



Trinity Multi Academy Trust

Policy:	Attendance Management Policy
Date or review:	July 2022
Date of next review:	July 2025
Lead professional:	Head of HR
Status:	Non-Statutory

1. Purpose of policy and guiding principles

- 1.1. Trinity Multi Academy Trust is committed to providing a positive and healthy working environment for all staff. A positive and consistent approach to management of attendance can help reduce absence rates, lessen the impact of sickness absence on other staff; maintain continuity throughout the trust and assist with those who are absent due to sickness, to make a successful and sustained return to work.
- 1.2. All members of staff have a responsibility to look after their own health and the Chief Executive Officer, Principals and Governors have responsibilities towards the health and safety of the workforce, including maintaining a healthy working environment.
- 1.3. Managing sickness absence and ill-health will be dealt with in a non-discriminatory manner and in accordance with the trust's Equality Policy.
- 1.4. Throughout this policy the Directors, Governors and Senior Leaders of the trust aim to:
 - support staff in managing their health and well-being
 - proactively manage staff illness or health concerns
 - provide support during periods of sickness absence
 - make reasonable adjustments to the policy and processes as appropriate, to take account of a staff members disability in accordance with the Equalities Act and any related codes of practice
 - outline the processes used to manage situations where an individual's health / attendance levels, prevents them from fulfilling their job role
- 1.5. Any suspected abuse of the attendance policy or sick pay schemes will be investigated and may result in disciplinary action, as detailed in the staff disciplinary policy.
- 1.6. This policy refers to 'line manager'. That may be the employee's direct line manager, department manager or other appropriate named leader or manager (including a senior leader).
- 1.7. This policy refers to short-term and long-term absence. Any absence lasting up to and including 9 consecutive days will be classed as a short-term absence, whilst any absence lasting 10 consecutive days or longer will be classed as a long-term absence.
- 1.8. Only absences lasting ½ working day or longer will be classed as a period of sickness absence.

2. Links with other policies or legislation

- 2.1. This policy links with terms and conditions of employment for all staff.
- 2.2. Trinity Multi Academy Trust will treat all employees equally and consistently when dealing with illness absence and in accordance with the trust's Equality Policy.
- 2.3. This policy links with the Equality Act 2010, specifically the employer's responsibility to make reasonable adjustments for staff who are considered to have a disability, as defined by the Act.
- 2.4. This policy refers to the following: staff disciplinary policy, flexible working policy, family leave policy, performance management policy, capability policy and procedures for local academy procedures for cover and absence requests.

3. Consultation

- 3.1. This policy has been developed by the trust in consultation with recognised Trade Unions.
- 3.2. The policy was approved by the Board of Directors after consultation with the recognised Trade Unions.

4. Notifying the trust of absence and ongoing communication during periods of absence

- 4.1 Appendix 1 outlines the procedures for notifying each academy / site of absence from work. It is the responsibility of each member of staff to ensure that they comply with these arrangements when absent from work.
- 4.2 Failure to comply with these arrangements for informing an academy of absence may result in possible loss of pay and/or disciplinary action.
- 4.3 Whenever possible, teaching staff should provide appropriate cover work, suitable for their classes in accordance with academy cover procedures.

5. Certification

- 5.1 Every period of sickness absence (lasting ½ working day or longer) has to be certified to ensure prompt and correct payment of contractual (occupational) and statutory sick pay, and to ensure that accurate records are maintained. Failure to comply with the certification procedures may result in loss of sick pay. Misleading or false statements may be dealt with under the staff disciplinary policy.
- 5.2 Members of staff can self-certify periods of absence, of up to seven consecutive days. Staff must participate in a return to work meeting with their line manager following all periods of sickness absence. The completed return to work form, will be used as the employees' self-certificate for the first 7 consecutive days of absence.
- 5.3 A member of staff whose sickness absence extends beyond seven calendar days (including non-working days) must obtain, on the eighth day of absence, a medical certificate from their doctor / health professional stating that they are unfit for work due to sickness, and submit the certificate as soon as possible (retaining the original copy for their own records). This medical certificate must cover the period from the eighth day of absence onwards.
- 5.4 Where there is continuing sickness absence, the employee must submit consecutive medical certificates to cover the whole period of non-attendance.
- 5.5 If an absence extends beyond 7 calendar days and a medical certificate is not provided, or where certificates are not consecutive for ongoing absences, any period of absence not covered by the medical certificate will be classed as unauthorised and unpaid (this includes statutory sick pay).
- 5.5 Exceptionally, if there are concerns about the frequency of a member of staff's sickness absence and the employee is currently under some form of short term absence monitoring (as detailed in section 12), the employee may be required to submit doctor's medical certificates, rather than self-certificates, from their first day of absence. In such cases the relevant academy will meet the cost of any fee charged.
- 5.6 Each academy reserves the right to withdraw the right for staff to self-certify sickness absence in exceptional circumstances e.g. on notification of an Ofsted visit. HR advice must be sought before this course of action is taken. Where the right to self-certify is withdrawn and where a medical certificate will be required, the relevant academy will meet the cost of any fee charged.

6. Sick Pay

- 6.1 Statutory Sick Pay (SSP) will be paid on the fourth consecutive day of a sickness related absence (with the first 3 days classed as 'waiting days'), so long as the employee qualifies for statutory sick pay.
- 6.2 SSP is paid for a maximum amount of 28 weeks.
- 6.3 Employees will be entitled to receive Occupational Sick Pay (OSP) at either full pay or half pay. Details of entitlements are stated within the employees' contract of employment.
- 6.4 Where an employee is in receipt of full OSP this is used to 'top up' SSP. SSP is not paid in addition to full OSP.

6.5 Where an employee is in receipt of half OSP, SSP is paid in addition to this to a maximum of normal pay.

7. Ill health which does not lead to absence from work

7.1 There may be occasions where a member of staff is suffering from ill health, but this does not lead to the staff member being absent from work. There may also be occasions where a staff member feels that their work is adversely impacting on their health but is again not leading to an absence from work.

7.2 In either situation, the staff member should discuss with their line manager (or alternative suitable individual such as a member of the HR team or senior leader).

7.3 This discussion can determine whether any additional support can be provided to the staff member to support them at work and with their wider health concerns. Depending on the circumstances, it may be helpful to seek advice and guidance from the Occupational Health (OH) service (see section 10 regarding Employee Support) and a health risk assessment may be required.

8. Reasonable adjustments

8.1 If a member of staff has a long-term health problem, it may be that they will meet the definition of disability used in the Equality Act 2010. The Act gives employment protection if they have *'a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities'*. The definition of disability is wide and covers people with a range of conditions.

8.2 The Act imposes a duty on employers to make 'reasonable adjustments' if the premises or employment arrangements substantially disadvantage a disabled person compared with a non-disabled person. Reasonable adjustments might include:

- adaptations to the premises and/or working practices e.g. holding meetings in ground floor rooms
- modifying the way in which a job is structured
- changing particular duties within a role
- providing retraining or redeployment to another post
- allowing time off for rehabilitation
- alteration to working hours or work pattern

8.3 When managing ill health and absences, the trust will consider any reasonable adjustments that can be made to support an employee to return to work and to ensure attendance at work is sustained and as regular as possible.

8.4 Absences which are linked to a confirmed disability will not be counted towards 'absence review points' for managing short term absence as detailed in section 12.

9. Work-related stress

9.1 The definition of stress adopted by the HSE is as follows: *'The reaction people have to excessive pressures or other types of demands placed upon them; it arises when people feel they cannot cope.'*

9.2 The Health and Safety Executive (HSE) is clear that ill health resulting from work-related stress should be treated in the same manner as ill health arising from physical causes in the workplace.

9.3 More information on the effects of stress and the circumstances in which stress could manifest are in Appendix 2.

10. Employee support

10.1 Occupational Health Service

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- 10.1.1 The trust utilises the service of an independent occupational health provider and may make referrals where an employee is absent due to long term sickness, where there are concerns about frequent bouts of short-term absences or where there are concerns that ill health (not necessarily absence) is impacting on an employee's ability to undertake their role. The purpose of any referral is to gain advice and guidance in how best to support the employee. Employees can also request a referral for support and advice during their employment.
- 10.1.2 A medical review provided by an Occupational Health practitioner can assist in:
- establishing the exact nature of the member of staff's illness / health concerns;
 - estimating the likely duration of the illness and / or absence;
 - estimating the impact of a staff member's ill health on his/her ability to undertake his/her duties;
 - advising on measures that can be put in place to support the staff member in returning to work / sustaining attendance at work;
 - determining the likelihood of the staff member returning / remaining in their current post, having regard to his/her medical condition and the requirements of their current post.
- 10.1.3 Referral of a member of staff for a medical review might be considered under the following circumstances:
- where a member of staff has reached a trigger for managing frequent short-term absences (see sections 12 and 14) and there is a concern that there may be an underlying medical condition
 - where a member of staff has reached a trigger for managing long term absence (see section 13)
 - notwithstanding the application of the above criteria, if a line manager has well-founded concerns regarding the health or welfare of any individual member of staff, they may be considered for a referral for a medication examination
- 10.1.4 A member of the HR team will initiate a referral to the Occupational Health service.
- 10.1.4 Employees will be notified of the referral before it takes place and details of the date, time and location of the appointment will be communicated and agreed with the employee. They will be provided with the Occupational Health providers Data Protection and Privacy Notice.
- 10.1.5 Employees may be accompanied to the appointment by a trade union representative, work colleague, family member or friend.
- 10.1.6 The employee will be provided the opportunity to review the medical report produced as a result of the appointment, before it is released to the employer. Full details of this are detailed in the Occupational Health providers Data Protection and Privacy Notice
- 10.1.5 Employees need to ensure that they attend occupational health meetings to enable their line manager to support them and correctly manage attendance. A refusal / failure to attend an appointment may result in the decision to withhold occupational sick pay.
- 10.2 Counselling / therapy
- 10.2.1 The trust offers access to fully funded remote and face to face counselling / therapy sessions. Any leave of absence required to attend a session will also be paid. An employee can request a referral for up to 6 sessions at any stage in their employment however additional sessions may be authorised at the discretion of the Principal through discussion with HR.
- 10.2.2 The employee can seek a referral from their line manager or may approach HR direct; they are not required to provide any detail as to why they would like to be referred and the trust will receive no reports relating to this referral.
- 10.3 Additional support
- 10.3.1 In order to support a return to work or prevent an employee having a period of prolonged absence, the relevant academy will also consider funding sessions to other health professionals. Usually the Occupational Health service will recommend any such referrals,

and the particular academy will agree a course of action, or a number of funded sessions (for example; physiotherapy or chiropractor). Each case is considered on its individual circumstances.

11. Return to work meetings

- 11.1 Upon return to work following an absence of any length the line manager should arrange to meet privately with the member of staff during their first day back, or as soon as possible on their return. The purpose of the meeting will be to:
- welcome the member of staff back to work
 - ensure that there is an accurate record of the absence and appropriate certification
 - ensure the staff member is fit and able to return to work
 - discuss with the member of staff any support/adjustments that can be put in place to assist the staff member to remain in the workplace
 - update the member of staff of any work issues
- 11.2 The line manager will need to establish if there was an occupational factor which contributed to the sickness absence and assure the member of staff that any work-related issues will be addressed. The line manager should give assurances of their concern for the staff member's welfare, balanced with their concerns about the delivery of education and the impact on other staff members.
- 11.3 A record of the meeting should be made (see **Appendix 3**). This form shall also be accepted as the employees' self-certification of absence for the first 7 consecutive days of absence. The completed form should be returned to HR for filing with a copy available to the employee.

12 Managing frequent short-term absence

- 12.1 Any absence lasting ½ work day and up to and inclusive of 9 consecutive days is classed as a short-term absence.
- 12.2 Frequent bouts of short-term absence can have an impact on the effective running of the trust and it is therefore important that short-term absences are carefully monitored and appropriate action taken where levels reach a level of concern.
- 12.3 Where an employee is invited to attend any meeting as detailed from 12.3 to 12.6 of this policy, the will be done in writing providing a minimum of 5 working days' notice (10 working days for meetings arranged under 12.6). The invite letters will also provide sufficient detail of the potential outcome of the meeting and will confirm the employees right to be accompanied by a trade union representative or work colleague. Where the person accompanying the employee is unable to attend, the meeting will be re-arranged to take place within a further 5 working day period. HR will normally be in attendance to provide advice and act as note taker,
- 12.3 Short-term absence review points
- 12.3.1 Where an employee's absence level meets one of the following review points, the line manager should review:
- where a member of staff has had three separate episodes of short-term sickness (certified or uncertified) on three separate occasions within any three consecutive calendar month period
 - 25 Bradford Index (BI) points or more over a rolling six-month period in accordance with the following formula:

Number of occasions of short-term sickness x number of occasions of short-term sickness x total number of days absent

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Examples:

1 absence of 7 days in total	equals	7 points	(1x1x7)
2 absences of 4 days in total	equals	16 points	(2x2x4)
3 absences of 3 days in total	equals	27 points	(3x3x3)
4 absences of 7 days in total	equals	112 points	(4x4x7)

- 12.3.2. Where a review point has been reached, the manager should review the specific details of the absences. In the majority of cases an attendance review meeting should be held with the member of staff to discuss the attendance record however in some cases, an attendance review meeting may not be necessary if the line manager (in discussion with HR) is satisfied that the absences are already being managed appropriately, they are fully aware of the issues, and/or the situation is due to a one-off/unusual situation and that attendance levels will improve.
- 12.3.3 An absence review meeting will not be held where absences that have caused a trigger point to be reached are pregnancy related.
- 12.3.4 If at any stage during the process for managing frequent short-term absences, it becomes clear through a medical report received from Occupational Health that an employee has an underlying medical condition that is the contributing factor in the frequent short absences, then the employee's attendance should be managed via long term health concerns (see section 14), and absence reviews and monitoring as detailed in section 12.4 – 12.6 should not be followed.
- 12.4 Absence Review and Monitoring
- 12.4.1 An absence review meeting will be held between the line manager and employee. The meeting will:
- review and verify absence dates / reasons for absence
 - identify areas for support required to help improve attendance
 - set a monitoring period and targets for improvement
- 12.4.2 Staff are encouraged to discuss with their line manager any conflict they have between their work commitments and demands on their personal lives which may be impacting on their attendance. The line manager should discuss the options available, including those provided under Flexible Working and Family Leave policies.
- 12.4.3 In the majority of cases a monitoring period and targets for improvements will be set:
- the monitoring period will usually be 6 months enabling time for the employee to demonstrate an improved and sustained improvement in attendance
 - the target will usually be zero absences / full attendance however where an underlying condition is known, it is reasonable to set a target that allows for some absence. In such circumstances, guidance should be sought from HR.
- 12.4.4 The following outcomes may also apply:
- staff may be required, in future absences, to submit a medical certificate from their GP for every instance of absence
 - advice may be sought from the Occupational Health Service
 - other support mechanisms may be identified and implemented
- 12.4.5 The member of staff should be informed of the improvement needed in their attendance and warned of the possible consequences if this is not achieved. The outcome of this meeting will be confirmed in writing within 5 working days of the meeting, with a copy placed on their HR file.
- 12.4.6 A review meeting will take place at the end of the monitoring period to review progress towards the target set. If it is clear within the monitoring period that the target will not be achieved, the review meeting may be held before the end of the monitoring period.

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- 12.4.7 Where an employee has achieved the target set they will be advised that no further action will be taken and reminded of the need to maintain good attendance. The outcome of this meeting will be confirmed in writing, with a copy placed on their HR file.
- 12.4.8 Where it is determined within the review meeting that the employee has failed to achieve the target set within the monitoring period, the meeting would normally proceed immediately to a Stage 1 meeting of formal frequent short-term absence management.

12.5 Formal frequent short-term absence management – Stage 1

Stage 1 Meeting

- 12.5.1 Where an employee has failed an absence monitoring period, they will immediately proceed to a stage 1 short-term absence management meeting. Alternatively, they will be invited to attend the meeting on a future date.
- 12.5.2 The meeting will be chaired by the employee's line manager.
- 12.5.3 The meeting will:
- review and verify absence dates / reasons for absence
 - identify areas for support required to help improve attendance
 - issue the employee with a formal written warning to be held on file for a 12-month period
 - set a further attendance monitoring period of 6 months with a target of zero absence / full attendance
 - explain to the employee that a failure to achieve the target set may result in progression to the next stage of the formal process which may then result in a final written warning.
- 12.5.4 Where necessary an adjournment will occur to enable advice and guidance to be sought from the Occupational Health service.
- 12.5.5 The outcome of the meeting will be confirmed in writing within 5 working days of the meeting, including the employees right to appeal the decision reached, with a copy placed on their HR file. Please refer to section 17 for further information relating to appeals.

Stage 1 Review

- 12.5.6 A review meeting will take place at the end of the monitoring period to review progress towards the target set. If it is clear within the monitoring period that the target will not be achieved, the review meeting may be held before the end of the monitoring period.
- 12.5.7 Where an employee has achieved the target set they will be advised that no further action will be taken, reminded of the need to maintain good attendance, and that the written warning issued will remain live for a further 6-month period; therefore, if attendance concerns arise whilst the written warning remains live, they may be invited to attend a meeting at stage 2 of the formal frequent short-term absence management process. The outcome of this meeting will be confirmed in writing within 5 working days, with a copy placed on their HR file.
- 12.5.8 Where it is determined within the review meeting that the employee has failed to achieve the target set at stage 1, the meeting should proceed immediately to a stage 2 meeting.

12.6 Formal frequent short-term absence management – Stage 2

Stage 2 Meeting

- 12.6.1 Where an employee has failed an absence monitoring period at stage 1 of the process, they will immediately proceed to a stage 2 meeting. Alternatively, they will be invited to attend a meeting on a future date.
- 12.5.2 The meeting will be chaired by the employee's line manager.
- 12.5.3 The meeting will:
- review the absences / reasons for absence
 - review and verify absence dates / reasons for absence

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- issue the employee with a formal final written warning to be held on file for a 12-month period
- set a further attendance monitoring period of 6 months with a target of zero absence / full attendance
- explain to the employee that a failure to achieve the target set may result in progression to the next stage of the formal process in turn resulting in dismissal.

12.5.4 Where necessary an adjournment will occur to enable advice and guidance to be sought from the Occupational Health service.

12.5.5 The outcome of the meeting will be confirmed in writing within 5 working days, including the employees right to appeal the decision reached, with a copy placed on their HR file. Please refer to section 17 for further information relating to appeals.

Stage 2 Review

12.5.6 A review meeting will take place at the end of the monitoring period to review progress towards the target set. If it is clear within the monitoring period that the target will not be achieved, the review meeting may be held before the end of the monitoring period.

12.5.7 Where an employee has achieved the target set they will be advised that no further action will be taken and reminded of the need to maintain good attendance, and that the final written warning issued will remain live for a further 6-month period, and therefore if attendance concerns arise whilst the final written warning remains live, they may be invited to attend a meeting at stage 3 of the formal frequent short-term absence management process. The outcome of this meeting will be confirmed in writing within 5 working days, with a copy placed on their HR file.

12.5.8 Where an employee has failed to achieve the target set, a stage 3 meeting will be arranged.

12.6 Formal frequent short-term absence management – Stage 3 (dismissal)

12.6.1 Where an employee has failed an absence monitoring period at stage 2 of the process, they will be invited to attend a stage 3 short-term absence management meeting.

12.6.2 Before the meeting is arranged, medical advice and guidance must be sought from the Occupational Health service to ensure a full understanding of any potential underlying health concerns.

12.6.2 The meeting will be made up of a panel comprising of three senior leaders and/or governors from the trust. The line manager involved in earlier meetings will also be in attendance, along with a member of the HR team, to support and take notes from the meeting.

12.6.3 The meeting will:

- review the absences / reasons for absence
- review the processes that have been followed
- review the support that has been implemented
- provide the employee and/or their representative with a full opportunity to question and challenge any of the information presented, and present any information that they feel is relevant

12.6.4 Where the panel agree that an appropriate process has been followed, that there is no medical advice to indicate an underlying medical condition / potential disability which has caused or contributed to the repeated bouts of short-term absence and an inability to achieve targets set, they will confirm the dismissal of the employee.

12.6.5 Dismissal will be with contractual notice and will be due to 'some other substantial reason', specifically repeated bouts of short-term absences which impact on the ability of the employee to effectively undertake their role.

12.6.6 The outcome of the meeting will be confirmed in writing within 5 working days, with a copy placed on their HR file. The letter will detail the employees right of appeal (see section 17)

13. Managing long-term absence

- 13.1 Absences lasting 10 or more consecutive days are considered long-term.
- 13.2 Where a member of staff has a serious condition or terminal illness they should be treated with greater sensitivity and sympathy, however reasonable contact as agreed with the employee, should be maintained and appropriate adaptations made to the long-term absence management process.
- 13.3 Long term absence management process
- 13.3.1 Any meetings arranged during the management of long-term absence should be made in writing, providing 5 working days' notice and confirming that the employee may be accompanied to the meeting by a Trade Union representative or work colleague. Where the person accompanying the employee is unable to attend, the meeting will be re-arranged to take place within a further 5 working day period. The meeting may take place at a suitable venue, either their academy, another trust site, the staff members home (this must only occur at the request for the staff member), remotely via Microsoft Teams, or some other suitable place, whichever is appropriate. HR will be in attendance to take notes from meetings and provide advice and guidance.
- 13.3.2 A letter will be sent to the employee within 5 working days of any meeting held with a copy placed on their HR file.
- 13.3.3 Where an employee has reached the trigger for long-term absence management, the line manager should, in appropriate circumstances, arrange to meet with the member of staff as soon as possible for an initial wellbeing meeting.
- 13.3.4 The purpose of the initial wellbeing meeting is to:
- discuss and update on the progress of the employee's illness and absence;
 - discuss the intentions/timescales for returning to work;
 - identify potential areas of support;
 - determine whether any other action should be taken to support the employee in returning to work and sustaining a return
 - up-date the staff member on any significant work issues.
- 13.3.5 If at the initial wellbeing meeting it is not possible to confirm a return to work within the near future a referral should be made to Occupational Health for their advice and guidance, specifically relating to the likely duration of the staff member's absence and whether any steps can be taken to help the member of staff make a successful return to work.
- 13.3.6 Upon receipt of the Occupational Health report a further wellbeing meeting should be arranged to discuss the outcome of the report. If at this stage it still isn't possible to determine a return to work date within the near future a period of review should be agreed.
- 13.3.7 There is no prescribed time for how long a review period should last, and the agreed timeframe will be dependent on the nature of the absence and the health report received, however lengthy review periods of more than 6 – 8 weeks should be avoided to ensure the employee is maintaining regular contact with the trust.
- 13.3.8 Wellbeing meetings and review periods should continue throughout the long-term absence. Further Occupational Health referrals may also take place. The purpose of the continued wellbeing meetings is as detailed in 13.3.4, with the overall aim being to support the employee in returning to work.
- 13.3.9 As a result of long-term absence, decisions may need to be made about the employee's continuing employment, which could lead to the decision to dismiss the staff member due to his/her capability to undertake their job because of their ill health (See section 16). Although it cannot be stated when this stage may be reached, it is unlikely that ill health capability will be considered until the employee has been absent for at least 6 months and/or has exhausted their entitlement to occupational sick pay, and a return to work has not been successful and sustained.

13.4 Returning to work

- 13.4.1 To support an employee in a successful and sustained return to work, wellbeing meetings will discuss possible adjustments that can be made, taking into consideration advice that has been received from Occupational Health. Such adjustments may be:
- changes in working hours
 - changes in working patterns
 - changes in work load and job duties
- 13.4.2 Adjustments will generally be for a temporary period of time and may be referred to as a 'phased return', usually to a maximum of 4 weeks with the aim being of supporting the employee to return to their substantive contract and role. During a phased return, the employee will receive their usual remuneration and benefits.
- 13.4.3 When under a phased return to work, processes as detailed in the Performance Management and Capability policies should be suspended. In addition, any periods of sickness absence that may occur during the phased return period, shall not count towards a short-term absence review points.
- 13.4.3 Where it is agreed that adjustments should continue beyond the phased return, on either a temporary or permanent basis, such changes may require a variation to contract and, dependent on the change agreed, result in a change in remuneration. The employee will be made aware of any contractual variation, before a change is agreed.
- 13.4.4 Refer to Appendix 4, where a permanent change in job role is being considered.
- 13.4.6 It is important that a wellbeing meeting is held following the employees return to work to provide continued support and to ensure any adjustments made to support the return to work are having a positive effect. Where adjustments have been made, it is likely that more than one wellbeing meeting following the return to work will be required.

14. Managing long-term health concerns that result in repeated absences

- 14.1 A long term health concern will have been identified through a referral to Occupational Health who have confirmed an employee has a medical condition which is causing (or is likely to cause) frequent absences.
- 14.2 Any meetings arranged during the management of long-term health concerns that result in repeated absences, should be made in writing, providing 5 working days' notice and confirming that the employee may be accompanied to the meeting by a Trade Union representative or work colleague. Where the person accompanying the employee is unable to attend, the meeting will be re-arranged to take place within a further 5 working day period. HR will be in attendance to take notes from meetings and provide advice and guidance.
- 14.3 A letter will be sent to the employee within 5 working days of any meeting held with a copy placed on their HR file.
- 14.4 Upon receipt of the Occupational Health report, the employee should be invited to attend a wellbeing meeting. The purpose of the initial wellbeing meeting is to:
- discuss and update on the employee's illness and absences;
 - identify potential areas of support or reasonable adjustments that could be made, taking into consideration advice that has been received from Occupational Health and other medical practitioners, to support regular attendance / decrease impact of absences;
 - determine whether any other action should be taken
 - agree a review period
- 14.5 Potential reasonable adjustments / support could include but are not limited to:
- changes in working hours
 - changes in working patterns
 - changes in work location i.e. change to a different classroom or office
 - changes in work load and job duties
 - physical adaptations and equipment

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- 14.6 Support / adjustments may be agreed on a permanent or temporary basis. Temporary changes will usually be agreed for up to a 4-week period, to trial if such changes have a positive impact on the employee's health and attendance. During a trial the employee will receive their usual remuneration and benefits.
- 14.7 Following a trial period, temporary or permanent changes may be agreed. Refer to Appendix 4, where a permanent change in job role is being considered.
- 14.8 Any ongoing temporary or permanent changes may require a variation to contract and may, dependent on the change agreed, result in a change in remuneration. The employee will be made aware of any contractual variation, before a change is agreed.
- 14.9 Regular update and review meetings should be held with the employee whereby their health, illness and absences can be discussed to ensure that appropriate support is being offered to positively impact on their health and attendance.
- 14.10 Where there are concerns that all measures taken have failed to positively impact on the employee's health and attendance, and where there are concerns that is having a negative and non-sustainable impact on the employee's job role, and overall trust effectiveness, the difficult decision may be taken to consider ill health capability (see section 16).

15. Ill health retirement

- 15.5.1 As a result of long-term absence or long-term health concerns, an employee may wish to be considered for ill health retirement. In such cases the trust will support the employee in their application including the costs associated with any medical review required to support the application. Employees are advised to contact their trade union for further guidance and support.
- 15.5.2 The application (to be considered for ill health retirement) will be based on the rules and procedures of the relevant pension scheme (Teachers' Pension Scheme or West Yorkshire Pension Fund). The trust has no influence over this process, other than to provide requested information.
- 15.5.3 The Teachers' Pension Scheme and the Local Government Pension Scheme have different tiers of ill health retirement benefits. Employees are advised to seek advice on their scheme and the implications on any future career plans, before applying for ill health retirement benefits.
- 15.5.4 Where an application has been successful this effectively means that the individual is considered medically unfit for work, and at the earliest opportunity an ill health capability meeting will be arranged (see section 16).
- 11.5.5. Should an application for ill health retirement be declined the individual should refer to the appeal procedures relevant to their pension scheme.
- 11.5.6 The process for managing long term absence or long-term health concerns will continue should an application for ill health retirement be declined.

16. Ill health capability

- 16.1 Where an employee's long-term absence or long-term health concern prevents them from fulfilling their job role the relevant academy may consider terminating the employee's employment contract.
- 16.2 Before considering this step the particular academy should consider the process that has been undertaken to date, ensuring that all reasonable adjustments have been considered (and attempted, where possible) to support an employee in returning to work, sustaining a return to work, improving their attendance and effectively fulfilling their job role. The academy should consider medical advice and opinion received.
- 16.3 Where termination of employment is a consideration an ill health capability hearing will be arranged.
- 16.4 Employees are advised to contact their trade union for further guidance and support.

16.4 Ill-health capability hearing

- 16.4.1 The invite to the hearing will be in writing providing a minimum of 10 working days' notice of the meeting and will also confirm the employees right to be accompanied by a trade union representative or work colleague. Where the person accompanying the employee is unable to attend, the meeting will be re-arranged to take place within a further 5 working day period
- 16.4.2 The meeting will be made up of a panel comprising of three senior leaders and/or governors from the trust. The line manager involved in earlier meetings will also be in attendance, along with a member of the HR team in attendance to support and take notes from the meeting.
- 16.4.3 The meeting will:
- review the ill health, absence(s) and medical reports received
 - review the process that has been followed
 - review the support that has been implemented, paying particular attention to whether any adjustments have been discussed and implemented
 - provide the employee and/or their representative with a full opportunity to question and challenge any of the information presented, and present any information that they feel is relevant
- 16.4.4 Where the panel agree that an appropriate process has been followed, and an up to date medical report has been received that indicates an uncertain prognosis and/or the estimated recovery or return to work of the member of staff being uncertain or lengthy, to the extent that the academy cannot reasonably be expected to sustain the impact of the long term absence or repeated absences, then the panel may agree to dismiss the employee.
- 16.4.5 Dismissal will be with contractual notice and will be due to 'ill health capability', specifically that due to ill health, the employee is unable to fulfil the requirements of their role which impacts on the effectiveness of the trust.
- 16.4.6 The outcome of the meeting will be confirmed in writing within 5 working days, with a copy placed on their HR file. The letter will detail the employees right of appeal (see section 17).

17 Appeals against the decision to issue a warning or dismiss

- 17.1 Where an employee receives a warning for frequent bouts of short-term absence or is dismissed (whether it be for frequent bouts of short-term absence, long term absence or long-term health concerns leading to frequent absences), they will be given the right of appeal in their outcome letter.
- 17.2 Appeals should be submitted in writing within 10 days of receiving the outcome letter and should outline the grounds for appeal.
- 17.3 An appeal panel will be arranged, comprising of three individuals made up of senior leaders, governors or directors from across the trust not previously involved in the process.
- 17.4 The appeal hearing will be confirmed in writing providing at least 10 working days' notice and will advise the employee of their right to be accompanied to the hearing by a trade union representative or a workplace colleague. Where the person accompanying the employee is unable to attend, the meeting will be re-arranged to take place within a further 5 working day period
- 17.5 The manager who issued the warning or a representative from the panel which dismissed the employee, will also attend the appeal hearing to provide a rationale for the decision taken. A representative from HR will also be in attendance to provide guidance and support, and take notes from the meeting.
- 17.7 The case of the trust should be made first and the appellant will be given the opportunity to respond to, clarify and question the case. The case of the appellant is then made in the same way. Both parties should be asked to sum up and then retire whilst the case is considered.
- 17.8 The parties should be called back and the decision announced by the chair.

- 17.9 An outcome of the hearing will be confirmed in writing within 5 working days, and this letter will confirm that there is no further right of appeal.

18 Roles and responsibilities

18.1 The role of the Principal

- 18.1.1 The role of Principal is to ensure that this policy is applied fairly and consistently across the academy.
- 18.1.2 The Principal, with the assistance of other Senior Leadership colleagues, will review sickness absence information as an indicator of the organisation's health and staff wellbeing.
- 18.1.3 The Principal, will delegate to the HR department the responsibility for absence management practices and procedures.

18.2 The role of the Directors/Governors

- 18.2.1 The Directors/Governors have a duty of care towards the health and safety of all employees, ensuring that each academy is a safe place to work.
- 18.2.2 The Board of Directors will approve and review the attendance management policy.
- 18.2.3 The Local Governing Body will monitor and evaluate policies in line with statutory and best practice guidelines.

18.3 The role of HR

- 18.3.1 The HR team are responsible for arranging the OH and counselling/therapy providers and making referrals or other appointments.
- 18.3.2 The HR team is responsible for relevant administration, monitoring and reporting processes. This includes communication of the absence processes to staff (e.g. notifying procedures).
- 18.3.3 The HR team will monitor attendance and contact line managers where there are concerns about an employee's attendance. HR will provide support and training for managers in respect of absence management processes.
- 18.3.4 The HR team will provide management reports on attendance levels.
- 18.3.5 The HR team will provide training, advice and guidance to new leaders and managers in undertaking any meetings referred to within this policy.
- 18.3.6 The Head of HR is responsible for the service level agreement and quality of the external services used in relation to absence management.

18.4 The role of SLG/line managers

- 18.4.1 Line managers at all levels within each academy have a responsibility both to the members of staff they directly line manage and to the workforce as a whole. This responsibility means ensuring, for the welfare of staff and also the wider best interests of each academy, that sickness absence and the reasons for such sickness absence are identified and monitored.
- 18.4.2 In all cases sickness absence must be treated sensitively, consistently and with confidentiality.
- 18.4.3 Line managers are expected to conduct return to work meetings with all staff returning from a period of absence lasting ½ working day or longer. Meeting should be held within 48 hours of a return, with completed forms returned to HR within one week of the meeting.

18.5 The role of the employee/other staff

- 18.5.1 Attend work unless unfit to do so.
- 18.5.2 Raise concerns with their line manager, HR or a senior leader, if they believe that their job is making them ill or contributing to illness.
- 18.5.3 Report sickness absence, promptly, in accordance with this policy.

Empathy, Honesty, Respect, Responsibility

- 18.5.4 Ensure that the appropriate certifications are completed, in accordance with the procedure.
- 18.5.5 Maintain reasonable and agreed contact, and communicate effectively with their line manager (or named other manager) during periods of sickness absence.
- 18.5.6 Attend meetings requested by the employer to enable the employer to support the member of staff and correctly manage attendance.
- 18.5.7 Co-operate fully with the Occupational Health (OH) Service and other organisations that provide support to the Trust and its employees.
- 18.5.8 Ensure that where support/adjustments are put in place they co-operate fully with their line manager.
- 18.5.9 Ensure that medical advice and treatment, where appropriate, is received as quickly as possible in order to facilitate a return to work.
- 18.5.10 Not abuse the attendance procedure or sick pay scheme.

19 Monitoring and Evaluation

- 19.1 All sickness absences will be recorded and all staff will be invited to a return to work meeting.
- 19.2. All sickness absences will be monitored to ensure compliance to the policy and to ensure that the policy is fit for purpose.
- 19.3. An annual report that includes data relating to sickness absence will be produced for Directors/Governors.
- 19.4. This policy should be reviewed, to ensure compliance to legislation, trust/academy needs, budgetary information, national and local terms of employment and good practice.

Appendix 1 – Notification of absence of work and communication

- a) On the first day of absence, the member of staff should verbally notify the designated contact number before the designated time. The table below confirms the designated number and time for notifying absences:

Site	Notification time	Number
Central services / external initiatives	7:30am	Line manager
Trinity Academy Halifax	7:15am	01422 232032
Trinity Academy Bradford	7:15am	07564 378492
Trinity Academy Grammar	7:30am	absence@grammar.trinitymat.org*
Trinity Academy Cathedral	7:30am (teaching) 8:00am (support)	07714097173
Trinity Academy Leeds	7am	0113 4831126
Trinity Academy St Edwards	7am	07725330368
Trinity Sixth Form Academy	7:15am	01422 240033
Trinity Academy Akroydon	7:30am	01422 351291
Trinity Academy St Chad's	7:15am	01484 712361
Trinity Academy St Peter's	8:00am	01422 831971

* At Trinity Academy Grammar, staff are required to notify their absence via email however the staff member will receive a phone call by 11am on the first day of their absence from a senior leader. Staff must then provide the details as stipulated below (b).

- b) When making this call, the member of staff should give the reason for the absence, and if possible give an estimate of the length of the absence, along with any other information regarding work-related matters that could be affected by the absence so that the appropriate manager can make cover arrangements.
- c) Texting or email is not acceptable when notifying an absence.
- d) Exceptionally, if the staff member is unable to telephone in person, they must arrange for someone else to telephone on their behalf within the timescales above. The staff member must make direct contact with their line manager as soon as possible thereafter.
- e) Staff should follow any local arrangements for cover work available at each academy.
- f) Communication should continue throughout a period of absence to ensure the academy is able to effectively plan for the absence:
- If staff are unable to specify how long their absence may last, they must continue to contact the academy on a daily basis to provide an update on their absence and potential return to work date.
 - If staff are not fit to return to work on the date they specified when notifying their absence, they must contact the academy again to inform them of their continuing absence. Staff should provide this update as soon as they realise they will not be fit to return on the planned day, ideally the day before.
 - If an employee is aware that they will require an absence lasting over 7 consecutive days, they must advise the academy of this as soon as possible, and confirm that a medical certificate will be submitted.
 - Where a medical certificate is provided and in cases of long term absence, staff should continue regular contact with their line manager, usually on a weekly basis unless otherwise agreed.
- g) If the staff member believes that their sickness absence may have been caused by their work or something that happened at work, they should inform their line manager of this and arrange for an Accident Report Form to be completed, if required. The line manager should take steps to determine the cause or aggravating factors.

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Appendix 2 – Stress at Work

Stress, in itself, is not synonymous with ill health. A certain degree of pressure, change and challenge will be inevitable within any school and working environment. There is, however, a distinction between acceptable stress which can sustain motivation and the wholly unacceptable stress which results from excessive workplace pressures. Intensive, prolonged or cumulative exposure to such pressures can result in negative physical, emotional and behavioural effects on members of staff.

These effects can include:

- a) Reduced morale and commitment to work
- b) Physical and/or mental ill health
- c) Poor judgement
- d) Poor relationships with colleagues

Common physical symptoms of stress include:

- a) Raised heart rate
- b) Increased sweating
- c) Headaches
- d) Dizziness
- e) Blurred vision
- f) Aching neck and shoulders
- g) Skin rashes
- h) Digestive problems
- i) A lowered resistance to infection
- j) A tendency to drink and smoke more
- k) Sleeping difficulties
- l) Poor concentration
- m) Difficulty in dealing calmly with normal tasks and situations

Members of staff will respond to different types of pressure in different and individual ways. Responses will depend on personality types, experience and the support available from line managers, colleagues and friends. Whilst there is no simple means of predicting situations that will engender unacceptable levels of stress, leaders and line managers should be particularly aware of circumstances where:

- a) pressures pile up on top of each other or are prolonged
- b) members of staff feel trapped or are unable to exert sufficient control over the demands placed upon them
- c) members of staff are confused by conflicting demands made of them

Staff are encouraged to visit the NHS website for further information about stress (<https://www.nhs.uk/every-mind-matters/mental-health-issues/stress/>)

Employers have no legal responsibility to mitigate the effects of stress caused by problems outside work, however such stress can affect performance and leaders and line managers should endeavour to take an understanding approach. A consistently operated attendance management policy which monitors a significant number of short term absences and uses return to work meetings and attendance review meetings will help in the identification of work and non-work related stress. In addition, the Directors/Governors have a responsibility to ensure that all staff are treated fairly and consistently and that bullying and harassment are not tolerated.

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Leaders and line managers should have access to training and support in order to enable them to take effective action in managing stress related absence. The HR team can arrange counselling / therapy sessions for members of staff suffering from stress where this is deemed appropriate and/or can provide access to online training courses which may provide employees with tools to self manage their stress levels and mental / emotional wellbeing. Whatever strategies are employed to combat stress, confidentiality and equity are key to their success.

Appendix 3 – Return to work discussion

RETURN TO WORK MEETING

Name of Academy					
Member of Staff					
Person conducting interview					
Absence start date (include part worked days):		Final date of absence (include non-working days):		Date returned to work:	
Reason for absence					
Absence procedures followed	YES/NO *	Date of RTWM:			

Area	Comments
Welcome back – remind staff that this discussion is standard practice after any period of absence to talk about things missed whilst they were absent.	
Enquire about health Confirm the member of staff feels fit to return to work. Explore reasons for absence and whether they are now fit to resume their duties and any potential future or continuing health problems.	
Support Have they suffered with this illness previously? (Provide details). Discuss any preventative action or other adjustments the Trust or the member of staff needs to take to ensure continued attendance. Consider Occupational Health referral for advice.	
Additional information Is there any other information the Trust should be aware of in relation to your illness or recovery? Is there a likelihood of reoccurrence?	
Future attendance It should be made clear that the Trust expects the highest levels of attendance. Make aware previous absences or patterns of absence. Where appropriate the member of staff should be advised that further absences may result in a more formal approach, or it may be necessary to inform the member of staff that their absence rate now requires a formal meeting to be arranged to discuss further.	
Signed Member of Staff	
Signed Person conducting interview	

* If the correct notification procedures were not followed then ensure that you have reminded the member of staff who to contact and by when. Failure to follow agreed procedures may be considered as a disciplinary matter.

Appendix 4 – Redeployment

- a. If following the processes described in section 13 and 14, the employee expresses a wish to be redeployed into a different role, opportunities should be discussed as part of a wellbeing meeting.
- b. Redeployment could be to a similar role with less responsibility, or to a new role. There is no requirement to create a vacancy, nor to change essential requirements of a vacant post to meet the employee's skills or experience.
- c. If redeployment is not deemed to be a realistic possibility, the academy may consider terminating the individual's employment – see section 16.
- d. Redeployment can only be realistic if, based on medical evidence; the employee is fit to undertake alternative or different work. For example, an employee who has received confirmation that they are not fit to undertake any work cannot be considered for redeployment.
- e. Redeployment is only likely to be successful in those cases where there is a medical opinion that the employee can be expected to fulfil all the requirements of the job, including those relating to sickness absence.
- f. There is no automatic right to be 'slotted in' to another role, and the employee must demonstrate their suitability for the role.
- g. If redeployment is deemed to be realistic and if the employee meets the essential criteria for the role they will be guaranteed an interview.
- h. If successful, the employee will be subject to a trial period. The provisions relating to trial periods that apply to employees seeking redeployment because their job has been declared redundant, apply to medical redeployments. See below.
- i. Redeployment will be on the terms and conditions associated with that job role and full details of the terms will be discussed with the employee before redeployment is confirmed. There will be no salary or grade protection in respect of redeployment to a different post. The terms and conditions will be those of the new post.
- j. Once redeployment is agreed, the employee will be issued with a variation to contract letter to confirm the new terms.

Trial period

- The trial period begins when the previous contract has ended and ends four weeks after the date on which the employee starts work under the new contract. The effect of the trial period is to give the employee a chance to decide whether the new job is suitable and improves their health and attendance. The employer should also use the trial period to assess the employee's suitability.
- The four-week trial period can be extended for retraining purposes by agreement and confirmed in writing.
- If the employee works beyond the end of the four-week period or the jointly agreed extended period, the employee will be deemed to have accepted the new employment. Employers should communicate this to the employee when the alternative job offer is made.
- Should either party wish to end the new contract within the trial period for a reason connected with the new job (such as suitability of role or ability to undertake the duties associated with the role), or connected to the initial health reasons that prompted the redeployment (such as continuing absence(s)), the employee will revert to the absence management process.
- Should the trial period prove successful, the employee will be subject to the usual performance management in their new role.