



Absence Management Policy and Procedure

This document applies to Community and Voluntary Controlled Schools and is advisory for Foundation and Voluntary Aided Schools

October 2012

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Introduction

The School is committed to maintaining and promoting the health and well being of all its employees. This policy provides a fair and consistent framework for supporting staff that are absent due to sickness.

The aim of the Absence Management policy and procedure is to ensure:

- all employees are treated fairly, consistently and sensitively during times of illness and are made aware of any support mechanisms that may be available to them
- all employees understand their responsibilities and follow sickness reporting arrangements
- Head Teachers and Governing Bodies have a structured framework to assist them in managing sickness absence within their School
- 'reasonable adjustments' are considered for employees where applicable
- absence records are monitored and action taken at the specific trigger points
- there is an agreed procedure for managing sickness absence that must be followed. Where procedures are followed it is legitimate to dismiss on the grounds of 'some other substantial reason' (where no underlying medical condition is identified) or 'capability' where an underlying medical condition is identified.
- the highest levels of quality and service can be maintained to allow the School to fulfil its obligations to all staff, parents and children.

The Absence Management Policy is designed to provide guidance on management of both long term and short term sickness absence. The School will take a supportive approach, whilst aiming to achieve a balance between the needs of the individual and the needs of the School.

Roles and Responsibilities

Head Teacher/Senior Leadership Team

Head Teachers are responsible for managing day to day absence management issues and ensuring they manage their employee's attendance in accordance with the procedure contained in this policy and associated documents, this includes:

- Completing the electronic sickness form (E-Forms) to inform People Services (or an SSP form) when an employee reports in sick..
- Head Teachers should not record absences for dental and medical appointments, maternity leave or parental leave using the sickness absence procedure. Where the absence has resulted from a work related accident or disease the absence should be recorded as such. Head Teachers should

notify People Services of such circumstances by e-mailing:

lcc_payroll_support@mouchel-lincoln.com

- Conducting return to work discussions with employees after every episode of absence. The return to work discussion should be recorded on the Return to Work Form. See [guidance on conducting return to work discussions](#).
- Monitor absence levels and whether an employee's absence reaches the trigger points for either short term or long term sickness as defined within this policy.
- Maintain contact with the employee during their sickness absence. If an employee is absent long term it is expected that contact will be at least twice every half term and on each occasion when contact is made, the two parties will agree on the date and next form of contact and contacts recorded.
- Consider reasonable adjustments for employees (where applicable), including discussing with the employee advice given on a Fit Note. Following the introduction of the Equality Act 2010, Head Teachers need to ensure that they investigate any possible reasonable adjustments and ensure a risk assessment is undertaken, if appropriate. Further advice on reasonable adjustments is covered under the Supporting Facts section of this policy.
- Head Teachers should ensure that employees are aware of other supporting policies such as special leave, disability leave and possible flexible working arrangements and therefore record the absence under the correct policy as appropriate.
- NB In some Schools these duties and responsibilities may be delegated to another employee, such as a Deputy Head or Bursar. In terms of this policy the Head Teacher may refer to this employee where they have been given the authority to act on behalf of the Head Teacher. However any decision on termination of employment should be made by the Head Teacher or Governing Body only

Employees

Employees have a duty under their terms and conditions of employment to be at work and must ensure they adhere to their responsibilities, this includes:

- On the first day of absence, you must report sickness absence as early as possible to your Head Teacher, preferably before but no later than, one hour of normal starting time. Unless other arrangements have been agreed, this should be personally by telephone not by text, e-mail or ansaphone and provide the following information:
 - when you became ill
 - the broad nature of your illness (e.g. migraine, chest infection)
 - whether the illness is due to an accident or injury at work
 - whether you will be seeking medical attention
 - the likely date of return (if known)
- Where an absence lasts 4 days or more or your absence is going to be longer than you originally envisaged, you must make contact with your Head Teacher to update them and thereafter maintain contact on at least a fortnightly basis, even when you are subject to regular reviews by Occupational Health.
- On the eighth day of absence you must obtain a fit note and submit this to your Head Teacher. If the absence is long term you must send in regular Fit Notes and keep your Head Teacher advised of your health and progress towards returning to work.

- You must ensure that medical advice and treatment is received as quickly as possible and that you follow all recommended medical advice or treatment in order to facilitate a prompt return to work.
- You must attend any appointments made for you with Occupational Health
- You must respond in a timely manner to any communications from the School and attend management meetings as required.
- You must raise with your Head Teacher any concerns with your job which you feel are making you ill or contributing to your illness/absence.
- When employees are not sick they should take annual or special leave or other approved leave.
- You are not expected to go on holiday when absent due to sickness unless this has been recommended by your GP. In such circumstances you will be expected to inform your Head Teacher and to take the period of leave from your annual holiday entitlement where this exists.
- It is expected that when you are absent from work due to sickness and use social networking sites you will be sensible about the postings you place and any inference that you are acting in a way which hinders your recovery will be treated as a potential disciplinary matter.
- You should take advantage of School initiatives to promote good health where appropriate.

Absence Definitions

Short term absence is normally identified as absence that has no underlying long term medical condition and is attributable to minor ailments. Often the employee will only be absent for a few days. Short term absence is the most disruptive for the School.

Trigger Points - For managing short term absence the School considers the following absences as a cause for concern, these are referred to as trigger points:

- 4 or more episodes of sickness absence in a rolling 12 month period and/or
- 12 working days of sickness absence in a rolling 12 month period and/or
- Where the number of absences in a short period warrants immediate action, e.g. 3 episodes or 9 days in 6 months
- A pattern of absence which is causing concern, for example regular Friday or Monday absences or absences regularly occurring on a particular day/week, pre or post annual leave, school holidays, public holidays, pay day.

The trigger points for part time employees will be pro rata to the number of days worked, but not the number of occasions. For example if the employee works 18.5 hours per week over two and a half days (half the 'standard' week) the trigger point would be 6 working days in a 12 month period or 4.5 days in 6 months (this could be within one episode). If however, the employee works 25 hours per week over 5 days (5 hours per day) the trigger point will remain at 12 working days.

Please be aware that in some cases a short term absence pattern could be related to a disability, a long term condition or become a disability in the long term. However, absences that are medically certified or attributable to a disability or long-term medical condition can still be regarded as short term absences and managed under this part of the policy. However this should be in conjunction with using the guidance on Disabled Employees within the Supporting Facts section below.

Long term absence is normally identified as an absence from work for one month (or more) with an underlying medical condition and/or where there is no prospect of a return to work in the near future.

Trigger Points - For long term absence, the trigger point for action is an absence from work for one month (or more) and/or where there is no prospect of a return to work in the near future.

Return to Work Interviews

Return to work interviews must be conducted after every period of absence and are an important part of absence management. It can help identify short and long term absence problems at an early stage; they also provide the Head Teacher with an opportunity to start a dialogue with staff about underlying issues which may be causing the absence and allow them to make changes which will support the employee.

Trigger Points

When an employee's absence reaches the triggers points for either short term or long term sickness as defined above, the Head Teacher will review the attendance record with the employee using an absence management meeting, where review periods and targets for improvement will be set.

For reasonable adjustments on trigger points for employees with a disability please see the guidance on Disabled Employees within the Supporting Facts section below.

Absence Management Meetings

The purpose of the absence management meeting is to provide assistance and support to the employee to improve his/her attendance to a satisfactory level. Absence review meetings are not disciplinary meetings. The aims of the absence review meeting are to:

- Establish the reasons for the absence; is it medical or non medical?
- Explain to the employee the impact the absence is having on the School.
- Discuss possible ways of reducing absence in the future.
- Investigate any reasonable adjustments.
- Discuss the possibility of requiring additional information from Occupational Health and what this entails.
- Inform the employee of possible actions if the level of absence is not improved.
- Set a review period and targets for improvement to reduce absences.

Head Teachers should treat individuals in a sensitive manner. Discussions between an employee and the Head Teacher will be kept confidential so far as reasonably possible. The meetings will be arranged at a suitable venue. However, in some circumstances (depending on the employee's health and well-being) this may be held at the employee's home with their consent.

At all stages of the Absence Management Procedure employees may, if they wish, be accompanied by a trade union representative, trade union official or fellow employee of their choice, who must not be a potential witness. If the chosen colleague/trade union official cannot attend on the date proposed for any meetings, the employee can offer an alternative time and date. This must be reasonable, and

no later than five working days after the date originally proposed. In proposing an alternative date, the employee will need to take into consideration the availability of the Head Teacher. Only one such re-arrangement will be made

Further details of the Absence Management meetings are in the absence management procedures, [Appendix 1](#) (short term) and [Appendix 2](#) (long term) attached to this policy.

Review Periods – One of the outcomes of the Absence Management meetings will be to set a relevant period of time for the Head Teacher to review the employee's attendance. The review periods should be set for a 2, 3, or 4 month period.

If the employee's absences do not improve during the review period the Head Teacher will need to decide whether another absence management meeting is needed.

Target setting – Targets will also be set as an outcome of the Absence Management Meeting. The purpose of the target is to set a clear expectation of the level of attendance and improvement required from the employee. The target set will need to be below the school's trigger points outlined above for short term and long term absence and will be reviewed within the 2, 3, or 4 month period. For example if the review period set is 2 months it may be legitimate to issue a target of "no absences".

Exceptions

When setting review periods or targets it may be necessary for Head Teachers to use their discretion on what they are. If you wish to apply your discretion and grant an extended review period (i.e. more than 4 months) or increase what the target should be (i.e. above the School's trigger points) then this should only be applied in exceptional circumstances after discussion with their HR provider.

Examples where this might apply:

- Where absences can be linked, e.g. when an employee returns to work too soon from a period of illness and has to immediately go off sick again with the same illness or where the employee has surgery following time off for a biopsy.
- In some circumstances an individual target may be appropriate, for instance, if it is established that the employee has a potentially short term condition which might be fully resolved after say, 3 months (with a strong possibility of frequent intermittent absences/hospital treatments which are likely to exceed the normal target figure during the recovery period), it might be more reasonable to set a further date for review rather than set a target that you know is probably unachievable.

Sustaining the employees Return to Work

When the employee returns to work they are expected to achieve and maintain a level of absence which does not exceed the School's trigger point or the agreed target set by the Head Teacher. The point where the Head Teacher got to in the absence management procedure will remain 'live' for one year. The employee's absences will be reviewed throughout this time and if the satisfactory improvement proves only to be of a temporary nature then the Head Teacher has the option of

returning immediately to the point in the procedure the employee had reached when they returned to work.

Where an employee returns to work following a period of long-term absence (i.e. over 1 month) they will have also exceeded the trigger points under the Short Term Absence Management Procedure and further short term absence will be managed under this procedure.

If the employee had previously been managed under the Short Term Absence procedure prior to being absent on long term sickness they will return to the point in the procedure they had previously reached.

Supporting Facts

Abuse of Sickness Scheme

In cases where abuse of the sickness policy is suspected, which may include failure to report sickness absence at the appropriate time; non-attendance at an Occupational Health appointment without reasonable cause; failure to submit a Doctor's fit note at the appropriate time; submission of forged or false fit notes; deliberate conduct prejudicial to the employee's own recovery; or due to the employee's misconduct or neglect, sick pay may be suspended and consideration may be given to disciplinary action. Advice from your HR provider must be sought in these cases.

Guidance to Head teachers of Community, Voluntary Controlled and Special Schools with staff who have dual employment with LCC

Employees should make their Head Teacher aware if they have an additional job with the Local Authority or another School so that the Head Teacher can liaise with the other Head Teacher/Manager and determine the best course of action when making a referral to Occupational Health. It is important to recognise that jobs may have different responsibilities and therefore different impacts on an employee's health, and any reasonable adjustments which may be required.

For example if the employee is being referred to Occupational Health it may be beneficial describing both roles so that Occupational Health can provide advice regarding both jobs. If a description of both jobs has not been given to Occupational Health and the two jobs have significantly different responsibilities then the referral can not be used to manage the absence for the role that the description has not been given.

The absence management meetings need to be held separately for each role, although communication between the Head Teachers/Managers should take place.

Annual Leave Entitlement in Relation to Sickness Absence – Support Staff

Employees who are absent due to long term sickness accrue their annual leave entitlement and may request to take annual leave during a period of long term absence (this does not apply to staff on equated pay). Any employee wishing to take leave during long term absence should request this in writing via their Head Teacher.

Where an employee returns to work in the current leave year, every effort should be made to encourage them to take their remaining contractual annual leave entitlement to assist with their rehabilitation back to work. Should they be unable to take all of the leave, they are allowed to carry it forward into the new leave year.

Where an employee returns to work in a new leave year, they still have the right to the contractual annual leave they accrued whilst off sick during the previous leave year, which they should be allowed to carry forward into the new leave year. However, it is recommended that the employee be encouraged to take most or all of this leave in a block in the first month after their official return to work date or to assist with extending a phased return to work.

Any employee who falls sick immediately prior to commencing pre-booked annual leave or who returns from leave wishing to reclaim a proportion of that leave due to having been sick during their annual leave period will be required to comply with sickness reporting procedures (where practical) and provide a Fit Note to cover the period they wish to reclaim. If the employee becomes fit for work whilst still on leave, they should also confirm the date on which they would have been fit to work on their return from leave.

Sickness During the Working Day

Employees who leave work during the working day due to illness (with their Head Teacher's permission) will be classed as absent on that day for sick pay and recording purposes and will be required to self certify and attend a return to work interview. Such absences of ½ a day or more will count towards trigger points.

Accident or Injury at Work

If an employee considers their illness arises from an accident at work they must notify their Head Teacher immediately so that the Accident Reporting Form PO3 can be completed. An employee who is absent from work due to an accident or injury at work should be treated in the same way as if their absence was due to sickness and therefore the Absence Management Procedure should be followed.

In accordance with the Local Scheme of Conditions of Service an employee who is absent from work as a result of an accident is not entitled to a sick pay allowance if damages may be receivable from a third party. The School may at its discretion advance the allowance provided the employee agrees to refund the amount from any damages awarded.

Medical/Hospital Appointments

Wherever possible, employees should make medical/dental appointments outside of their normal working hours. However, where this is not practical, appointments must be made, wherever possible, to cause minimal disruption to the working day, i.e. lunchtime, early, late appointments and they may be required to make up the time.

Hospital appointments are considered authorised absence and time off will be paid. However, where possible employees should try and make appointments outside of core hours or where minimal disruption to the working day is caused. Head Teachers will use their discretion to decide how much time is allowed and if unsure seek advice from their HR provider. Employees should provide their Head Teacher with proof of their appointment (e.g. an appointment card or copy of the appointment letter) when requesting time off to attend hospital appointments.

Time off to accompany dependants is not sickness absence and should normally be taken as annual leave where this is available unless there are exceptional circumstances where paid time off is appropriate.

Time off for cosmetic surgery should be taken from employees own leave entitlement unless the GP states that an employee is unfit and should refrain from work.

Leave to undertake IVF treatment would be expected to be taken as Special Leave for Family or Personal Reasons.

Occupational Health Appointments – when employee is absent

It is expected that employees who are absent from work due to sickness are available to attend any Occupational Health appointments made for them as required. Where the employee declines to attend an Occupational Health appointment, the referring Head Teacher needs to explain that without such a report management decisions will be made using the information available to them.

Medical Suspension

In certain circumstances it may be appropriate to medically suspend an employee, for example:

- where the employee and their GP consider they are fit to return to work, without any adjustments/modifications and the Head Teacher, in conjunction with the HR provider, believe they are not and therefore would like further clarification from Occupational Health, before allowing the employee to return to work.
- If the GP recommends any adjustments which, having undertaken the necessary risk assessment, the Head Teacher cannot accommodate, employees will remain off sick for the period specified on the Fit Note.
- Medical suspension could also apply where the Head Teacher believes the employee is not fit to attend work but the employee refuses to go on sick leave, and therefore the Head Teacher may medically suspend the employee until Occupational Health advice is received.

Wherever possible, prior to initiating medical suspension, alternatives such as temporarily adjusting the employee's substantive duties or temporary redeployment to another role should be carefully considered using any advice from the GP contained on the Fit Note where appropriate. In such circumstances it would be appropriate to undertake a risk assessment, Workplace Assessment and/or Display Screen Equipment (DSE) Assessment.

Any decisions to medically suspend need to be based on sound justification and the Head Teacher should be able to demonstrate this through a risk assessment. Having considered the views of the employee the Head Teacher should be able to clearly explain the reasons for their decision.

If it is considered that there are sufficient grounds to suspend, Head Teachers should seek approval from the Governors. The Head Teacher should convene a suspension interview as soon as possible after the decision has been made, which should be followed up in writing using the suggested template letter. The employee has a right of representation at the suspension interview. However, the unavailability of a representative must not delay convening the suspension interview or the suspension

itself. If the need to medically suspend the individual is urgent and it is not possible to convene a face to face meeting the Head Teacher may telephone the employee to inform them of the medical suspension and follow up the discussion in writing.

Medical suspension will be on contractual pay and does not impact on sick pay.

Review of medical suspension should take place once the required medical information is provided by Occupational Health. If the required information is received is that the employee is able to return to work, the medical suspension will be lifted. If the employee is still unable to perform their duties the Head Teacher may decide to invoke the capability procedure. HR provider advice should be sought in these cases.

Ill Health

Below is a guide to Head Teachers when terminating an employee's contract on the grounds of 'capability' where an underlying medical condition is identified. Where possible a Head Teacher should be able to answer "yes" to each question, if not, they should seek advice from their HR provider.

- Has advice been sought from Occupational Health about the employee's condition/prognosis?
- Does the advice indicate, at least, that the employee is unlikely to return for a prolonged period?
- Are we satisfied or have we checked that given the contents of the report, no 'reasonable adjustments' of the employees post are possible to allow the employee to remain in post?
- Do we genuinely believe that the School can wait no longer for the employee's attendance to improve, bearing in mind the length of absence, interests of the School and the position the employee holds?
- Does the medical report mention suitability for alternative employment, if no, have we considered/offered/discussed the option of alternative employment with the employee?

Terminal Illness

There are occasions where an employee with a terminal illness wishes to be dismissed and may be eligible for early release of pension benefits and therefore there maybe some discretion on application of the procedure. Factors to take into consideration are:

- The medical condition.
- How long the employee is expected to live, as this may be critical in establishing the most beneficial course of action.
- In extreme cases, the employee will be kept on the payroll, even though they have exhausted their entitlement to sick pay. This removes the need to add further distress by formally dismissing someone who is dying where it is to the employee's advantage to remain in service due to their entitlement to benefits such as death in service.

Head Teachers should deal with such situations compassionately taking into account the wishes of the employee and their financial situation as well as the needs of the School. Each case will be considered on its own circumstances and advice must be sought from Pensions, Occupational Health and HR provider.

Disabled Employees

The Equality Act 2010 prohibits discrimination because of disability and places a duty on employers to make reasonable adjustments to working practices and premises in order to accommodate the needs of individual employees and job applicants who have a disability. This means that an employee with a disability must not be treated less favourably than any other employee without justification.

The Equality Act 2010 defines the protected characteristic of disability as applying to a person who has a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.

Head Teachers must have an open discussion with the employee. If there are problems with an employee's attendance and an underlying medical condition or disability is identified, advice should be sought from Occupational Health. Occupational Health may be able to suggest reasonable adjustments that could be made to either the physical place of work, or the work itself.

Reasonable Adjustments

Under the Equality Act, employers must consider and make reasonable adjustments or changes where appropriate to ensure that a person with a disability is not at a substantial disadvantage. A number of factors influence whether it is reasonable for an employer to make changes, including:

- How much the alteration will improve the situation for the disabled person.
- How easy it is to make the change.
- The cost of the change, financially and practically.
- Health and Safety implications.
- The impact of the change on the rest of the team, and
- The resources of the employer.

Examples of reasonable adjustments may include:

- Allocating alternative duties
- Altering hours of work.
- Assigning a different place of work.
- Allocating a 'buddy' to support the employee.
- Providing specialist equipment.
- Adjustment may be made to the number of days absence that trigger unsatisfactory attendance procedures (Occupational Health advice must be sought in this instance).
- Allowing a longer period of time for reviewing reasonable adjustment or seeking redeployment.
- Allowing the employee to take Disability Leave. Further details are contained within the Model Leave of Absence Policy
- Extension to sickness entitlement.

It is difficult to specify the amount of variation required for reasonable adjustments as each individual's disability is different. Making the same adjustment for all may not remove the disadvantage. Where adjustments are made, the employee should be given time to readjust (usually 3 months). However if after this period they are unable to meet the levels of attendance expected and further adjustments are deemed unreasonable, refer to the Redeployment Scheme for School Based Staff.

Disability Related Absences

The Equality Act does not require disability-related absence to be automatically discounted; nor does it require an employer to retain someone indefinitely if they are frequently absent due to a disability. However, when counting disability-related absences towards trigger points for unacceptable attendance procedures, Head Teachers must be able to demonstrate that all reasonable adjustments have been considered to the number of days absence which trigger a review under the procedure.

Where the combination of both disability-related and general sickness absence exceed the trigger points, the Head Teacher should seek advice from Occupational Health on any reasonable adjustments that should be considered.

Disability Leave

It is recognised that some disabled employees may need time off for a reason relating to their disability to attend appointments or undergo treatment or rehabilitation. The Disability Leave is intended to provide disabled employees with reasonable paid time off work for these reasons. For further details see Appendix 4 Disability Leave Scheme.

Disability Related Sick Absence

Disability related sickness absence should be recorded by Head Teachers using the same method they use to record other types of sickness i.e. the electronic absence recording system available on George under Corporate and E-Forms using the appropriate Disability Related illness absence fields. Disability related sickness absence arises where the employee's sickness absence is related to their disability.

Absence Management Procedure

See [Appendix 1](#) – Short Term Absence Procedure

See [Appendix 2](#) – Long Term Absence Procedure

Further Information

Redeployment Scheme for School Based Staff

Forms and Letters

Draft Letters

Links

Redeployment for School Based Staff

Schools Employment Manual

Support Services

[Employee Support and Counselling](#)

[Support Organisations](#) (this document outlines various organisations that maybe able to provide additional support to employees).

APPENDIX 1 - SHORT TERM ABSENCE PROCEDURE

Definition: Short term absence is normally identified as absence that has no underlying long term medical condition and is attributable to minor ailments. Often the employee will only be absent for a few days. Short term absence is the most disruptive in terms of service delivery.

For all formal meetings the employee will have the right to be accompanied by a trade union representative, trade union official or fellow employee of their choice, who must not be a potential witness.

Informal
Actions

- Return to work discussions after every absence
- Discuss absences and identify any underlying reasons
- See if any assistance can be offered
- Advise employee of consequences of hitting trigger points
- Maintain records of all discussions

Stage 1
Absence
Management
Meeting

In cases where an employee's attendance meets the School Trigger Points, or there is a pattern of absence which is causing concern, the employee will be invited to attend Stage 1 Absence Management Meeting with the Head Teacher.

Employees returning to work from long term sickness will have reached the trigger points for short term absence monitoring and should be invited to a Stage 1 Absence Management Meeting.

When
Short term
trigger points
reached

Preparation before the meeting:

Head Teacher invites employee to the meeting to discuss their absences and issues an invite letter (see draft letters).

The Head Teacher gathers any necessary information, including: absence management policy, dates and reasons of absences and any other previous return to work interview notes.

NB: Referral to Occupational Health (OH) will not normally take place until after this meeting.

During the Meeting:

- The Head Teacher will provide the employee with a list of their absences, with reasons and advise that their level of attendance has reached a trigger point within the Absence Management Policy.
- Discuss the level of absences and explore other areas possibly associated with the absences e.g. are the absences caused by a disability or personal, family or work related problems. Where appropriate reference should be made to other supporting policies such as Disability Leave and Special Leave.
- Once a full discussion has taken place about possible reasons why the employee has reached the trigger points, decide if a referral to OH is appropriate.

Outcomes of meeting:

- If the Head Teacher has identified that there is a short term absence problem (i.e. no underlying medical condition or disability), then set a monitoring period of 2-4 months for the employee to achieve a sustained improvement in their attendance. The sustained improvement required is for the employee to reduce their current level of sickness to below the School's trigger point (i.e. 4 occasions or 12 days pro-rata to the monitoring period). The monitoring period may be brought to an end earlier if the employee fails to meet the level of attendance required.
- If the Head Teacher needs to establish if the employee has an underlying

health problem, then refer to OH - the aim of the referral will be for OH to advise on possible reasonable adjustments. At the same time as completing the OH referral, set a monitoring period of 2, 3, or 4 months for the employee to achieve a sustained improvement in their attendance as detailed above. Once the medical report is received from OH invite the employee to meet with the Head Teacher to discuss the outcome of the referral. If an underlying medical condition is confirmed, support the employee but continue to manage through the short term absence procedure, with appropriate “reasonable adjustments”.

- Agree on any reasonable adjustments or forms of support that might be put in place to reduce absences, e.g. change of hours, adjustments to working environment.
- Advise the employee that should their attendance not significantly improve during the monitoring period set, then they will be subject to a Stage 2 Absence Management meeting and thereafter should their attendance still not improve, they could be dismissed.
- The outcome of the Stage 1 Absence Management meeting will be confirmed in writing to the employee (see draft letters).

Follow Up Action:

At the end of the monitoring period meet with the employee to review their absence and decide whether:

- Attendance has reached the level required. In such cases they are required to maintain this level of attendance for one year; if the satisfactory improvement proves to be only temporary you have the option of returning immediately to this point in the procedure.
- The monitoring period should be extended.
- The level of attendance has not reached the required level and the employee will be subject to Stage 2.

Notes of the review should be made and a copy given to the employee.

Stage 2
Absence
Management
Meeting

If following the 2, 3, or 4 month review period following the Stage 1 Absence Management Meeting, the employee fails to provide an immediate and sustained improvement in their attendance, they will be invited, in writing, to attend a Stage 2 Absence Management Meeting with the Head Teacher to discuss the way forward.

When
Required
improvement
not achieved

Preparation before the meeting:

- The Head Teacher invites employee to the meeting to discuss their absence and issues invite letter (see draft letters).
- Prior to meeting, give the employee a full list of their absences, copies of any return to work discussions since the Stage 1 meeting, and any advice from OH where this has been requested.
- If a referral to OH has not taken place then you are advised to complete a management referral in order to seek advice regarding the employee absences.

During the Meeting:

- The employee will be required to give an explanation as to why their attendance has not improved and the Head Teacher will be required to demonstrate what action and discussion has taken place with the employee.
- During this meeting, the Head Teacher can suggest other options or reasonable adjustments to try and improve the employee’s attendance,

including the need for further involvement of OH or further extend the review period and agree to meet again should there not be a significant improvement.

Outcomes of meeting:

- Set a monitoring period of 2, 3, or 4 months for the employee to achieve a sustained improvement in their attendance. The sustained improvement required is for the employee to reduce their current level of sickness to below the Schools trigger point (i.e. 4 occasions or 12 days pro-rata to the monitoring period).
- Agree on any further reasonable adjustments or forms of support that might be put in place to reduce absences, e.g. change of hours, adjustments to working environment.
- Decide whether to utilise the option of requesting the employee to produce a GP's Fit Note from the first day of each period of sickness absence, during the monitoring period (any cost incurred will be reimbursed in full by the school).
- Advise the employee that if there is no improvement within the next 2, 3, or 4 months, the employee will be required to attend an Absence Management Hearing with a possible outcome being that they may be dismissed.
- The outcome of the Stage 2 Absence Management meeting will be confirmed in writing to the employee (see draft letter).

Follow Up Action:

At the end of the monitoring period the Head Teacher will meet with the employee to review their absence and decide whether:

- the employee's attendance has reached the level required, in such cases they are required to maintain this level of attendance for one year; if the satisfactory improvement proves to be only temporary the head has the option of returning immediately to this point in the procedure.
- the monitoring period should be extended (in exceptional circumstances)
- attendance has not reached the required level and the employee will be subject to Stage 3 Absence Management Hearing.

Notes of the follow up meeting should be made and a copy given to the employee.

Stage 3
Absence
Management
Hearing

If following the review of Stage 2, the employee still fails to provide a sustained improvement in their attendance, they will be invited in writing to attend a Stage 3 Absence Management Hearing with the Head Teacher to discuss the way forward, the outcome of which may be dismissal.

When
Employee
has failed to
maintain a
satisfactory
level of
attendance

Preparation before the meeting:

- The Head Teacher invites employee to a meeting to discuss their absence and issues invite letter (see draft letter).
- Prior to the hearing, provide the employee with a copy of the written outcome of the previous meetings, full list of absences, records of return to work discussions since the Stage 2 meeting, and advice from OH.
- The employee will be advised that a possible outcome of the hearing is dismissal on the grounds of 'Some Other Substantial Reason' or 'Capability' (if underlying medical condition).

NB: HR provider will also be in attendance

During the Meeting:

- The employee will be required to give an explanation as to why their attendance has not improved and the Head Teacher will demonstrate what action, adjustments and discussion have taken place with the employee at Stage 1 and Stage 2 management of the employee's absence.

Outcome of meeting:

- If the Head Teacher is satisfied that the absences are attributable to short term sickness only, and everything has been reasonably undertaken to assist the employee, he/she will be able to dismiss the employee with notice on the grounds of 'some other substantial reason' (where no underlying medical condition is identified) or 'capability' where an underlying medical condition is identified.
- If the Head Teacher is not satisfied that the absences are attributable to short term sickness and/or that satisfactory action has not been taken, he/she can consider the options of further involvement of OH, or to extend the review period and agree to meet again with the employee. The employee needs to be notified of the possibility of dismissal should there not be any significant improvement.
- If the employee has reached the required level of attendance and no further action is required then they are required to maintain this level of attendance for one year. If the satisfactory improvement proves to be only temporary the Head Teacher has the option of returning immediately to this point in the procedure.

Follow Up Action:

- The outcome of the Absence Management Hearing will be confirmed in writing to the employee (see draft letter).

Stage 4
Appeal

An employee has the right to appeal against their dismissal under this procedure and the School's Appeal Policy will apply. If the employee wishes to appeal they must do so in writing within 10 working days of the date on which the decision is confirmed in writing.

When -
Following
dismissal.

Once the decision to dismiss has been made and notice has been issued, the Head Teacher may advertise to recruit to the post, once it has been confirmed by the Clerk to the Governors that the employee has not submitted a written notification of an appeal against the decision.

APPENDIX 2 - LONG TERM ABSENCE PROCEDURE

Definition: an absence from work for one month (or more) with an underlying medical condition and/or where there is no prospect of a return to work in the near future.

For long term absence cases, progression to formal action may not be necessary if the return to work is imminent or if the Head Teacher feels that progress is being made and an early return to work/improvement is likely. No further action is required except, where the Head Teacher considers it appropriate to make a referral to OH to confirm fitness to return to duty.

For all formal meetings the employee will have the right to be accompanied by a trade union representative, trade union official or fellow employee of their choice, who must not be a potential witness.

Informal
Actions

Keeping in touch with the employee:

- Ensure this is done in a non-intrusive way
- Send copies of any communications that are generally sent to staff, e.g. school newsletters (unless the employee has requested they do not want to receive such items).
- Any changes in sick pay entitlement should be communicated to the employee, e.g. full pay reduces to half pay.
- Ensure employees are aware that they can access the Employee Support and Counselling Service (where this is available to the school) on 01522 836198.

Stage 1
Absence
Management
Meeting

In cases where an employee's attendance meets the School's Trigger Points for long term sickness, the employee will be invited to attend Stage 1 Absence Management Meeting with the Head Teacher.

When
Employee
has been
absent for
one month
or more

Preparation before the meeting:

Head Teacher invites employee to the meeting to discuss their absences and issues an invite (see draft letter).

The Head Teacher gathers any necessary information, including: absence management policy, dates and reasons of absences and OH consultation report (if already referred).

During the Meeting:

- Discuss the nature of employee's ill health and likely return to work date
- Suggest any support to assist the return to work (link to Support Organisations)
- Consider their return to work in a different capacity until fully fit to resume normal duties (likely to form part of GPs advice on the Fit Note)
- Discuss any reasonable adjustments for employees with disabilities (refer to supporting facts section of policy)
- Refer to OH if appropriate for advice on fitness to resume duties, any reasonable adjustments or advice on ongoing health. Where applicable, arrange follow up meeting on receipt of OH advice
- Pay status, i.e. when reducing to half/nil sick pay
- Explain the Absence Management Policy and the formal monitoring process during long term absence, which can lead to dismissal
- Set a monitoring period of 2, 3, or 4 months to review the employee's absence

Follow up action

- The outcome of the Stage 1 Absence Management meeting will be confirmed in writing to the employee (see draft letter).
- Stay in touch with the employee and review absence at the end of the review

period

Stage 2
Absence
Management
Meeting

If following the review of the Stage 1 Absence Management Meeting the employee is still absent at the end of the review period, they will be invited in writing to attend a Stage 2 Absence Management Meeting with the Head Teacher to discuss the way forward.

When
Employee
still absent at
end of
review
period

Preparation before the meeting:

- The Head Teacher invites employee to the meeting to discuss their absences and issues an invite (see draft letter).
- Prior to meeting, give the employee any advice from OH where this has been requested.
- If a referral to OH has not taken place then you are advised to complete a management referral in order to be provided with all appropriate information on the employee's absences.

During the Meeting:

- Discuss any progress or improvements in the employee's health
- Refer to the OH advice received, particularly in relation to any adjustments, changes in hours or duties, or specialist equipment which have been recommended
- Discuss whether temporary or permanent redeployment should be considered
- If no indication of a return to work date, set timescales
- Make the employee aware that if the employee is a member of the pension scheme that permanent ill health retirement should be considered

Outcome of meeting:

The Head Teacher will set a further monitoring period of 2, 3, or 4 months in order to review the employee's absence at which time the employee will be required to attend an Absence Management Hearing and that if at the end of the monitoring period they have been unable to return to work and the prognosis is still unclear or redeployment has not been successful then they will progress to the next stage of the procedure (Absence Management Hearing) which could lead to dismissal on the grounds of 'capability' where an underlying medical condition is identified.

If the employee's Head Teacher is not satisfied that the absences are attributable to long term sickness and/or the line manager has not taken satisfactory action, he/she can consider the following options: the need for further involvement of OH, further extend the review period and agree to meet again should there not be a significant improvement or further consideration of other reasonable adjustments

Follow Up Action:

- The outcome of the Stage 2 Absence Management meeting will be confirmed in writing to the employee (see draft letter).
- Stay in touch with the employee and review absence at the end of the review period

Stage 3
Absence
Management
Hearing

If following the review of Stage 2, the employee is still absent from work or redeployment has not been possible, they will be invited in writing to attend a Stage 3 Absence Management Hearing with the Head Teacher to discuss the way forward, the outcome of which may be dismissal.

When
Employee is
still absent at

Preparation before the meeting:

- The Head Teacher invites employee to meeting to discuss their absence and issues invite (see draft letter).

the end of
the review
period

- Prior to the Absence Management Hearing the employee will be given a copy of the written outcome of Stage 1 and Stage 2 meetings, a full list of absences, and the advice from OH (if appropriate)
- The employee will be advised that a possible outcome of the meeting is their dismissal on the grounds of capability
- The Head Teacher must ensure they have obtained recent advice from OH and followed the ill health section of this policy.

NB: HR provider will also be in attendance.

During the Meeting:

- Employee will be required to give an explanation as to why their attendance has not improved and any mitigating circumstances.
- The Head Teacher will be required to demonstrate what action, adjustments and discussion has taken place with the employee throughout Stage 1 and Stage 2 management of the employee's absence.
- Consideration will be given to dismissing the employee on the grounds of capability (see section within policy on Ill Health).

Outcome of meeting

- If the Head Teacher is satisfied that the absences are attributable to long term sickness only and everything has been reasonably undertaken he/she will be able to dismiss the employee with notice on grounds of 'capability' where an underlying medical condition is identified.
- If the Head Teacher is not satisfied that the absences are attributable to long term sickness and/or that satisfactory action has not been taken, the following options can be considered: the need for further involvement of OH or extend the review period and agree to meet again (with the employee notified of the possibility of dismissal) should there not be a significant improvement.

Follow up action:

- The outcome of the Absence Management Hearing will be confirmed in writing to the employee (see draft letter).
- Stay in touch with the employee and review absence at the end of the review period.

Stage 4
Appeal

An employee has the right to appeal against their dismissal under this procedure and the School's Appeal Procedure will be applied. If the employee wishes to appeal they must do so in writing within 10 working days of the date on which the decision is confirmed in writing.

When -
Following
dismissal

Once the decision to dismiss has been made and notice has been issued, the Head Teacher may advertise to recruit to the post, once it has been confirmed by the Clerk to the Governors that the employee has not submitted a written notification of an appeal against the decision.

APPENDIX 3 – DRAFT LETTERS

Short Term Stage 1 Absence Management Meeting Invite Letter

Name

Address

Date

Dear NAME

STAGE 1 ABSENCE MANAGEMENT MEETING

Following your return to work interview held on INSERT DATE, where we discussed and reviewed your absences from work, I advised you that you had met the trigger points for short term sickness absence as per the Absence Management Policy.

In accordance with the Absence Management Policy I am writing to invite you to a Stage 1 Absence Management Meeting, to discuss with you how we can work together to help you maintain regular attendance. The meeting has been arranged for INSERT TIME am/pm on INSERT DAY, DATE at LOCATION.

You have the right to be accompanied by a trade union representative, trade union official or fellow employee of your choice, who must not be a potential witness.

Yours sincerely,

Head Teacher

Short Term Stage 1 Absence Management Meeting Outcome Letter

Name
Address

Date

Dear NAME

STAGE 1 ABSENCE MANAGEMENT MEETING

I am writing to confirm the outcome of the Stage 1 Absence Management Meeting held on INSERT DATE. *(if applicable: Also present were INSERT NAME as your representative).*

At our meeting we discussed your absences, which have reached the short term absence trigger points. Your absences totalled INSERT NUMBER occasions, INSERT NUMBER days over the last INSERT NUMBER months, and I advised you that this level was not acceptable. I have enclosed details of your absences in this period, copies of the return to work discussions and the Occupational Health report (If applicable).

We discussed the reasons for your non attendance and you advised me that *(outline any reasons given)*

I explained that your attendance is giving cause for concern and I asked if there was anything further we could do to support your attendance at work.

(outline any steps agreed, eg refer to OH if not already done so)

You were referred to Occupational Health in INSERT MONTH (if applicable), and following your appointment we received a report, which advised that there is/is not an underlying medical condition. We are therefore managing your absence through the Short Term Absence Procedure.

In line with the procedure, your attendance will be monitored over the next 2, 3, or 4 months during which period I expect to see an immediate and sustained improvement in your levels of sickness absence, i.e. to below the School's trigger point of 4 occasions or 12 days pro-rata to the monitoring period. Should you fail to improve your sickness absence to an acceptable level during this time, you will be invited to attend a Stage 2 Absence Management Meeting.

I hope that we will now see an improvement in your attendance. However, if there is a further deterioration in your attendance during the review period, this meeting will be brought forward in order to instigate Stage 2 of the procedure and, if after this Stage 2 Absence Management Meeting your absence still remains at an unacceptable level, you will be subject to a Stage 3 Absence Management Hearing the outcome of which may be dismissal.

Details of the policy and procedures can be found on the School's Employment Manual. If you do not have access to this please let me know and I will arrange for a copy to be sent to you.

If you have any queries with regard to the content of this letter please do not hesitate to contact me. Employee Support and Counselling service is also available and is a private and confidential service that can be contacted on Phone: 01522 836198 or E-mail - emp.support@mouchel-lincoln.com

Yours sincerely

Head Teacher

Short Term Stage 2 Absence Management Meeting Invite Letter

Name
Address

Date

Dear NAME

STAGE 2 Absence Management Meeting

I am writing to invite you to a Stage 2 Absence Management Meeting under the Absence Management Procedure. This meeting is following the Stage 1 meeting which was held on INSERT DATE.

Your level of short term attendance has not improved to a satisfactory level since the Stage 1 Meeting. I have enclosed details of your absences in this period, copies of the return to work discussions and the Occupational Health Report (if applicable).

The meeting has been arranged for INSERT TIME on DAY, DATE at LOCATION, and will be chaired by me.

You may, if you wish, be supported by a trade union representative, trade union official or fellow employee of your choice, who must not be a potential witness.

This meeting is in accordance with the Absence Management Policy and Procedure, a copy of which can be obtained from the School's Employment Manual. If you do not have access to the Employment Manual then please request a copy from INSERT NAME (who has access)

Yours sincerely

Head Teacher

Short Term Stage 2 Absence Management Meeting Outcome Letter

Name

Address

Date

Dear NAME

STAGE 2 Absence Management Meeting Outcome

Further to the Stage 2 Absence Management Meeting held on INSERT DATE, I am writing to confirm the details of our discussion. Present at the meeting were INSERT NAMES.

As we discussed you attended a Stage 1 Absence Management Meeting with your Line Manager on DATE. At this meeting a INSERT MONITORING PERIOD month monitoring period was set in order to see an improvement in your attendance.

We discussed your absences, which total INSERT NUMBER occasions, INSERT NUMBER days during INSERT YEAR, and you were advised this was not acceptable because you failed to meet the level of improvement which was set at the Stage 1 meeting. We explained to you the Short Term Absence Procedure and the implications of failing to reach the required level of attendance.

You were referred to Occupational Health and we discussed the outcome of the report dated INSERT DATE which confirmed that

I advised you that I felt your absences were attributable to short term sickness absence. It was agreed at the meeting that:

- In line with the procedure your attendance will be monitored over a further 2, 3, or 4 month period with the objective to reduce the amount of absences by (INSERT AGREED TARGET).
- *OPTIONAL*: you will be required to submit a GPs fit note from the first day of any absences during the monitoring period. Any costs associated with this will be reimbursed.
- *OPTIONAL* – Describe any further reasonable adjustments agreed or support provided.

As discussed should your attendance fail to improve to an acceptable level during this time, you will be invited to attend a Stage 3 Formal Absence Management Hearing, the outcome of which may be dismissal. Details of the policy and procedures can be found in the School's Employment Manual.

If you have any queries with regard to the content of this letter please do not hesitate to contact me. Employee Support and Counselling service is also available and is a private and confidential service that can be contacted on Phone: 01522 836198 or E-mail - emp.support@mouchel-lincoln.com

Yours sincerely

Head Teacher

Short Term Stage 3 Absence Management Hearing Invite Letter

Name

Address

Date

Dear NAME

STAGE 3: Absence Management Hearing

As your short term absence has not improved to an acceptable level following the Stage 2 Absence Management Meeting which was held on INSERT DATE, I am writing to invite you to attend a Stage 3 Absence Management Hearing.

I am enclosing details of your absences in this period, copies of the return to work discussions and the Occupational Health report.

The meeting has been arranged for INSERT TIME on DAY DATE at LOCATION, at which time you will be asked for an explanation as to why your attendance has not improved to a satisfactory level. The meeting will be chaired by me. Also in attendance will be INSERT NAME, HR Advisor.

You have the right to be accompanied by a trade union representative, trade union official or fellow employee of your choice, who must not be a potential witness. During the course of the meeting you will have the right to hear and question all evidence presented and the opportunity to present your own statement.

I would remind you that the hearing may proceed in your absence should you or your representative fail to attend without advance notification to me and without good reason.

This meeting is in accordance with the Short Term Absence Management Procedure within the Absence Management Policy. A possible outcome of this meeting is your dismissal on the grounds of 'Some Other Substantial Reason' or 'Capability' (if underlying medical condition).

I have enclosed all documents which will be presented at the meeting. Please note this does include the Occupational Health reports, as you will be aware you provided your consent to make these reports available to management during the early stages of the medical referral process.

If you wish to provide any documentation which is not included within pack, it must be received by me no less than 5 days prior to the meeting in order to avoid unnecessary delays.

Yours sincerely

Head Teacher

Short Term Stage 3 Absence Management Hearing Outcome Letter

Name

Address

Date

Dear NAME

STAGE 3: ABSENCE MANAGEMENT HEARING

I am writing to confirm the outcome of the Stage 3 Absence Management Hearing held on INSERT DATE. The purpose of this meeting was to review your attendance at work following the Stage 2 Absence Management Meeting held on INSERT DATE. Present at the meeting was myself, HR Advisor (if applicable), yourself and Rep.

Enter evidence and discussions here.

In coming to our decision, all of the information available has been considered together with the evidence presented at the meeting and the decision in relation to your level of attendance is confirmed as follows:

*DISMISSAL - You are dismissed with notice on grounds of 'some other substantial reason' or 'capability' (if underlying medical condition).
as the organisation cannot continue to employ you due to your poor attendance at work.*

As advised you are entitled to INSERT STATUTORY PERIOD OF NOTICE notice and you will be expected to work your notice period. Any outstanding entitlement to annual leave (if applicable) should be taken during your notice period.

You have the right to appeal against this decision as detailed in the School's Appeals Procedure, a copy of which is enclosed. (for Community Schools there needs to be a reference that the employee will receive notice from the Authority)

FURTHER REVIEW –

There is a period of further review, in order to consider the following:

The need for further involvement of occupational health.

Extend the review period and agree to meet again.

The employee has reached the required level of attendance and no further action is required but the decision will remain live for 1 year.

The final outcome of this Formal Managing Attendance Hearing will be determined in INSERT NUMBER months time to conclude this process.

The service of Employee Support and Counselling is of course available by contacting them on 01522 831698 or E-mail - emp.support@mouchel-lincoln.com.

(If dismissing) If you object to the above proposal, I have a duty to advise you of your right to appeal against this decision. If you wish to exercise this right, you should do

so by writing to me within ten days of receiving this letter, outlining your reasons for your appeal.

If you have any queries with regard the content of this letter or the enclosed minutes please do not hesitate to contact me.

Yours sincerely

Head Teacher

Long and Short Term Letter Absence Improved

Name

Address

Date

Dear NAME

ABSENCE MANAGEMENT

I am writing to confirm our discussions held at our Stage INSERT STAGE Absence Management meeting held on INSERT DATE. *(if applicable: Also present were INSERT NAME as your representative and INSERT NAME, HR Adviser).*

At our meeting I congratulated you on your improved attendance at work and explained that I will no longer be managing you under the Absence Management process.

I did however advise you that you will be expected to maintain this level of attendance and this decision will remain "live" for one year from the date of our meeting. If your pattern of non-attendance recommences in the near future, or if you fail to maintain satisfactory attendance for a further 12 months, I have the option to return to the point in the procedure where the case was left.

I do hope that your current level of attendance is maintained.

If you have any queries on the content of this letter please do not hesitate to contact me.

Yours sincerely

Head Teacher

Long Term Stage 1 Absence Management Meeting Invite Letter

Name

Address

Date

Dear NAME

STAGE 1: Absence Management Meeting

Further to our conversation on INSERT DATE where we discussed and reviewed your absence from work, I advised you that you had met the trigger point for long term sickness absence as per the Absence Management Policy. I am therefore, writing to invite you to a Stage 1 Absence Management Meeting to discuss your ongoing sickness absence.

The meeting has been arranged for INSERT TIME am/pm on DAY , DATE at LOCATION.

You have the right to be accompanied by a trade union representative, trade union official or fellow employee of your choice, who must not be a potential witness.

Please do not hesitate to contact if you have any questions in the meantime regarding the meeting. I enclose the copy of the Absence Management Policy and Procedure for your information.

Yours sincerely,

Head Teacher

Long Term Stage 1 Absence Management Meeting Outcome Letter

Name

Address

Date

Dear NAME

STAGE 1: Absence Management Meeting

Further to the Stage 1 Absence Management Meeting held on INSERT DATE, I am writing to confirm the details of our discussion. Present at the meeting were INSERT NAMES.

We discussed your absence from work, and your current health situation. INCLUDE DETAIL.

You were referred to Occupational Health in INSERT MONTH (if applicable), and following your appointment in INSERT MONTH, we received a report, which advised that there is/is not an underlying medical condition. We are therefore managing your absence through the Long Term Absence Procedure.

During the meeting we discussed:

The nature of your ill health

Your likely return to work date

any support we can offer in order to assist your return to work

if we could accommodate your returning to work in a different capacity until you are fully fit to resume normal duties

any reasonable adjustments for employees with disabilities

*Referral to Occupational Health for advice on fitness to resume duties **or** advice on ongoing health*

Pay status, i.e. when reduce to half/nil sick pay

Formal monitoring will take place during long term absence and this can ultimately lead to dismissal

Set a monitoring period of 2-4 months to review the employee's absence

Where applicable, arrange follow up meeting on receipt of OH advice

In line with the long term absence procedure, we agreed a review period of 2, 3, or 4 months to monitor your absence from work. Should you be unable to return back to work during this period of time, you will be invited to attend a Stage 2 Absence Management Meeting. If after this Stage 2 Absence Management Meeting and a further 2, 3, or 4 month monitoring period you remain unfit to return to work, you will be invited to a Stage 3 Absence Management Hearing. Should I be satisfied that your absence is attributable to long term sickness and everything has been reasonably undertaken, then the outcome may be your dismissal on the grounds of capability (where an underlying medical condition is identified).

If you have any queries with regard to the content of this letter, please do not hesitate to contact me. Employee Support and Counselling service is also available and is a

private and confidential service that can be contacted on Phone: 01522 836198 or E-mail - emp.support@mouchel-lincoln.com

Yours sincerely,

Head Teacher

Long Term Stage 2 Absence Management Meeting Invite Letter

Name

Address

Date

Dear NAME

STAGE 2: Absence Management Meeting

In accordance with the Absence Management Policy and Procedure I am writing to invite you to attend a Stage 2 Absence Management meeting. This meeting is following the Stage 1 meeting which was held on INSERT DATE.

The meeting has been arranged for INSERT TIME on DAY, DATE at LOCATION, and will be chaired by myself.

At the meeting we will discuss your long term absence, why you are unable to return to work, your current health situation, and your continued absence from work and the options that may be considered. . *I have enclosed details of your absences in this period* and the Occupational Health Report (if applicable).

You have the right to be accompanied by a trade union representative, trade union official or fellow employee of your choice, who must not be a potential witness.

Please do not hesitate to contact if you have any questions in the meantime regarding the meeting. I enclose a copy of the Absence Management Policy and Procedure for your information.

Yours sincerely,

Head Teacher

Long Term Stage 2 Absence Management Meeting Outcome

Private & Confidential

Name
Address

Date

Dear NAME

Stage 2: Absence Management Meeting

Thank you for meeting with me on INSERT DATE, to discuss your continued absence from work. As advised, I am writing to confirm the discussion and the next course of action to be taken.

I advised you that we were following the Absence Management Policy, in line with the Long Term Absence procedure.

As discussed at the Stage 1 Absence Management Meeting held on INSERT DATE, we agreed a period of 2, 3, or 4 months to review your absence from work. As you have been unable to return back to work during this review period, you were invited to attend this Stage 2 Absence Management Meeting.

We discussed the latest report from Occupational Health, DATED. The report stated *that you*

During the meeting we also discussed:

Any progress or improvements in your health
A likely return to work date/phase return
Any support available – ES & C, Access to work
Reasonable adjustments
Consideration for Pension scheme and permanent ill health retirement

I advised that a further review period of 2, 3, or 4 months has been set in order to review your absence from work. I explained that if you are unable to return back to work at the end of this review period then you will be invited to attend a Stage 3 Absence Management Hearing. Should I be satisfied that the absences are attributable to long term sickness and everything has been reasonably undertaken, then the outcome of this meeting may be your dismissal on the grounds of '*capability*' where an underlying medical condition is identified. In this situation you would be entitled to INSERT STATUTORY PERIOD OF NOTICE weeks full paid notice. We very much hope that this will not be the outcome, but it is important that we advise you what the options are, and what is being considered.

We agreed a timescale of 2, 3, or 4 months for a return to work and therefore discussed the possibility of redeployment with you.

We will arrange to meet with you again in 2, 3, or 4 months time to discuss concluding the situation, should you not have returned to work during this time.

If you have any queries about the content of this letter, or our meeting, please do not hesitate to contact me. Employee Support and Counselling service is also available and is a private and confidential service that can be contacted on Phone: 01522 836198 or E-mail - emp.support@mouchel-lincoln.com

In the meantime I would like to wish you well and hope that there will be an improvement in the state of your health in the near future.

Yours sincerely

Head Teacher

Long Term Stage 3 Absence Management Hearing Invite Letter

Name
Address

Date

Dear NAME

STAGE 3: Absence Management Hearing

I am writing to invite you to attend a Stage 3 Absence Management Hearing, under the Absence Management Procedure. This meeting is following the Stage 2 Formal Meeting which was held on INSERT DATE

The meeting is to be held at INSERT TIME on DATE at LOCATION will be chaired by myself. Also in attendance will be INSERT NAME a HR Advisor (if applicable).

The meeting is to discuss your current health situation, your continued absence from work, and the options that may be considered; these include termination of your contract with Lincolnshire County Council, on the grounds of capability (*if underlying medical condition*). During the course of the meeting you will have the right to hear and question all evidence presented. This is inline with the Long Term Absence procedure.

I have enclosed all documents which will be presented at the meeting; this includes all Occupational Health reports, to which you gave your consent to be made available for appropriate meetings at the first stage of the absence management process. If you wish to provide any additional documentation which is not included within this pack, it must be received by me no less than 5 days prior to the meeting in order to avoid unnecessary delays.

You have the right to be accompanied by a trade union representative, trade union official or fellow employee of your choice, who must not be a potential witness.

I would remind you that the hearing may proceed in your absence should you or your representative fail to attend without advance notification to me and without good reason.

Please do not hesitate to contact me if you have any questions in the meantime regarding the meeting. I enclose a copy of the Absence Management Policy and Procedure for your information.

Yours sincerely

Head Teacher

Long Term Stage 3 Absence Management Hearing Outcome Letter

Name
Address

Date

Dear NAME

STAGE 3: Absence Management Hearing

I am writing to confirm the outcome of the Stage 3 Absence Management Hearing held on INSERT DATE. Present at this meeting were

This meeting follows the Stage 2 Absence Management Meeting which was held on INSERT DATE, at which you were advised that if you were unable to return to work or find redeployment at the end of the 2, 3, or 4 month review period then consideration would be given to terminating your contract on the grounds of capability.

During the meeting we discussed:

Any progress or improvements in the employee's health
A likely return to work date/phase return
Any support available – ES & C, Access to work
Reasonable adjustments
Consideration for Pension scheme and permanent ill health retirement

I considered all of the available information and having taken into account all of the evidence presented at the meeting, my decision is as follows:

DISMISSAL – As you remain unfit to return to your substantive post, and have not yet been successful in acquiring an alternative post through redeployment, I am therefore writing to confirm that it is proposed to terminate your appointment with the school on the grounds of *capability (if underlying medical condition)*. *(for Community Schools – the notice that you will receive will come from Lincolnshire County Council)*

As advised you are entitled to INSERT STATUTORY PERIOD OF NOTICE notice to terminate your employment. This will be paid on full pay over the period INSERT DATE to INSERT DATE, as a salary, in line with salary deadlines and pay dates. (Any outstanding entitlement to annual leave will be paid as an additional amount on top of your notice pay – if applicable).

You should send in copies of your medical certificates in the normal way up to the last date of your employment.

ILL HEALTH RETIREMENT

As confirmed at the hearing you have been granted ill health retirement under the Teachers/Local Government Pension Scheme at the following level:

(Tiers only relevant for support staff, not teachers)

Tier 1 – unfit for any gainful employment before contractual retirement age (65).

Tier 2 – unfit for gainful employment for 3 years but able to work before 65.

Tier 3 – permanently incapable of current employment but could obtain other gainful employment with a reasonable period of time. A review of this decision will take place in 18 months time in order to assess that this tier still applies.

The Pensions Manager will be writing to you towards the end of your period of employment giving formal notice of the Superannuation benefits to which you are entitled.

As advised you are entitled to INSERT STATUTORY PERIOD OF NOTICE notice to terminate your employment. This will be paid on full pay over the period INSERT DATE to INSERT DATE, as a salary, in line with salary deadlines and pay dates. (Any outstanding entitlement to annual leave will be paid as an additional amount on top of your notice pay – if applicable).

You should send in copies of your medical certificates in the normal way up to the last date of your employment.

FURTHER REVIEW –

There is a period of further review of 2, 3, or 4 months during which time you are required to demonstrate a significant improvement in your attendance. Should you fail to improve your attendance during this time we will reconvene this Absence Management Hearing at which point your employment with the School may be terminated.

We need to seek further advice from occupational health. We are therefore extending the review period and we will meet again once this information has been received and reconvene this Absence Management Hearing to conclude this process.

(Dismissal only)

If you object to the above proposal, I have a duty to advise you of your right to appeal against this decision. If you wish to exercise this right, you should do so by writing to me within ten days of receiving this letter, outlining your reasons for your appeal.

The service of Employee Support and Counselling is of course available by contacting them on 01522 831698.

I would like to express my appreciation for the work you have carried out during your service with the school and hope that there will be an improvement in the state of your health in the near future.

If you have any queries with regard the content of this letter please do not hesitate to contact me.

Yours sincerely

Head Teacher

Letter for Manager to Send to Employee re Non Receipt of GP/Consultant Report

Dear

Medical Referral: Difficulty/Delay in obtaining GP/Consultant Report

As you are aware following your consultation with Occupational Health a report was requested from your GP/Consultant.

It is important to obtain information from your GP/Consultant in order to ensure that the report which Occupational Health provide to us is as complete and thorough as possible. The report will give Occupational Health details about your medical condition, prognosis for recovery and any adaptations or adjustments we may be able to make to assist your return to work. The report is sent to Occupational Health in confidence and they will only advise us of those matters of which we need to be aware in order to act in your best interests.

It has now been 4 weeks since the report was requested and, despite regular chasing by Occupational Health, your GP/Consultant report has not been provided.

You may wish to contact your GP/Consultant to enquire about the delay.

If the report is not received within the next 2 weeks it may be necessary for me to instruct Occupational Health to produce their report based on the information they have. The report will be used to make informed decisions about your employment.

If you have any queries please do not hesitate to contact me.

Yours

Head Teacher

Letter for Head Teacher to Send to Employee re Medical Suspension

Dear (Name),

RE – Medical Suspension

I refer to our meeting on INSERT DATE with you, INSERT REPRESENTATIVE if applicable, and myself at INSERT LOCATION.

The meeting was to discuss your fitness to return to work and a risk assessment that had been produced following your recent period of sickness absence. The risk assessment highlighted the significant risk to you, colleagues and children at the INSERT SCHOOL if you were to return to work.

In view of this, I informed you that we could not accept you back at work until you had been seen by our Occupational Health Provider. You were advised that you would not be able to attend work until the outcome of this appointment with Occupational Health is known.

The purpose of this letter is to advise you formally of your medical suspension from duty, which will be on full pay, pending the outcome of your appointment with Occupational Health. The effective date of this suspension is INSERT DATE. In suspending you, your employers are doing so in the interests of Health & Safety and exercising responsibilities in terms of their “duty of care” to both yourself and your colleagues. If, following this medical referral to Occupational Health, it is found that you are fit to resume your duties the medical suspension will be lifted.

Once I have received Occupational Health advice as to your fitness to work, I will contact you again and a meeting will be arranged to discuss the way forward. You should not return to your work duties until you have been formally advised in writing to do so.

If you feel you would like to speak to an independent person in respect of this or other matters the County Council offers a confidential Employee Support and Counselling Service, who can be contacted on (01522) 836198.

In the meantime, should you require any further information and/or clarification please do not hesitate to contact me INSERT CONTACT NUMBER.

Yours Sincerely

Head Teacher

APPENDIX 4 – Disability Leave

Introduction

The School's aim is to promote equality of opportunity for all employees and remove or make adjustments to policies which could disadvantage disabled employees.

What is Disability Leave?

Disability Leave is intended to provide disabled employees with reasonable paid time off work for reasons related to their impairment. It can usually be planned in advance and is for a fixed period of time.

It is recognised that some disabled employees may need time off for a reason relating to their disability to attend appointments or undergo treatment or rehabilitation. Previously this type of absence may have been classed as sick leave or the employee has had to use their annual leave to accommodate such absences. The intention is to avoid people being put in this situation and potentially ending up with a poor attendance record or no annual leave.

The Disability Discrimination Act 1995 required employers to remove any disadvantage that disabled staff may face. Disability Leave is a "reasonable adjustment" under the Disability Discrimination Act (DDA). The DDA has been superseded by the Equality Act 2010.

Examples of Disability Leave

- Hospital, doctors or complementary medicine practitioners appointments
- Hospital appointments as an outpatient
- Hearing aid tests
- Training with a guide or hearing dog
- Counselling/therapeutic treatment
- Recovery time after a blood transfusion or dialysis treatment
- Physiotherapy
- This list is not exhaustive.

Disability Leave is a reasonable adjustment and should be agreed for a specified reason. This should not be used to extend sick pay and should not be used for Disability Related Sickness absence (see below).

Who can request Disability Leave?

Any employee who considers themselves disabled under the definition contained in the Equality Act 2010 can apply to their Head Teacher for Disability Leave when they need it.

Definition of Disability: 'a person has a disability if they have a mental or physical impairment that has a substantial and long-term adverse effect on the person's ability to carry out normal day-to-day activities.'

For the purposes of the Equality Act 2010:

- **"substantial"** – means neither minor nor trivial
- **"long-term"** – means that the effect of the impairment has lasted or is likely to last for at least 12 months
- **"normal day-to-day activities"** – include everyday things like eating, washing, walking and going shopping.

A disability can arise from a wide range of impairments which can be:

- Sensory impairments such as those affecting sight or hearing
- Impairments with fluctuating or recurring effects such as rheumatoid arthritis, ME, chronic fatigue syndrome, fibromyalgia, depression and epilepsy
- Progressive, such as motor neurone disease, muscular dystrophy, forms of dementia and lupus
- Organ specific, including respiratory conditions, such as asthma, and cardiovascular diseases including thrombosis, stroke and heart disease
- Learning difficulties
- Mental health conditions and mental illnesses, such as depression, schizophrenia, eating disorders, bipolar affective disorders, obsessive compulsive disorders, as well as personality disorders and self-harming behaviour
- Produced by injury to the body or brain

How much disability leave can an employee request?

Head Teachers may grant **a reasonable amount** of paid time off for disabled employees (as defined by the Equality Act 2010 see above) who need to be away from work for reasons connected with his or her disability.

This may be granted for reasons connected with rehabilitation, assessment, treatment or servicing of necessary equipment or disability aids; or other practical or environmental factors that render attendance at work impossible.

Disability Leave may be taken in a “block” or as individual day(s).

What is reasonable?

It is impossible to give hard and fast guidelines for the amount of Disability Leave an employee may need because individuals' disabilities, personal management strategies and circumstances are so different.

People may have the same disability but different coping mechanisms. These individual personal coping and management factors need to be considered in assisting the individual. It may not be clear if the person's absence is related to their disability or not. This can especially be the case with people with mental health issues. Useful, practical advice is readily available from Occupational Health and your HR provider. What is vital is a positive, pragmatic approach.

The individual's needs are a practical management issue to be resolved without the disabled individual feeling vulnerable or being disadvantaged. Employees with disabilities need to feel confident and supported when they approach managers with such issues. Employees should be fully consulted about any decision made or advice received.

Head Teachers are urged to adopt a flexible approach and refer to your HR provider for further advice.

Recording Disability Leave

Disability Leave should be recorded by Head Teachers using the same method they use to record other types of leave i.e. the electronic absence recording system available on George under Corporate and E-Forms using the specific data entry fields created to record Disability Leave.

If an employee's request for disability leave is agreed there is a need to ensure the employee's personnel record is up to date. The Head Teacher should advise the employee that their personnel record will be amended to reflect their disability status and then inform People Services of the change required to the employee's record.

Disability related sickness absence

Disability related sickness absence arises where the employee's sickness absence is related to their disability. Disability related sickness should be recorded by Head Teachers using the same method they use to record other types of sickness i.e. the electronic absence recording system available on George under Corporate and E-Forms using the appropriate Disability Related sickness absence fields.

Reasonable adjustments for disability related sickness absence may be made as part of the managing attendance procedure.