set out a framework for dealing with both short and long term absence while ensuring that employees have the following:

- A supportive work environment
- Consistency and fairness in how they are managed
- Effective communication and information regarding absence targets and their personal responsibilities.

4. General Principles

Right to be Accompanied

Employees can be accompanied at all meetings referred to in this policy by a trade union representative or work colleague (not a family member), with the exception of the return to work interview.

Supporting Employees with a Disability

We will support employees who are disabled and will get advice from Occupational Health and other specialist organisations as appropriate.

Links to our other Policies

There may be occasions when employees are not sick but require time away from work for personal reasons. We have a number of work life balance policies that can be used by all employees e.g. special leave, parental leave, shared parental leave, flexible working and compassionate leave. (See the appropriate policy for further details)

Sick Pay Entitlements

Teaching Staff

	<u>Days paid</u>	<u>Days paid</u>
Employment up to 4 months	25 full	0 half
1st year	25 full	50 half
2 nd year	50 full	50 half
3 rd year	75 full	75 half
4 th year and subsequent years	100 full	100 half

Support Staff

During the 1 st year of service	1 month's full pay and (after completing 4 months service) 2 months half pay
During the 2 nd year of service	2 months full pay and 2 months half pay
During the 3 rd year of service	4 months full pay and 4 months half pay
During the 4 th and 5 th year of service	5 months full pay and 5 months half pay
After 5 years service	6 months full pay and 6 months half pay

5. Employee's Responsibilities

Employees must familiarise themselves with the policy and ask questions if they are unsure. They need to take responsibility for their own wellbeing and ask for help early on if they need it.

Employees must follow the sickness procedure outlined below. If they do not do so their sick pay can be suspended or withdrawn and disciplinary action may be taken.

6. Absence Reporting Procedure

Employees must follow the attached [Epinay flow chart](#).

7. Keeping in Touch

Employees are expected to keep in touch with the school and to be available for appointments/meetings while they are sick. They are also expected to attend appointments with Occupational Health at the request of the school. Should any employee fail to attend their allocated appointment, without good reason, this is a breach of the School's Absence Management Policy which will therefore disqualify them from their entitlement to occupational sick pay. Please refer to the Manager's Guide for further details/process.

Only on attending a rescheduled appointment will entitlement to occupational sick pay be reinstated. However, where there are exceptional circumstances, then backdated occupational sick pay may be paid.

8. Aiding Recovery

Employees must do what they can to get better and they should not do anything that prevents or delays their recovery.

9. Fit Notes

Employees must complete a self-certification for all sickness absences when they return to work. For absences over 7 days employees must get a fit note from their GP. This must be sent to the school on the eighth day or as soon as possible afterwards. Any subsequent fit notes must be planned for and provided without delay.

However, as an alternative to an employee remaining away from work on sick leave, a referral may be made to the Council's Occupational Health Service to explore whether the employee can carry out alternative duties. Should this be the case, then the fit note would need to explain that the individual is fit to be at work with adaptations.

Where a GP has indicated that an employee is not fit to undertake their current duties but has advised that they are fit to be at work, with adaptations, then this should be discussed with the relevant line manager.

Where a suitable Return to Work Plan has been provided by the Fit for Work Service, (please refer to page 8 for guidance on the Fit for Work Service) and this has been agreed with the Head Teacher and the Council's Occupational Health Service, then there will be no requirement for an employee to provide a fit note.

Employees should advise their GP that whilst they may be referred to the Fit for Work Service, South Tyneside Council have their own Occupational Health Service and they will be required to attend appointments as requested.

10. Head Teacher's Responsibilities

- **Advice and Support** – advise about the Absence Management Policy and reporting procedures during the induction process; remind employees about work life balance policies and counselling services, and provide support to employees when they are off sick.
- **Ensuring Consistency** - consistently apply the procedures contained within the policy with all of their employees regardless of the reason for absence.
- **Contact** – keep in touch with employees on a weekly basis, hold meetings with them and involve occupational health where necessary. If an employee's absence is not reported correctly, his or her Head Teacher/Senior Manager must try to contact them as soon as they can.
- **Keeping Records** - record all relevant information about absences on the Sickness Absence Report Form including contact, meetings, referrals and sick pay information.
- **Return to Work** – Head Teachers/Senior Managers must carry out a return to work interview after every sickness absence, on the employee's first day back unless there are exceptional circumstances. The purpose of the interview is to welcome the employee back, make sure they are fit for work and provide an update on work issues.

11. The Role of HR Services – School Advisers

Advice and Support

The Human Resources Advisers for Schools will provide advice and support on how to manage sickness and will assist with complex cases, ill-health terminations and capability dismissals.

Occupational Health

Occupational health referrals are viewed initially by the Occupational Health Nurse. An appointment will then be made with either the nurse or an occupational health doctor and will be followed up with a report. However, if an employee is suffering from stress, then a referral may also be made with the counselling service as well as a doctor/nurse. Where an employee has been referred to a counsellor, the Occupational Health Unit will notify the Head Teacher, however the Head Teacher will not receive details on the content of the actual counselling session.

Sickness During Suspension

The Governing Board understands that employees may feel worried and anxious if they are subject to disciplinary, capability or involved in grievance proceedings, and they are encouraged to access the counselling service as a means of support. If an employee goes off sick during such a time, and if they express concern that they are unwell and cannot take part in the process, the Investigating Officer will make the decision as to whether to continue with the process or whether a referral to occupational health should be made. The purpose of the referral is to get an opinion as to whether the employee is fit enough to attend meetings and continue through the process.

If the medical opinion is that the employee is not fit to attend meetings, a decision will be taken by the Investigating Officer as to whether proceedings can be put on hold or whether they need to progress. Further information is within the Disciplinary, Capability and Grievance procedures.

12. Dealing with Short-Term Sickness (refer to flow chart on page 12)

Monitoring and Managing Absences

To ensure consistency and fairness when monitoring sickness, trigger points are used. These are points at which an employees' sickness record must be examined to decide what action, if any, may be necessary. Before the return to work meeting is held, the manager must establish whether or not a trigger has been reached. The trigger points are:

- 3 or more occasions during the past 12 months (based upon a rolling 12 month period)
- 9 days or more over the past 12 months (based upon a rolling 12 month period)
- Any other cause for concern such as a recognisable pattern of absences.

The trigger points for employees that work fewer than 5 days in a week will need to be pro-rata to the number of days, as detailed below, but not the number of occasions.

- Anyone working 1 day = trigger point is 2 days absence
- Anyone working 2 days = trigger point is 3.5 days absence
- Anyone working 3 days = trigger point is 5.5 days absence
- Anyone working 4 days = trigger point is 7 days absence
- Anyone working 5 days = trigger point is 9 days absence
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The above should be applied irrespective of the number of hours worked in a day. Where employees do not work the same amount of days each week, Head Teachers/Senior Managers will need to pro-rata the trigger to an average working week in these situations.

At all stages of the procedure, reasonable adjustments will be made in relation to disability related absence.

Absence Trigger Meeting

An Absence Trigger Meeting will be held every time a trigger point is reached (template invite letter at Appendix 2). However, discretion will need to be used in cases of serious illness. The purpose of the meeting is to:

- Review the absence record
 - Offer support
 - Discuss reasons for unsatisfactory attendance
 - Arrange a referral to Occupational Health if appropriate
 - Consider withdrawing the right to self-certification (if appropriate)
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- Agree a 3 month review period and targets for improvement.

A record of the meeting must be made on the Sickness Absence Report Form and a follow up letter sent to the employee setting out any actions agreed (template at Appendix 3).

Where an employee is required to attend Occupational Health as a result of their Absence Trigger Meeting and fails to attend their allocated appointment, without good reason, then this will be classed as an abuse of the School's Absence Management Policy. Should this situation arise, then the employee will be invoiced to repay a £60.00 administration fee (please refer to Manager's Guide for further details/process). Only in exceptional circumstances will this fee be reimbursed to the employee.

An employee will have the right of appeal against the decision to repay a £60.00 administration fee. Any appeal should be made in writing stating the grounds of appeal to the appropriate Governing Board within 10 working days of receiving the invoice.

Absence Trigger Review Meeting

A formal Absence Trigger Review Meeting must be held at the end of the three month review period to consider whether the employee has improved their attendance (template invite letter at Appendix 4). At this meeting, the employee must be advised that this is a formal meeting and they are entitled to have a trade union representative or work colleague (not a family member) present at the meeting to provide them with support.

The Head Teacher/Senior Manager has the right to bring forward the review meeting where the employee's attendance is not showing signs of improvement during the review period.

There are two possible outcomes at the meeting:

- The absence has improved so no further action (template letter at Appendix 5)
- The employee is issued with a Stage 1 Absence Warning (template letter at Appendix 6).

Stage 1 Absence Warning

In situations of unsatisfactory levels of attendance, a stage 1 Absence Warning should be issued. The employee must be advised of their right of appeal and that failure to achieve the required improvement in attendance may result in further warnings. A record of the warning must be retained for 12 months during which the employee's attendance must be monitored. After the 12-month period, the warning must be disregarded for further unsatisfactory attendance action purposes.

Stage 1 Absence Warning Review Meeting

A formal Stage 1 Absence Warning review meeting should be held at the end of the 12 month Stage 1 Absence Warning (template letter at Appendix 7). This review meeting can be brought forward if there are no signs of improvement in the levels of absence. At this meeting, the

employee must be advised that this is a formal meeting and they are entitled to have a trade union representative or work colleague present at the meeting to provide them with support.

There are three possible outcomes at the meeting:

- The absence has improved so no further action (template letter at Appendix 8)
- Due to extenuating circumstances, a decision may be taken to continue with the review period (template letter also at Appendix 8)
- The employee is issued with a Stage 2 Absence Warning (template letter at Appendix 9).

Stage 2 Absence Warning

A Stage 2 Absence Warning should be issued when an employee has failed to achieve the required improvement in attendance. The employee must be advised of his/her right of appeal, and that failure to achieve the required improvement in attendance may result in their dismissal. A record of the warning must be retained for a period of 12 months during which the employee's attendance must be monitored. After the 12-month period, the warning must be disregarded for further unsatisfactory attendance action purposes.

Stage 2 Absence Warning Review Meeting

A formal Stage 2 Absence Warning review meeting is held at the end of the 12 month period (template letter at Appendix 10). This review meeting can be brought forward if there are no signs of improvement in the required attendance levels. At this meeting, the employee must be advised that this is a formal meeting and they are entitled to have a trade union representative or work colleague present at the meeting to provide them with support.

There are two possible outcomes at the meeting (template letter at Appendix 11):

- The absence has improved so no further action
- The employee is informed they must attend a Final Stage Absence Hearing.

Final Stage Absence Hearing

If an employee fails to achieve the required improvement in attendance during the period of the final absence warning, a formal Final Stage Absence Hearing must be arranged (template letter at Appendix 12).

At the hearing, the Head Teacher/Senior Manager will present their case which will include detailed absence information including details of support that has been given and will include an up to date medical assessment from occupational health, and any other relevant information. The employee and/or their trade union representative or work colleague will of course be given an opportunity to present their case.

The hearing will be arranged to establish whether or not the absence levels of the employee are unacceptable. If they are, the possible outcome of the hearing is that the employee is dismissed on the grounds of capability (template letter at Appendix 13).

The employee must also be advised of his/her right of appeal.

Right of Appeal

Where an employee has been issued with a formal warning, they have right of appeal. Any appeal should be made in writing, stating the grounds of appeal to the appropriate Governor Support Officer within 5 working days of receiving the formal warning letter.

Where an employee has been dismissed on the grounds of capability, they have a right of appeal. Any appeal should be made in writing, stating the grounds of appeal to the appropriate Governor Support Officer within 5 working days of the dismissal taking place.

11. Dealing with Long Term Absence (refer to flow chart on page 13)

Any sickness absence, or expected absence, of 4 consecutive weeks is classed as long-term.

Absence Support Meeting

After four weeks, regardless of the reason for absence, Head Teachers/Senior Managers must arrange to meet the employee at work or at an agreed alternative place (template letter at Appendix 14). If an employee is absent because of stress an earlier meeting is advised to identify suitable support for the employee. A letter confirming the outcome of the meeting should also be sent by the Head Teacher/Senior Manager to the employee (template letter at Appendix 15).

Throughout the absence, the Head Teacher/Senior Manager and employee need to keep in touch through regular phone calls at least on a weekly basis. Regular meetings must be held throughout the period of absence, at least every four to six weeks.

Occupational Health

A medical appointment with Occupational Health can be made at any time during a period of absence to obtain up to date medical information on which to base any decisions.

Where an employee fails to attend their occupational health appointment, and they are disqualified from occupational sick pay entitlement, then the employee will have a right of appeal against that decision. Any appeal should be made in writing stating the grounds of appeal to the appropriate Governor Support Clerk within 10 working days of occupational sick pay having been stopped.

Support for Employees on Long Term Absence

We will help individuals return to work by considering:

- If any adjustments can be made to their duties – we have a duty to make reasonable adjustments to support employees with a disability under the Equality Act 2010
 - Redeployment – please refer to the Redeployment Policy
 - Phased return to work – please see below.
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Phased Return

A phased return to work is to help employees ease themselves back into work and are up to a maximum of four weeks. A phased return to work can take the form of reduced working hours/days, gradually increasing up to the normal working hours or pattern of work. This can also include a return to specific duties with the remainder of duties gradually being phased in. Employees will be paid as if they had returned to work, however, they may be required to use their annual leave to accommodate it.

It is important to note that a four week phased return will only be given when the employee has been absent for a considerable period of time. For example, an employee who has been absent for six months may require a longer phased return than an employee who has had an absence of six weeks.

No Prospect of Return to Work

If the medical advice is that there is no prospect of a return to work within a reasonable period, the employee must be told that their employment may be at risk.

If an employee is unable to return to work they will be dismissed through ill health retirement or on the grounds of capability. Contracts will normally be terminated straight away and the employee will be given a payment in lieu of notice.

Fit for Work Service

The Government offers a Fit for Work Service which is made up of two parts. Firstly a website, www.fitforwork.org and telephone line 05800 032 6235 which provide free health and work advice to help with absence prevention and can be accessed by anyone. Secondly, the Service will also provide a free occupational health assessment either via a telephone based or face-to-face assessments. If an employee is likely to be off work for more than four weeks a GP may decide to make a referral to the Service. A referral can only be done once in a 12-month period. The case manager from the FfWS, with the consent of the employee, will contact the School to discuss issues which may help in the development of a Return to Work Plan.

If the employee attends a face to face assessment with the FfWS and wishes to claim expenses, they need to liaise direct with their FfWS case manager. These expenses cannot be claimed back from the School.

Regardless of whether a referral has been made to FfWS, the School will continue to refer employees to our Occupational Health Service and the employee is still required to attend all appointments as directed. Any recommendations for a Return to Work plan made by FfWS will be referred to the Occupational Health Service for consideration. Where there are conflicts between the recommendations, then this will be investigated further but ultimately will be for the Head Teacher/Senior Manager to determine which course of action is the most appropriate in the circumstances.

Annual Leave

An employee may go on holiday when they are off sick, if this aids the employee's recuperation and is supported by their GP. They should take care that this does not put their return to work at risk. Approval must be obtained from the Head Teacher/Senior Manager prior to taking annual leave. The annual leave will be deducted from the employee's leave entitlement. It is expected that employees will adhere to the sickness absence reporting procedure whilst on holiday.

Where an employee's period of sickness absence overlaps with pre-booked annual leave, the annual leave will be cancelled and the days taken at a later date. The employee must comply with the sickness absence reporting procedure and still be available for contact and meetings when absent, as well as supply a Fit Note to cover the period they wish to reclaim.

Should an employee wish to use their pre-booked annual leave to go on holiday, he/she must ensure that their fit note has an end date prior to the commencement of the annual leave.

If the employee is physically unable to return to work after the holiday, they must then follow the normal sickness absence reporting procedures. However, this will be counted as the same period of absence.

Annual leave continues to accrue during periods of sickness absence. Any unused annual leave can be carried over from one leave year to the next. Please note; it is only statutory annual leave including public holidays that can be carried over if employees are prevented from taking it due to sickness. Where annual leave is carried over into the next leave year, employees are encouraged to take this leave within the first three months of their return to work date or to assist with a phased return to work.

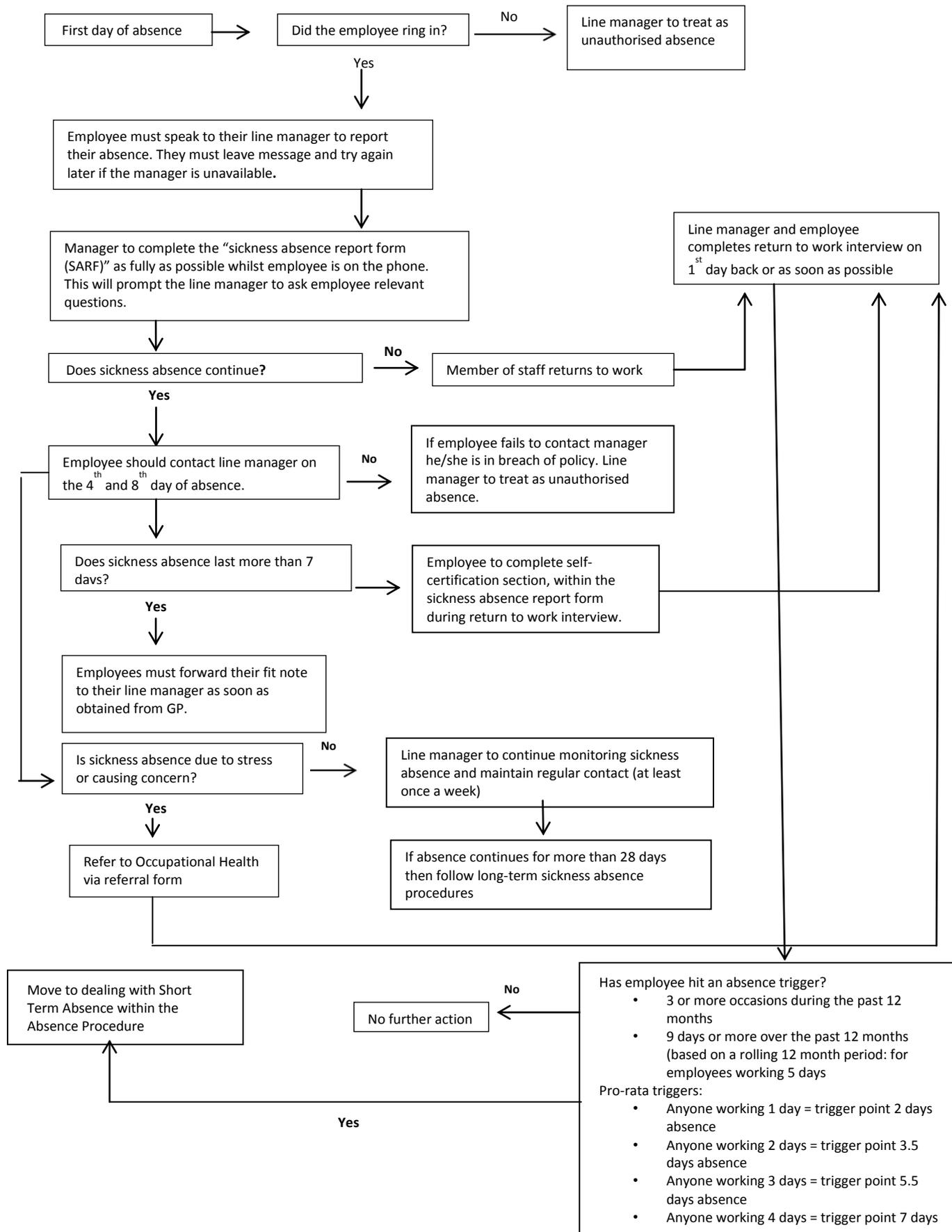
Counselling Service

The Council provides a confidential counselling service to its employees who are unable to access counselling via their GP. This service is not limited to employees who are absent from work. Head Teacher/Senior Managers are advised that they can make their staff aware that they can access the counselling service and raise this during staff supervision should they feel it would be helpful in keeping an employee at work. For example, if they are displaying signs of stress.

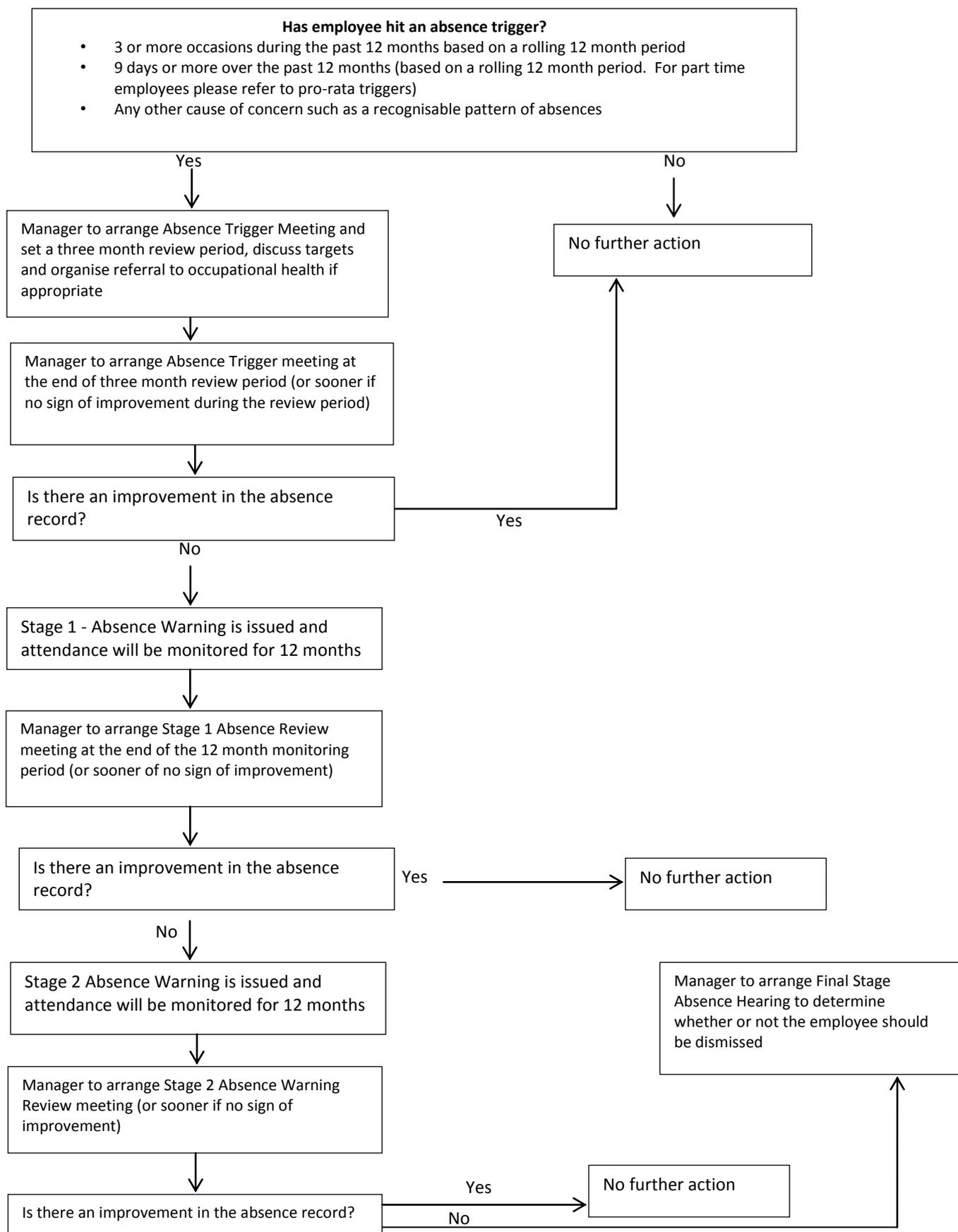
12. Equality and Diversity Statement

South Tyneside Council and the Governing Board are committed to promoting equality and valuing diversity. An equality check for HR Services was carried out in 2015 which included all the policies in the HR Manual. No equality implications were identified in this policy.

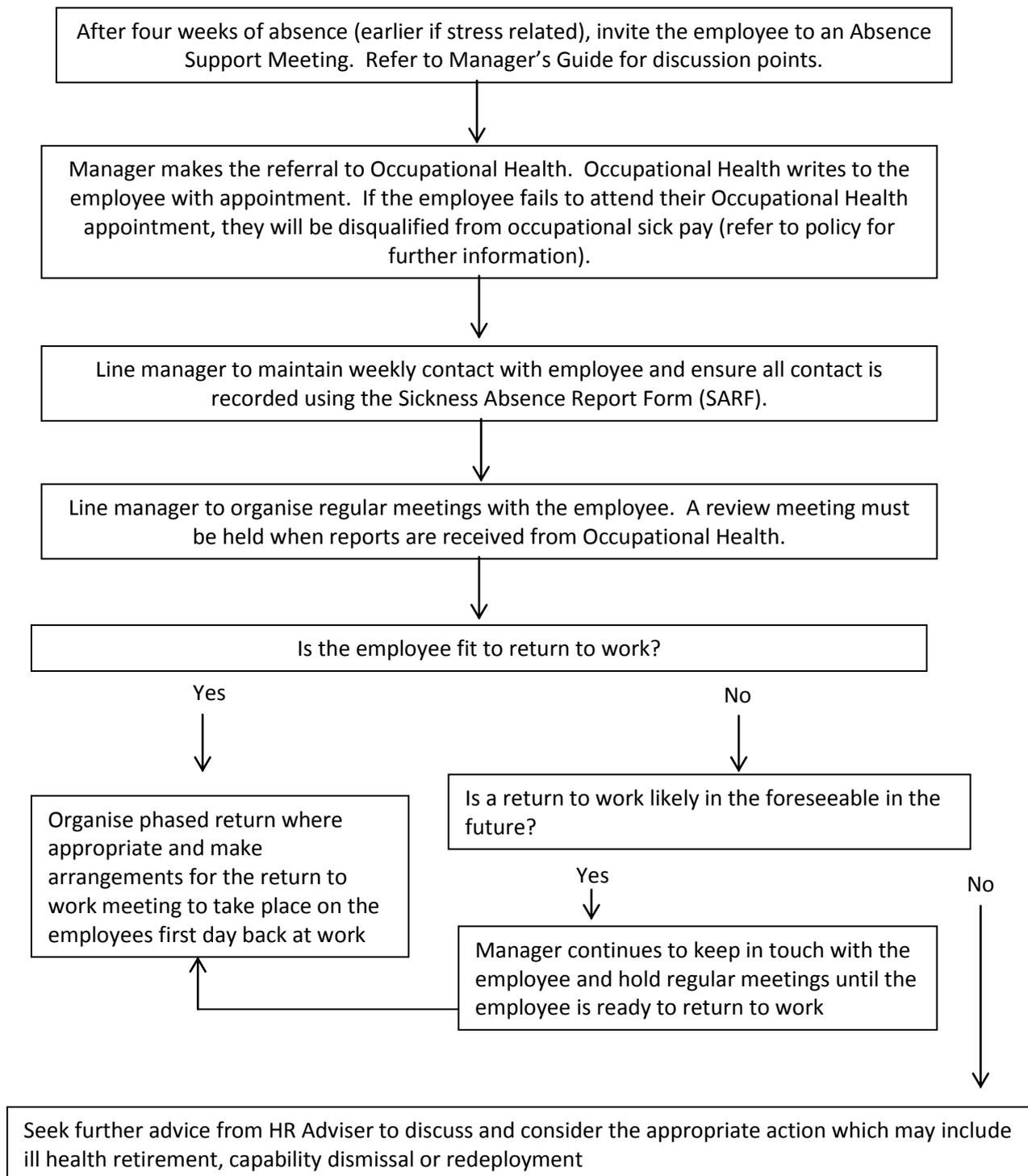
Sickness Absence Flowchart



Short-term Sickness Absence Flowchart



Long-Term Sickness Absence Flowchart



Policy approved by Governors: Feb 2019

Date of next review by Governors: Feb 2020
