



# ATTENDANCE MANAGEMENT POLICY AND PROCEDURE

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This document applies to all schools and operations of the Galileo Multi Academy Trust:  
[www.galileotrust.co.uk](http://www.galileotrust.co.uk)

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# 1 Introduction

Galileo Multi Academy Trust has a general duty of care to all employees and a statutory obligation under the Health and Safety at Work Act, to ensure, as far as reasonably practicable, the health, safety and welfare of all of our employees.

We recognise our employees are the most important resource in providing quality services and, as such, it is vital that their attendance at work is managed proactively to help the Trust deliver services effectively and for the success of our pupils.

Employees will naturally have periods of genuine illness during the course of their employment which may result in some absence from work. High attendance rates have a positive impact on the quality of the service we provide to our pupils, our colleagues and represent value for money, whereas high levels of sickness absence can result in a negative impact on productivity and performance, low morale and financial costs to the Trust.

The Trust has a clear policy for taking an early intervention approach for handling staff sickness absence to help employees get back to work sooner and minimise disruption to the provision of services. This includes clear procedures for monitoring and action and to resolve concerns relating to attendance.

All cases of sickness absence will be addressed under this policy and it aims to:

- Provide a fair and consistent framework for investigating, supporting, and dealing with staff sickness absence, both long and short term
- Minimise the number of days lost through sickness absence and develop a healthy attendance culture
- Deal with instances of individual absence in a flexible and understanding manner, which is sensitive to particular circumstances
- Provide appropriate and reasonable support to employees who are genuinely ill and facilitate an early return to work where possible
- Ensure that all staff are clear about expected standards regarding levels of attendance

Headteachers need to manage sickness absence proactively, and appropriate monitoring of sickness absence is of benefit to the Trust as well as good practice for personnel management. Effective monitoring and management of attendance will help to:

- Make a positive contribution to the health and well-being of the workforce
- Reduce costs
- Make the most of our resources and increase productivity and morale
- Identify factors in the workplace which may be affecting employee attendance

At the appropriate point in this procedure an employee may be asked to attend an Occupational Health appointment so that information can be gained to help manage

issues of health and attendance. Employees who are referred to Occupational Health will be advised of this in advance.

This policy reflects the Trust's commitment to our employees and encourages the promotion of good health whilst supporting staff who become ill, and day to day management of this policy will be the responsibility of the school.

'Headteacher' is used throughout this policy. Where an employee is a member of a centrally employed team, they should approach their line manager. Where the employee is the Headteacher, they should approach the Chief Executive Officer.

This document will be subject to review in line with future legislative changes.

## 2 Scope

This policy applies to all employees of Galileo Multi Academy Trust.

Regardless of how many hours worked, this policy applies equally to full and part-time employees.

Health or any other physical or mental issues which are leading to problems with attendance should be dealt with under this procedure. Absence due to persistent lateness or poor timekeeping should be managed under the Trust's disciplinary policy.

Some entitlements may be dependent on length of service within the Trust.

The steps within this policy, whilst providing general guidance, are not intended to be prescriptive, and may be adapted / dispensed with as the Trust sees fit in order to deal with the specific requirements of individual cases where appropriate.

This policy does not apply to agency workers, consultants or the self employed.

## 3 Responsibilities

All employees are contractually obliged to attend work in a fit state to carry out their duties. When they are unable to do so, they must report their absence from work, the reason(s) for the absence and the likely duration, in line with the Trust's absence reporting procedure [5 Reporting sickness absence](#).

**Employees** are responsible for:

- Their own health, safety and welfare
- Attending work when fit to do so unless leave has been authorised
- Complying with the sickness absence reporting procedures and reporting sickness absence when unfit to attend or remain at work
- Providing medical certificates / fit notes for all periods of absence which exceed seven calendar days (including non-working days)
- Attending return to work meetings, Occupational Health appointments, and any other meetings called in accordance with this procedure, and to fully co-operate with Headteachers regarding their absence

- Informing their Headteacher immediately if the sickness absence is work related or as result of an injury at work, and complete an accident report form
- Maintaining contact with the Headteacher throughout their sickness absence
- Returning resources to the school where this will minimise disruption to the school during a period of absence
- Not abusing the sickness procedure or sick pay scheme

The Trust expects all employees to take their physical and mental health seriously and take personal responsibility for following healthy working practices and lifestyle choices. All employees who are absent from work due to sickness or injury have a personal responsibility to do everything in their power to aid their return to full health and fitness and should not undertake any activity which may hinder this objective.

**Headteachers** are responsible for promoting the health, safety and well-being of their employees, and:

- Ensuring employees are informed of, and comply with, the Trust's Absence Management Policy
- Promoting good health and safety and acting promptly to manage risks
- Monitoring and maintaining accurate sickness absence records
- Take action in line with this policy when an employee is absent from work
- Conducting return to work meetings after every absence
- Using the procedure to ensure consistency and fairness
- Ensuring that employees are treated sensitively and objectively
- Maintaining confidentiality throughout the process
- Maintaining contact with employees who are absent due to long term sickness
- Delegating responsibility for return to work interviews where appropriate

**Human Resources** is responsible for:

- Providing advice and guidance to Headteachers when dealing with short or long term sickness absence
- Supporting and monitoring return to work and sickness absence reviews when required
- Developing objective support criteria to enable an early return to work
- Supporting Headteachers to identify absence trends

## 4 Definition of sickness absence

Short term sickness absence is absence lasting for 20 working days or less. This may be for absence of an occasional day off for a few days at a time and may be self-certified or covered by a doctor's certificate. The procedure for dealing with short term absence [11 Dealing with short term / frequent sickness absence](#).

Long term sickness absence is any absence lasting 21 calendar days or more. The procedure for dealing with long term absence [12 Dealing with long term absence](#).

## 5 Reporting sickness absence

In order for the Trust to maintain services during periods of sickness absence, it is essential for Headteachers to know when an employee is unable to attend work due to illness. All employees are expected to attend work regularly and on time, however if they are not fit to do so they must contact the Headteacher or other designated person at the earliest opportunity.

Where an employee becomes ill whilst at work, they must inform their Headteacher of their intention to leave the workplace. Absence from work for part of a day will be recorded as sickness absence.

### 5.1 Sickness absence reporting procedure

<b>Day 1</b>	<p>On the first day of sickness absence, (except in exceptional circumstances), an employee must contact their Headteacher, or the person designated for this purpose within the school, by telephone no later one hour prior to their normal start time, and speak directly to them directly where possible. If the designated person is not available, the employee should leave brief details of their absence along with a contact telephone number and the Headteacher or designated person will return the call as soon as possible that day.</p> <p>The employee will be asked to provide as much of the following information as possible:</p> <ul style="list-style-type: none"><li>• The nature of the illness or a broad indication of the cause of the absence. The reasons of 'sick' or 'unwell' are not an acceptable absence reason, and a more specific reason should be given</li><li>• The anticipated length of absence</li><li>• Indicate whether they intend to see their GP</li><li>• Indicate whether this is a recurrence from a previous illness</li><li>• If they have more than one post with the Trust, will they be absent from all posts</li><li>• Provide contact details, e.g. a telephone number</li></ul> <p>Employees should be reminded of the absence reporting procedure if they remain absent from work.</p> <p>If the employee fails to make contact or provides inadequate information, this may result in a suspension of pay.</p> <p>Notification of sickness absence should never be notified via text message or any other social media application.</p>
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<p><b>Day 2</b></p>	<p>Except where other reporting arrangements have been agreed, the employee should contact their Headteacher, or the person designated for this purpose within the school, by telephone no later one hour prior to their normal start time, and speak directly to them directly where possible, confirming they are still unwell and give an indication of the likely duration of the absence.</p> <p>If the designated person is not available, the Headteacher or designated person will return the call as soon as possible that day.</p>
<p><b>Day 3</b></p>	<p>Except where other reporting arrangements have been agreed, the employee should contact their Headteacher, or the person designated for this purpose within the school, by telephone no later one hour prior to their normal start time, and speak directly to them directly where possible, confirming they are still unwell and give an indication of the likely duration of the absence.</p> <p>If the designated person is not available, the Headteacher or designated person will return the call as soon as possible that day.</p>
<p><b>Day 4</b></p>	<p>In the event of the sickness continuing into the fourth day and beyond, (except in exceptional circumstances), an employee must contact their Headteacher, or the person designated for this purpose within the school, by telephone no later one hour prior to the employee's normal start time, and speak directly to them directly where possible, confirming they are still unwell, and to provide further information as to the probable duration of their absence.</p>
<p><b>Day 8</b></p>	<p>If the sickness continues for more than seven calendar days a medical certificate / fit note is required.</p> <p>The employee, or someone on their behalf, must contact the Headteacher or designated officer to provide further notification as to the probable duration of the absence.</p> <p>The original medicate certificate / fit note must be forwarded to the Headteacher or designated officer as soon as possible and before the start of the second week of absence under confidential cover.</p> <p>The employee should contact their Headteacher, or the person designated for this purpose within the school, by telephone no later than one hour prior to their normal start time, and speak directly to them directly where possible, confirming they are still unwell and give an indication of the likely duration of the absence.</p> <p>If the employee fails to make contact or provides inadequate information this may result in a suspension of pay.</p>

<b>Continuous Sickness</b>	<p>Employees are required, as far as reasonable practicable, to keep their Headteacher or other designated person advised as to their progress at regular intervals. Depending on individual circumstances, the interval between contact should be agreed between the employee and their Headteacher.</p> <p>It is recommended that contact should be on a weekly basis where possible - although the individual circumstances will dictate the most appropriate intervals.</p> <p>Further medical certificates must be supplied to cover the entire period of sickness absence exceeding the first seven calendar days. Any period of absence not covered by a medical certificate will not be eligible for statutory sick pay and an appropriate deduction from pay may be made.</p>
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It is a condition of the Trust's absence management policy to follow the sickness reporting procedures as outlined above, and failure to comply may result in the loss of sick pay.

Headteachers should not contact the employee on sick leave on work related matters without prior agreement except in exceptional circumstances.

## **5.2 Failure to Notify**

If an employee fails to notify, or delays notification of sickness absence a colleague will attempt to make contact in a support capacity to ensure all is well from a welfare aspect.

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



## 6 Certification

### 6.1 Sick Pay Scheme

The Trust is responsible for paying statutory sick pay to employees who are absent on sick leave in accordance with the Department for Work and Pensions regulations.

Occupational sick pay will be paid in accordance with the employee's contract of employment and conditions of service.

Period of Absence	Required certification
1 <sup>st</sup> day of sickness absence up to and including 7 calendar days	<a href="#">Self-certification</a> form in Appendix 3
8 days of more	Medical certificate from GP / fit note showing date fit to return to work if known

Suspected abuse of the sick pay scheme will be dealt with under the Trust's disciplinary procedure as a conduct issue and may result in a disciplinary sanction and /or the suspension of occupational sick pay.

The following non-exhaustive list contains some examples of what might be deemed abuse:

- Failure to submit medical certificate to cover a period of absence without an adequate reason
- Failure to follow the sickness reporting procedure without an adequate reason
- Engaging in other employment whilst absent due to sickness, except where the nature of the illness prevents an employee from working in one employment contract and not another
- Evidence that the employee is absent but not sick

### 6.3 Medical Certificates / 'Fit Notes'

Medical certificates / fit notes must be obtained to cover all periods of sickness absence in excess of seven calendar days (including non-working days). All medical certificates / fit note should be sent to the school for the attention of the Headteacher or designated officer as soon as possible and before the start of the 2<sup>nd</sup> week of absence. Where more than one medical certificate / fit note is provided, these must be consecutive, with no date gaps.

Fit notes were introduced in April 2010 and all the GP to advise that the patient is either:

- Not fit for work
- May be fit for work

A GP will give a 'may be fit for work' statement if they think that an employee's health conditions may allow them to work as long as they receive appropriate support. If a GP uses this option, they will give advice about the effects of the patient's health condition and, if appropriate, some suggestions about the type of adjustments or adaptations that should be considered to help the employee return to work. This does not necessarily mean the employee is only assessed to return to their normal role and every effort should be made to make the changes necessary to help the employee return to work and so reduce unnecessary sickness absence.

The fit note recommendations are not binding on the Trust and if for any reason the school cannot make the changes necessary to support the employee's return to work then, for sick pay purposes, the Headteacher should consider the statement as if the GP has advised that the employee is 'not fit for work'. The employee does not need to return to the GP for a new statement to confirm this.

Employees can come back to work at any time, even if this is before their fit note expires, however, this should be agreed with the Headteacher, who may need to seek advice from the Occupational Health provider in advance of their return to work and should ensure an individual risk assessment is in place.

## **7 Repayment of sickness payments in cases of accidents**

Where an employee is absent as a result of an accident there will be no automatic entitlement to sickness payment if damages may be recoverable from a third party.

It is not always possible at the commencement of such absence to determine whether damages will in fact be recoverable and the Trust will generally advance to the employee a sum equivalent to the normal sick pay to which they may be entitled, subject to the employee undertaking in writing to repay the total amount of the advance (or a proportion thereof) represented in the amount of damages ultimately recovered.

In cases of the above nature, the [Undertaking to Repay Sickness Payments and Notification of Accident](#) form in Appendix 4 must be completed by the employee and returned as soon as possible. If the employee refuses to do so, sick pay may be withheld. Employees will also be expected to reclaim associated medical expenses such as Occupational Health from insurers.

## **8 Returning to work**

Upon their return to work, the employee should report to the school office on their first day.

Where an employee has been absent for seven days or less, including half days, the school office will provide a self-certification form. Where an employee has been absent for more than seven days, the sickness must be covered by a medical certificate / fit note. A return to work interview time between the employee and the Headteacher or designated officer will be arranged and the employee can submit the completed self-certification form.

## 8.1 Return to work interviews

The return to work interview must be undertaken by the Headteacher or designated officer following **every** period of sickness absence, and should be conducted in an informal and supportive manner.

The return to work interview will be arranged so the employee and the Headteacher or designated person can meet privately. It is important that employee notify the Headteacher or designated person of the actual day they would have become fit for work, even if this is not part of their normal working week. This is to ensure the accuracy of both the employees pay and the absence trigger points.

These meetings are an essential part of the absence management policy and are important to both the Headteacher and the employee. The purpose of the meeting is to:

- Welcome the employee back to work
- Ensure the employee is well enough to return, and identify any ongoing health issues
- Establish if there are any work-related factors which contributed to the sickness and give the employee an opportunity to draw their Headteachers attention to any particular problems which may affect their attendance
- Identify any additional or ongoing support required
- Receive any self-certification or medical certificates as appropriate
- Bring the employee up to date on any issues relating to their work
- Discuss absence levels if appropriate, i.e. if patterns of frequent, short term absence are emerging
- Consider if a referral to Occupational Health is necessary

Before the meeting, the Headteacher or other designated officer will:

- Check the facts, such as the amount and periods of sickness absence the employee has had and the reasons for this
- Check if the employee has hit any 'triggers' [9 Trigger points](#)
- Consider the impact of the employee's absence on the ongoing service provisions, and highlight any particular issues

Return to work interviews following every absence helps to identify short term absence problems at an early stage and provides the opportunity to discuss any underlying issues that might be causing the absence so they can be addressed before they escalate.

A brief record should be kept of this meeting on the Trusts return to work pro-forma and a copy should be provided to the employee.

## 9 Trigger Points

Trigger points are a useful way of indicating to employees and Headteachers when sickness absence levels are becoming a cause for concern and where further action may be necessary.

The Trust has specific 'trigger points', which if met will prompt a Headteacher to hold an absence review meeting. The triggers used by the Trust are:

Short Term / Frequent Absence	Long Term Absence
2 or more separate absences of any duration in any three month period	A period of continuous absence of 21 calendar days or more
7 days sickness in a 'rolling' 12 month period (pro rata for part time employees)	
3 periods of absence in a 'rolling' 12 month period	
A pattern of absence which is causing concern	

## 10 Sickness absence process

Where an employee has exceeded the short term absence trigger points and if no action has been previously taken, the process for short term or frequent sickness absence is as outlined in [Appendix 1](#). For long term sickness, the process is outlined in [Appendix 2](#). These meetings should be held in addition to the return to work meetings.

The purpose of the meeting is to:

- Fully understand the reasons for absence
- Identify any appropriate support that could be put in place which could improve attendance
- Set target for improvement through an absence improvement plan

The Trust aims to deal with concerns informally in the first instance. In deciding whether to implement the formal stages of this procedure the most important consideration is the need to act reasonably in the circumstances of the particular case. The trigger points may prompt the Headteacher to initiate the formal stage of the procedure, however they will have discretion not to implement this where it would be inappropriate, for example, where an employee is recuperating from an operation on medical advice and there is a known return to work date.

Enough time should be given between each of the stages to allow for improvement in the employee's health and attendance. Headteachers and employees may meet for informal reviews, however, if further triggers are hit, and it is appropriate to do so, Headteachers may implement the next stage of the absence management policy.

## 11 Dealing with short term / frequent sickness absence

Short term sickness absence may consist of days off for minor ailments and may include reason such as colds, upset stomach etc which may or may not be covered by

a medical certificate. A pattern may also emerge of odd days for the same reason, and may be around certain times of the week / month.

Frequent absence may indicate general ill health and employees should be encouraged to seek proper medical advice to identify any underlying health problems.

Employees who are not motivated, are feeling stressed and / or have difficult relationships with others at work may also have frequent, short term absence. Identifying such problems early will help Headteachers to be aware of these issues and address them where possible.

Patterns of absence can also be due to factors outside of work such as domestic issues around child care, or care for relatives. Where these issues are identified, Headteachers should consider suitable support or alternative arrangements, such as flexible working.

Where there are high levels of short term or frequent absence which are causing concern the focus will be on how the Trust can support the employee as well as the impact on the schools' ability to provide a service.

Where an employee feels their absence is noticed, they may be less inclined to take unnecessary time off, and the Headteacher should discuss this with the employee at the earliest opportunity with a view to resolving the issues in an informal manner in the first instance.

## **12 Dealing with long term absence**

Long term sickness absence are absences of 21 calendar days or more and must be covered by medical certificates / fit notes.

When an employee is absent from work due to a long term absence it is important that contact is maintained between the Headteacher and employee. This is to ensure the employee does not feel isolated, vulnerable or out of touch, and enables the Headteacher to make arrangements for continued service delivery.

Where an absence is going to continue beyond 21 calendar days, the Headteacher should arrange to meet with the employee at a suitable venue. Any Headteacher visiting an employee's home should do so accompanied by another senior member of staff. The details of the meeting should be confirmed in writing or via e-mail and the purpose is to:

- Obtain up to date information with regards the reason for absence and any medication prescribed and / or treatment received
- Discuss relevant support
- Update the employee on any changes at work whilst the employee has been absent
- Discuss a timescale for a return to work
- Inform the employee that they may be referred to Occupational Health

- Agree how contact will be maintained and the frequency of that contact. In general it is advised that the Headteacher meets with the employee on a regular basis, and at least every four weeks while they remain on long term absence.

There may be times where a meeting is impracticable or not appropriate due to the nature of the employee's illness, however the Headteacher should still maintain contact with the employee or a nominated representative, such as relative or trade union representative, and agree how contact will be maintained e.g. frequency, place etc. Face to face meetings are always recommended as they enable both the employee and the Headteacher time to fully discuss relevant issues in an informal and supportive way.

Once an employee has been absent continually for 21 calendar days the Headteacher should consider a referral to the Trust's Occupational Health service. There may be circumstances where the referral may not be appropriate at that stage due to the nature of illness or medical treatment which is underway but Headteachers should not delay the referral unnecessarily.

Once a medical report has been received the Headteacher should make arrangements to meet with the employee and discuss it. Under the Access to Medical Reports Act the employees have the right to see the report before it is sent to the Headteacher, Occupational Health will advise the employee of this and issue the necessary form.

Where long term absence reaches four months and there is no indication of a return to work date a Case Review Hearing should be arranged and conducted in accordance with this policy.

Most individuals return to work after illness without needing any special adjustments to be made to their working arrangements, however some may need a return to work plan. In general terms, such a plan may be helpful for staff well enough to do some of their work, but who may need some adjustments to their normal working pattern or duties for a period of time [14 Phased return](#). Where this is required, a meeting prior to the expected return to work date may be helpful to agree a return to work plan and to support reintroduction to the work place.

## **13 Monitoring Periods**

Following either an informal or formal attendance meeting, the individual will be advised that their absence will be monitored in line with policy. The monitoring periods are dependant upon the stage the employee is at in the absence process, but may be between 3 and 12 months in length.

Where the employee's attendance during the monitoring period improves significantly and they do not reach any further trigger points, they will be advised that their absence has reached a satisfactory level. Employees will continue to be monitored however and if they reach another trigger point in that period they will automatically re-enter the procedure at the same stage.

If it can be objectively justified, for example to demonstrate a continuing and sustained improvement in attendance, Headteachers may consider extending monitoring periods.

## **14 Phased return**

In order to facilitate an employee's return to work a phased return may be appropriate. This enables employees to return to work initially on reduced hours and / or restricted duties to ease the transition and facilitate an early return.

Where fit note says the employee 'may be fit to return to work', any advice outlined by the GP on the fit note should be taken into account and consideration should also be given to the possibility of working in another area of the Trust for a short time if restricted duties are not available in their own area of work. The phased return would not usually exceed four weeks, including school closure periods.

Once on a phased return the employee is confirmed as fit for work and they should be well enough to be able to perform the duties they will be undertaking to a reasonable level and for a reasonable amount of time per day i.e. 50% of their contracted hours. This should be increased during the phased return period until they are working their full contracted hours. There may be some exceptions to this and each case will be looked at on an individual basis.

Headteachers will need to consider reasonable adjustments within a phased return for an employee who has a disability covered by the Equality Act. The amount of time and/or level of work that a disabled employee can undertake on a phased return may need to be less than that specified above, and their phased return to work period extended.

In some cases a phased return may not yet be appropriate but the employee would benefit from some time in the working environment to help them re-adjust and prepare for coming back to work either on a phased return or to their usual contracted hours. This may be appropriate if employee has had a long period of illness or is particularly anxious or concerned about returning to work. In such cases the employee could spend some time visiting the work place for very short periods i.e. a maximum of one hour a day but would not be required to undertake any work, and could attend team meetings, spend time talking to colleagues about work related subjects or read work related information.

Where an employee requests a longer period of reduced hours they have the statutory right to request flexible working, and should submit a flexible working request to the Headteacher. If this request is agreed the employees pay will be adjusted accordingly.

### **14.1 Pay during a phased return**

Employees will not receive less pay than they would have if they had remained absent from work due to sickness.

For example, if an employee is on half pay and absent due to sickness and they return to work on a phased return they will be paid half pay as a minimum, plus any pay for

additional hours worked. If an employee is on nil pay, they will be paid for the actual hours worked.

## **15 Arranging an absence review meeting**

The sickness absence review process has three formal stages. The aim is to resolve issues informally where possible, or during stage two of the absence process, where stage one is informal.

During any stage of this procedure, if the employee has any concerns which could affect their ability to attend work they must discuss that with the Headteacher so appropriate support can be given.

### **15.1 First absence review meeting**

While some flexibility may be required dependent on individual circumstances, Headteachers should ensure that they have an absence review meeting with the employee once the absence reaches one of the 'trigger points' [9 Trigger points](#). These meetings are in addition to return to work meetings.

The Headteacher should ensure they have the details of the employee's absence record and the triggers they have hit and discuss these at the meeting together with any specific work related issues. Any medical reports obtained from the Trusts Occupational Health provider should also be discussed if this has not been done so already.

Employees are encouraged to be as open as possible about the reasons for absence and any personal or work issues that may be contributing to this. Headteachers should be aware that this may be difficult and sensitive, however it is important so that an absence improvement plan can include any relevant support.

The purpose of the meeting is to:

- Fully understand the reasons for absence
- Identify any appropriate support that could be put in place which could improve attendance
- Set targets for improvement through an absence improvement plan.

The Headteacher must confirm the arrangements of the meeting in writing or via e-mail to the employee giving seven calendar days / five working days' notice of the meeting. A copy of the letter should be held on the employee's personal file.

Employees have the right to be represented by a trade union representative or accompanied by a work colleague at any formal meetings held under this procedure. Informal meetings do not attract the same right, but requests to be accompanied will be considered where this support may be helpful.



An absence improvement plan may include one or more of the following actions:

- A monitoring period during which an improvement in absence levels is specified
- A stress risk assessment is carried out if it is apparent that there are work related stress issues
- The employee is required to obtain a medical certificate from their GP for every period of absence
- A referral is made to the Occupational Health service for advice on the employee's health if this has not already been done
- Reasonable adaptations to working practices / procedures are considered and implemented if the employee is disabled and covered by the Equality Act
- Different working hours / arrangements on a short term / temporary basis are considered and implemented if appropriate i.e. later start / finish times. Such arrangements should not normally last for more than four weeks
- HR policies such as flexible working and / or leave management arrangements are considered and used where appropriate

Any one, or a combination of the above, may be appropriate depending on each case. The outcome of the meeting must be confirmed in writing by the Headteacher and should include details of the absence improvement plan including:

- The situation to date including the number and frequency of absences
- The improvements that are required and the timescales involved (employees must know what is expected of them and how this will be monitored)
- Details of any support or temporary arrangements which have been put in place
- That failure to improve and sustain attendance to the required level could lead to more formal action such as a case review hearing and that the employees continued employment could be at risk

A copy of the letter should be held on the employee's personal file.

## **15.2 Second and third absence review meetings**

If there is insufficient improvement in the employee's attendance, or the improvement is not sustained, a second or third formal absence review meeting, as appropriate, will be held.

The Headteacher must confirm the arrangements of the meeting in writing or via e-mail to the employee giving seven calendar days / five working days' notice of the meeting. The employee has the right to be accompanied by their trade union representative, workplace colleague. A copy of the letter should be held on the employee's personal file.

This meeting will re-consider the issues previously discussed as well as any additional, relevant information such as the most recent medical advice and explore if there are any further options and / or support which could be put in place to improve attendance.

An amended absence improvement plan should be agreed.

The outcome of this absence review meeting must be again confirmed in writing or e-mail, including the level of improvement required and any support which is to be put in

place. The letter should specify that if no improvement is achieved more formal action such as a case review hearing could be considered and that the employee's continued employment could be at risk.

### 15.3 Case review hearing

An employee can be expected to be invited to a case review hearing where:

- There are continuing concerns regarding frequent short term absence and where the employee has not sustained improvement despite interventions and support
- In the case of long term absence, options to remain in employment are either inappropriate or unsuccessful
- The employee's attendance is such that it appears that it cannot be reasonably sustained
- Occupational Health advice confirms that an employee is able to return to work however the employee remains absent

The purpose of the case review hearing will be to consider whether there are any further actions that the Trust can take to assist the employee in continuing their employment and maintaining their attendance at work, or, where appropriate, whether employment should be terminated on the grounds of health related capability.

The Headteacher must confirm the arrangements of the meeting in writing or via e-mail to the employee giving seven calendar days / five working days' notice of the meeting. A copy of the letter should be held on the employee's personal file.

Case review hearings will be chaired by the Headteacher or an officer nominated by the Chief Executive Officer (Hearing Officer), who is of sufficient seniority to have delegated authority to take any necessary action.

Employees have the right to be represented by a trade union representative or accompanied by a work colleague at any formal meetings held under this procedure.

Where an employee is unable to attend for an acceptable reason and would wish to attend the hearing, it may be adjourned to a later date. Where an employee is able to attend but chooses not to, the hearing may proceed in their absence. If the reason for non-attendance is a medical issue, the employee will generally be expected to provide medical evidence that they are unfit to attend the hearing. In any case, the hearing may proceed where there have been previous requests for adjournments and / or it seems unlikely that the employee will be able to attend within a reasonable period of time.

Possible outcomes of a case review include:

- **Management Guidance and a continuation of monitoring.**  
If management guidance is required, the Headteacher will make arrangements to do this at the earliest opportunity. The details of this will be confirmed in writing and a copy will be retained in the employee's personal file and can be referred to in the future. There is no right of appeal against management guidance. Where management guidance is given following the outcome of a Case Review Hearing, the Hearing Officer will explain their decision to the employee

- **Recorded Verbal Warning and a continuation of monitoring**  
Where it is considered that a recorded verbal warning is appropriate, the employee will be made aware of the Trust's expectations for their future attendance. The employee will also be informed of their right of appeal and the consequences of any future attendance issues, which could be a final warning or dismissal
- **Written Warning and a continuation of monitoring.**  
Where it is considered that a written warning is appropriate, the employee will be made aware of the Trust's expectations for their future attendance. The employee will also be informed of their right of appeal and the consequences of any future attendance issues, which could be a final warning or dismissal
- **Final Written Warning and continuation of monitoring**  
Where there is a failure to improve attendance at work following a written warning or where the employee's absence record is considered to justify a final written warning in its own right, the employee will be made aware of the Trust's expectations for their future attendance. The employee will also be informed of their right of appeal and the consequences of any future attendance issues, which could result in their dismissal
- **Dismissal with notice**  
Where there is a failure to improve attendance at work following a final written warning or where the circumstances are considered to justify dismissal, the employee's employment will be terminated with the appropriate amount of notice. The employee will be informed of their right of appeal
- **Alternatives to Dismissal**  
Depending on the individual circumstances in any case, it may (subject to the nature of the position and the employee's ability to properly undertake it) be reasonable to offer the employee an alternative post which is currently vacant and which would wholly or substantially eliminate the reasons for any absence. Where an alternative job results in a drop in salary, this will be effective immediately

## 15.4 Formal sanctions and appeals

The following time limits for formal sanctions issued under this policy will apply:

- Recorded verbal warnings           6 months
- Written warnings                    12 months
- Final written warning               12 months

Where there is a pattern of the employee's attendance deteriorating after the expiry of a previous warning, the warnings periods may be considered for up to a period of 24 months.

Employees have the right to appeal against the decision to dismiss them or any other formal action and may do this by setting out their grounds of appeal in writing within ten working days of the decision.

Appeals should be sent to the Chair of Governors, and contain:

- The action being appealed against
- The reason for the appeal
- The name and address of their representative, where applicable

All appeals will be heard without unreasonable delay and, where possible, at an agreed time and place. The employee will have the right to be accompanied by a trade union representative or work colleague.

## **16 Occupational Health Referrals**

The Trust's Occupational Health provider provides up-to-date, professional medical advice to Headteachers to help them make informed decisions about an employee's health in relation to their work. Referrals can be made for both employees who are absent due short and long term absence. Headteachers do not need to wait until an employee is absent from work or has reached a trigger point before they make a referral to Occupational Health if there are concerns.

Occupational Health can:

- Advise on how best to manage the case from a medical perspective
- Give an indication of a likely return to work date
- Advise whether the employee has a disability under the Equality Act and recommend reasonable adjustments as appropriate
- Advise whether a phased return to work, temporary alternative work, reduced duties or adjustments would be appropriate
- Ask the employee for permission to access information from their doctor or specialist and for permission to disclose relevant information to appropriate management

There are medical confidentiality issues which mean that the employee has to give their consent to any specific details relating to a current or previous medical condition being released to their employer. However Occupational Health will provide a medical opinion on the case in as much detail as they can. Headteachers should then consider this information along with any other relevant information such as the nature of the illness, length of absence, ability to provide service delivery while absence continues etc in order to consider any appropriate action.

Employees are contractually obliged to attend appointments with the Trust's Occupational Health provider. If the employee is unable to make the appointment made, they must contact the Headteacher as soon as possible so an alternative appointment can be made. Employees who repeatedly miss appointments, without good reason, may be subject to action under the Trusts disciplinary policy.

Where Occupational Health advise that the employee is fit for work, this will be discussed with the employee at the review meeting with the intention of agreeing a return to work date. Any further recommendations for adjustments will also be

discussed. If the employee fails to return to work on the agreed date, the Headteacher may refer this to a formal case review hearing in accordance with this procedure.

Where Occupational Health recommend that an employee is fit for work but recommends a phased return to work, this will be discussed with the employee and a suitable structure will be arranged.

If an employee is deemed permanently unfit for their role or similar role, Occupational Health may assess the employee as being eligible for early retirement on the grounds of ill health. Where this is the case, the Headteacher will discuss this with the individual to seek the employee's agreement.

## **17 Equality Act 2010 (Disability Provisions)**

From 1 October 2010, the Equality Act replaced most of the Disability Discrimination Act. The Equality Act protects employees with disabilities from discrimination and places employers under an obligation to make reasonable adjustments where any provision, criterion or practice places individuals under a substantial disadvantage in comparison to non-disabled employees. Given that the nature and effect of a disability can be very different for individual employees, it is difficult to produce a general policy which caters for every situation. However, the duty under the Act means that, in considering any action under the terms of the Absence Management Policy account needs to be taken of any disadvantage that the employee concerned may suffer because of their disability.

The definition of 'disability' under the Equality Act 2010 provides that a person has a disability if:

- they have a physical or mental impairment
- the impairment has a substantial and long-term adverse effect on their ability to perform normal day-to-day activities

If an employee's attendance issues are related to a disability Headteachers should consider the position carefully and seek advice from HR and Occupational Health in order to determine the most appropriate action to be taken.

## **18 Reasonable adjustments**

The duty to make reasonable adjustments under the Act arises where a provision, criterion or practice applied by the Trust (or any physical feature of the premises occupied by the Trust) places a disabled person at a substantial disadvantage compared with people who are not disabled.

The following are examples of reasonable steps an employer may have to take:

- Making physical adjustments to the workplace, or adjustments to the employee's duties / workload
- Transferring the disabled employee to another vacant post, with or without reasonable adjustments being made
- Altering the disabled employee's working hours through, for example, part-time working, job sharing or other flexible hours arrangements

- Providing special equipment to help a disabled employee to perform their tasks and giving training on how to use the equipment
- Extending trigger points
- Providing additional classroom assistance

In determining whether it is reasonable for an employer to have to take a particular step in order to comply, regard shall be had to:

- The extent to which taking the step would prevent the effect in question
- The extent to which it is practicable for the employer
- Health and safety considerations
- Financial and other costs which would be incurred by the employer in taking the step and the extent to which taking it would disrupt activities
- The availability to the employer of financial or other assistance with respect to taking the step

Any adjustments need to be implemented as soon as possible and should be agreed with the employee before they are made. It is important that Headteachers / supervisors record and review any adjustments regularly to make sure the support provided is still the most appropriate for the employee's condition.

## **19** **Sickness during annual leave**

Where an employee is employed on a whole time contract and they become ill during a period of annual leave, normal sickness absence reporting procedures apply.

If a whole time member of support staff falls sick whilst on annual leave then the period covered will be treated as sick leave provided a medical certificate / fit note is obtained. In these circumstances, the annual leave will be re-credited and the time covered by the medical certificate / fit note will be recorded as sick leave.

Employees will accrue annual leave entitlement to statutory annual leave only during periods of sickness absence, and carrying over of untaken annual leave to the following leave year will be discussed with the employee on an individual basis. No contractual annual leave will be deemed to have been taken by an employee until all of their statutory annual leave entitlement has been exhausted.

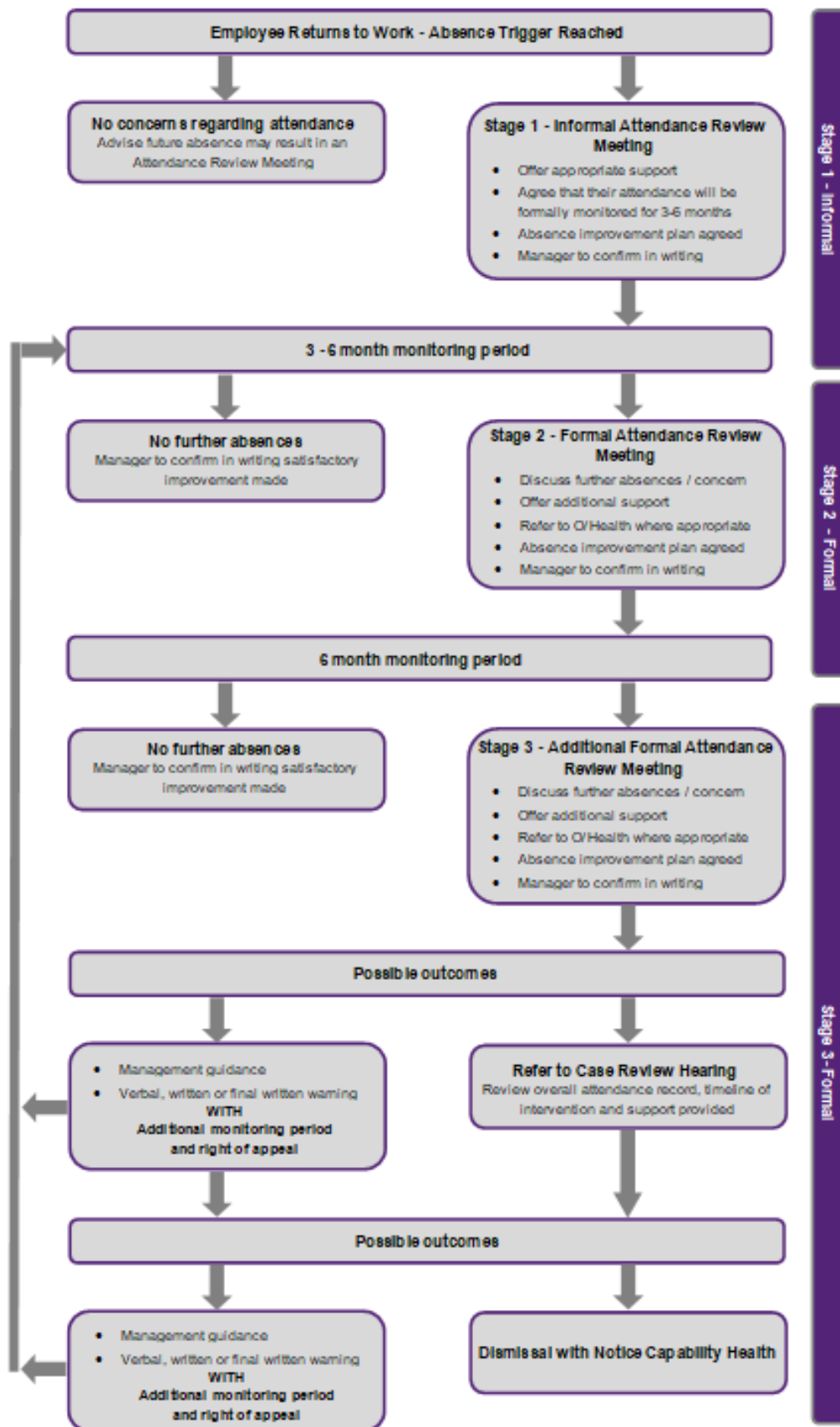
## **20** **Monitoring and review**

Measuring and monitoring sickness absence accurately is a key element of successful attendance management.

The Trust will record all sickness absence, including the reason and duration. Data will be collected and analysed to identify particular patterns of absence, use of management interventions and the overall cost of sickness absence.

# Appendix 1 Short term or frequent sickness absence management process

## Short term or frequent sickness absence management process



## The right to be accompanied to meetings

Employees have the right to be represented by a trade union representative or accompanied by a work colleague at any formal meetings held under this procedure

Informal meetings, including stage 1 of this procedure, do not attract the same right, but requests to be accompanied will be considered where this support may be helpful, but there is no automatic right to have a trade union representative or work colleague present.

### **Stage 1 – Informal Supervisory Interview**

If no action has been previously taken and the first time the employee has reached a trigger point, monitor for 3-6 months

- Headteacher contacts the employee to employee requesting attendance at an informal interview
- This is an informal meeting to discuss the absence / pattern of absences and any underlying issues or any assistance that the employee requires
- What actions the employee has undertaken to address the issues
- See if any assistance can be offered
- Ask the employee of their own views on the schools' concerns
- Determine if there are any reasonable adjustments the school could consider to aid the employee to maintain a better level of attendance
- Agree an absence improvement plan and set a monitoring period of no less than three months
- Advise employee of the next stages of the process
- Record of the interview kept on personal file

### **Stage 2 – Formal Absence Review Interview**

If the employee's attendance level is still unacceptable, or Stage 1 has been undertaken within the monitoring period, monitor for 6 months

- Letter sent to employee with sick record and any other relevant documents from stage 1, requesting attendance at formal interview, with the Headteacher, with representation if so wished
- Employee should be strongly advised to contact and be represented by their trade union
- Review the previously discussed absences with employee and identify any underlying reasons
- What actions the employee has undertaken to address the issues
- See if any assistance can be offered
- Ask the employee of their own views on the schools' concerns
- Determine if there are any reasonable adjustments the school could consider to aid the employee to maintain a better level of attendance
- Options available
  - continued monitoring
  - referral to Occupational Health
  - workplace assessments and adaptations
  - written warning/appeal explained at meeting
  - first written warning containing advice of potential dismissal if attendance fails to improve
- Agree or revise the current absence improvement plan and set a monitoring period
- Advise employee of the next stages of the process
- Record of the interview kept on personal file



### **Stage 3 – Further Formal Absence Review Interview**

If the employee's attendance level is still unacceptable after Stage 2, monitor for 12 months

- Letter sent to employee with sick record and any other relevant documents from stages 1 and 2, requesting attendance at formal interview, with the Headteacher, with representation if so wished
- Advice sought from the Trust HR Provider
- Employee should be strongly advised to contact and be represented by their trade union
- Review the previously discussed absences with employee and identify any underlying reasons
- What actions the employee has undertaken to address the issues
- Whether further absences are likely to occur
- The impact of the employees' absence on the school
- See if any assistance can be offered
- Ask the employee of their own views on the schools' concerns
- Review any submissions made by the employee
- Determine if there are any reasonable adjustments the school could consider to aid the employee to maintain a better level of attendance
- Options available
  - continued monitoring
  - referral to Occupational Health
  - workplace assessments and adaptations
  - first/final written warning; containing advice that employee may be dismissed if attendance fails to improve and providing a timescale for improvement
- Advise employee of the next stages of the process
- Record of the interview kept on personal file

### **Stage 4 – Case Hearing**

If the employee's attendance level is still unacceptable monitor for 12 – 24 months

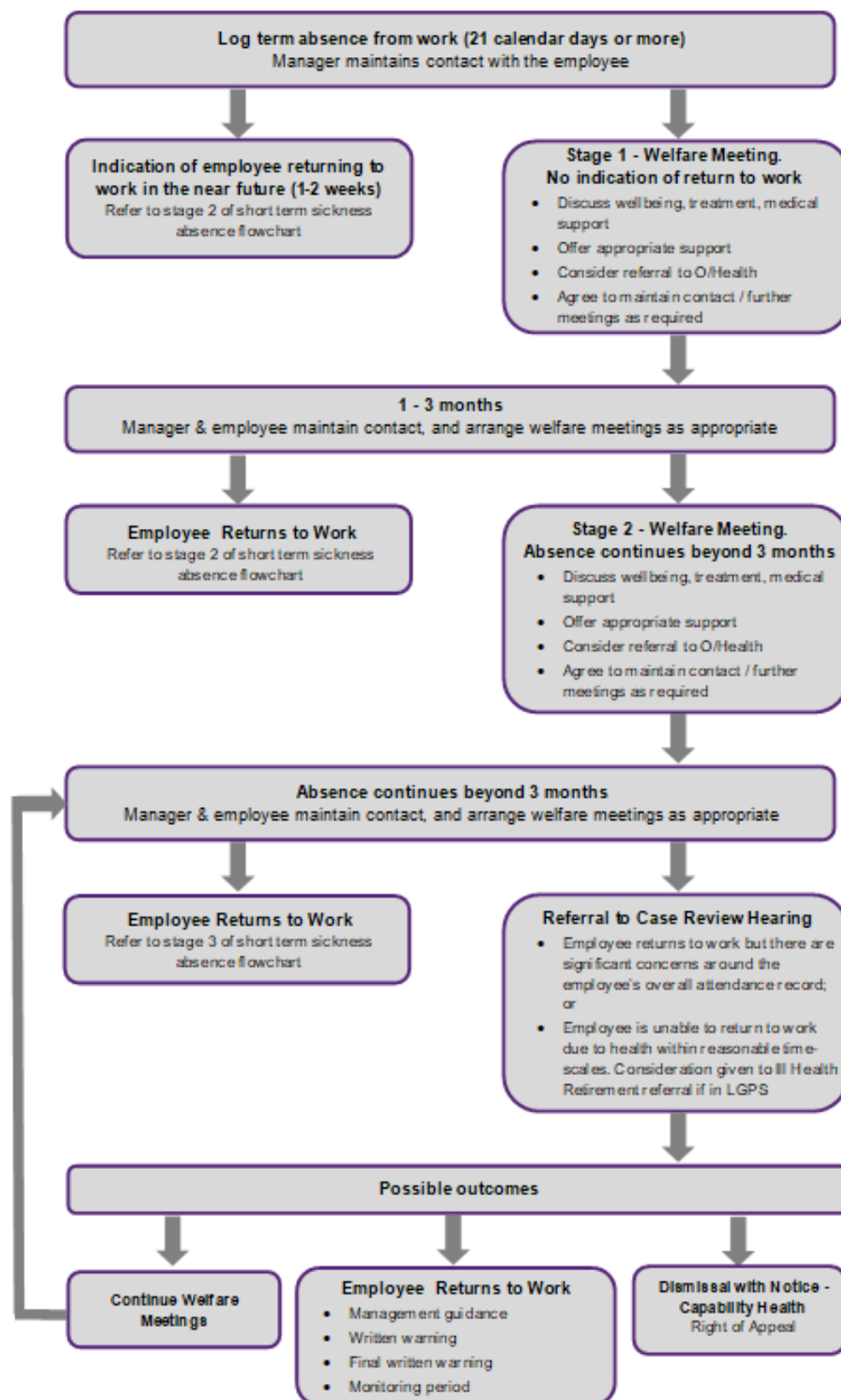
- Letter sent to employee with sick record and any other relevant documents from stages 1, 2 and 3, requesting attendance at formal interview, with the Headteacher, with representation if so wished
- Employee should be strongly advised to contact and be represented by their trade union
- HR representative will normally be in attendance
- Headteacher reviews attendance record and puts forward case for dismissal on grounds of failure to maintain acceptable level of attendance
- Employee given opportunity to respond and/or offer mitigation
- Governing Body or Hearing Manager considers alternatives to dismissal
- If decision to dismiss, employee dismissed with notice, and action confirmed in writing including right of appeal

Stages 1, 2 or 3 may be repeated as appropriate

If it can be objectively justified, for example to demonstrate a continuing and sustained improvement in attendance, Headteachers may consider extending monitoring periods.

## Appendix 2 Long term sickness absence management process

### Long term sickness absence management process



## The right to be accompanied to meetings

Employees have the right to be represented by a trade union representative or accompanied by a work colleague at any formal meetings held under this procedure

Informal meetings, including stage 1 of this procedure, do not attract the same right, but requests to be accompanied will be considered where this support may be helpful, but there is no automatic right to have a trade union representative or work colleague present.

### **Stage 1 – Informal Initial Discussion or Meeting**

If an employee has been absent for a period of 21 calendar days or more

- Headteacher contacts the employee and holds discussion either face to face or via telephone for an informal discussion
- Discuss the medical opinion, prognosis about recovery including the expected timescale for a return to work
- Explain the process for submitting medical certificates / fit notes whilst on long term sickness absence
- Whether the employee has a disability in accordance with the Equality Act 2010
- Action plan agreed (may include):
  - supported return to work plan including reasonable adjustments and a phased return to work where appropriate
  - Occupational Health referral
  - risk assessment (if appropriate)
  - workplace adaptations/reasonable adjustments
  - redeployment (temp or perm)
  - continued monitoring and timescales and date of next meeting
  - arrangements for maintained welfare contact with colleagues
- Advise employee of the next stages of the process
- Record of the discussion kept on personal file

### **Stage 2 – Formal Absence Review Meeting**

Where absence continues, usually for a period of three months

- Letter requesting formal meeting with employee to discuss relevant information received to date with Headteacher, and representation if so wished
- Advice sought from the Trust HR Provider
- Employee should be strongly advised to contact and be represented by their trade union
- Discuss the medical opinion, prognosis about recovery including the expected timescale for a return to work
- Discuss state of health of employee, Occupational Health reports and any other medical advice available
- See if any assistance can be offered
- Action plan agreed (may include)
  - supported return to work plan
  - Occupational Health referral
  - risk assessment (if appropriate)
  - workplace adaptations/reasonable adjustments
  - redeployment (temp or perm)
  - continued monitoring and timescales, and date of next meeting
  - ill health retirement
- Advise employee of the next stages of the process
- Record of the discussion kept on personal file

### **Stage 3 – Further Formal Absence Review Meeting**

Where absence continues, usually for a period of five months

- Letter requesting further formal meeting with employee to discuss progress with Headteacher, with representation if so wished
- Advice sought from the Trust HR Provider
- Employee should be strongly advised to contact and be represented by their trade union
- Discuss state of health of employee, Occupational Health reports and any other medical advice available
- Discuss the medical opinion, prognosis about recovery including the expected timescale for a return to work
- Discuss the impact of the absence on the schools operations including the ability to cover the work
- See if any assistance can be offered
- If the employee is likely to return to work: agree a further action plan
- Action plan agreed (may include)
  - supported return to work plan
  - Occupational Health referral
  - risk assessment (if appropriate)
  - workplace adaptations/reasonable adjustments
  - redeployment (temp or perm)
  - continued monitoring and timescales, and date of next meeting
- If the employee is unlikely to return to work or be able to undertake their duties in the foreseeable future: inform employee in writing that if alternatives such as redeployment, if this is not successful or appropriate, they may be dismissed for incapacity
  - Record of the discussion kept on personal file. If at this stage there is mutual agreement that termination is the most appropriate solution, termination may be arranged without the need for an attendance hearing
- Advise employee of the next stages of the process. The decision to dismiss an employee on long term sick will only be taken once all other options have been considered
- Record of the discussion kept on personal file

### **Stage 4 – Case Review Hearing**

If the employee does not return to work as a result of a third action plan as set at Stage 3 of this process

- Letter sent to employee requesting attendance at formal case review hearing, with Governors Panel, Employee should be strongly advised to contact and be represented by their trade union, to consider options outlined previously, which may include dismissal on the grounds of incapacity
- If the employee is not well enough to attend the hearing in person, they may elect to be represented and/or to provide a written submission
- Prior to the meeting the employee and members of the panel will be given copies of any relevant written information that will be used to consider the decision, and may include
  - A report summarising the ill health record and the sequence of events leading up to this hearing
  - A chronology of key issues/events relating to the full absence record
  - Details of any adaptations, adjustments or support that have been put in place with relevant dates
  - Advice and opinion from the Occupational Health service
  - Notes of any meeting that have been held with the employee
  - Details on any redeployment considerations including outcomes
  - Summary of the impact the absence has on the school
  - The likelihood of the employee's attendance improving, taking into account their previous history and any information regarding the position going forward
  - Copy of this policy and procedure
- The Trust HR representative will be in attendance
- Headteacher reviews attendance record and outlines actions taken so far
- Employee given opportunity to respond and/or offer mitigation
- Governors' Panel considers alternatives to dismissal
- If decision is not to dismiss, agree action plan for future actions
- If decision to dismiss, employee dismissed with notice, and action confirmed in writing including right of appeal

## Appendix 3 Self Certification Form

### Self Certification Form

If you have been ill for seven days or less you do not need to see a Doctor. In line with the Trusts Absence Management Policy, please complete the self-certification form to provide details of your absence.

This form should be completed upon your return to work, and a meeting with your Headteacher, or other designated officer will be arranged.

Personal Details	
Forename:	Surname:
Address:	School:
	Job Title:
	Payroll No:
Details of Sickness Absence	
First actual day of sickness/injury:	
Last day of sickness/injury: (include all days that you were unfit to work even if you were not normally working those days)	
Number of working days lost:	
Please provide details brief details for absence, with a broad description. A specific reason must be given or this form will be rejected. It is not sufficient to say 'unwell' or 'sick':	
Was the sickness/injury work related?	<input type="checkbox"/> Yes* <input type="checkbox"/> No
Did you record this in the Accident book	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A
On what date did this occur	
*If your absence was due to an injury at work, please give details	
Consent	
I confirm that I was absent from work for the period stated above for the reasons specified. I give consent to the company to use the information on this form in connection with normal employment purposes e.g. the administration of sick pay, to monitor absence, to obtain a medical opinion or to consider rehabilitation measures.	
Signed: _____	Date: _____

**Previous Sickness Record in Assessment Period**

Short Term Trigger Points	<input type="checkbox"/> 7 working days absence in any 'rolling' 12 month period (pro rata-ed for part time staff)
	<input type="checkbox"/> 3 periods of absence in any 'rolling' 12 month period
	<input type="checkbox"/> 2 period of absence in a 3 month period
	<input type="checkbox"/> Any pattern of absence which is causing concern

**Summary of Discussion**

**Headteachers Actions Required**

**Employee Actions Required**

**Completed by**

Name: _____	Position: _____
Signed: _____	Date: _____

**Office Use Only**

<input type="checkbox"/> RTW meeting booked	<input type="checkbox"/> Employee informed	<input type="checkbox"/> SIMS	<input type="checkbox"/> MyHR
<input type="checkbox"/> Employee copy provided	<input type="checkbox"/> Further action required	<input type="checkbox"/>	<input type="checkbox"/>

Signed: _____	Date: _____
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# Appendix 4 Undertaking to Repay Sickness Payments and Notification of Accident

## Undertaking to Repay Sickness Payments and Notification of Accident

Personal Details	
Forename:	Surname:
Address:	School:
	Job Title:
	Payroll No:
Date of Accident:	

Conditions of Service	
1	The above employee is absent from work due to the above accident, in respect of which damages may be recoverable from a third party
2	By virtue of the above mentioned conditions of service adopted by Galileo Multi Academy Trust and applicable to this employee, the Trust may advance sickness allowance to the employee
3	The Trust has agreed to pay the above mentioned allowance based on the employee's normal salary, on the condition that the employee enters into the under mentioned undertaking

Undertaking to Repay	
To Galileo Multi Academy Trust	
I, the undersigned employee hereby undertake as follows:	
1	I will provide all information regarding my claim for damages as may be required by the Trusts payroll provider and will take any steps required by the Trust in pursuance of such claim
2	If I recover damages in respect of my accident, I will notify the Trust as soon as possible
3	I will repay the Trust sickness allowance paid to me out of any damages received, or a proportion thereof
4	The person dealing with my claim is:
<div style="border: 1px solid black; height: 100px; width: 100%;"></div>	
and I authorise the Trust and / or their payroll provider to provide earnings details, if requested, to person named above.	

Signed:		Dated:	
Witnessed by:		Dated:	
Witness Address:		Witness Occupation:	