

STANLEY SCHOOL

MANAGEMENT OF ATTENDANCE OPERATIONAL GUIDANCE

**(please read in conjunction with Management
of Attendance Policy & Procedure)**

**Authority Guidelines on
Staffing Procedures for Community, Voluntary Controlled, Community Special
Schools and Early Years Centres
(and those adopted by Governing Bodies of other maintained/non maintained
schools)**

Updated Sept 2017

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1. Introduction

This document offers guidance and highlights some of the main causes of absence and provides practical information on managing sickness absence effectively. It incorporates the Management of Attendance Capability Policy and Procedure.

The Governing Body wants to work with all staff to promote the health and well-being of its employees by creating a happy and safe environment to enable everyone to perform to the best of their abilities.

Sickness management does not aim to prohibit sickness absence but to achieve improved employee attendance at school. The key objectives are to:

- Establish proper management systems for reviewing individual sickness records
- Review compliance with sickness reporting rules and conditions
- Identify causes of sickness absence in order to prevent or deter absence recurring where possible

It is, therefore, important to establish a **positive attendance culture** within the school.

The following Procedure will detail the operation of the management of sickness absence including the responsibilities of governors, school management and employees, relevant timescales and appropriate action.

Central to this is, better communication with staff, greater awareness of employees' absences and being active in addressing the issues.

2. Scope

The Procedure covers all school employees and is consistent with the employment powers of the governing body contained in the Education Act 2002 and School Staffing (England) Regulations 2009, with the Instruments and Articles of Government of individual schools, the Conditions of Service for Teachers in England and Wales (Burgundy Book) and the National Agreement on Pay and Conditions of Service (Green Book).

The procedure will apply to all employees employed at the school.

3. The Legal Position and Good Practice

The Employment Act 2002 and the Employment Act (Dispute Resolution) Regulations 2004 provide the main legal tools for facilitating absence management. This procedure has also taken account of the guidelines produced by ACAS.

Other pieces of legislation which have an impact on absence management are;

- Equality Act 2010
- Employment Rights Act 1996 as amended
- Employment Rights Dispute Resolution Act 1998
- Employment Relations Act 1999
- Data Protection Act 1998
- Access to Medical Records Act 1998

Access to Medical Reports Act 1998

- individuals have a statutory right to see any medical report prepared for employment or insurance purposes
- no-one, including the Occupational Health Physician, can access a person's records or contact his/her GP without the individual's written consent
- every individual has a right to see his/her medical records, prepared after 1 November 1991

Data Protection Act 1998

- employers have a statutory duty to keep personal data secure and confidential
- employees have extensive rights of access to computerised medical data which can be identified as relating to them specifically – but not to data which has been anonymised or aggregated so that information about particular individuals is not identifiable

4. Roles and Responsibilities

4.1 Governing Body

- To adopt a Procedure for managing sickness absence.
- To regularly consider school sickness absence statistics at Governing Body meetings, maintaining confidentiality.
- To be responsible in respect of the Headteacher's sickness absence. The Chair of Governors should inform the Director of Children's Services of Headteacher absences of ten days or more. The Chair of Governors will be advised by the Director of Children's Services (or his nominated officer) as to the appropriate course of action
- Where appropriate, to attend Capability or Staff Dismissals Committee meetings to consider sickness absence cases.

4.2 Headteacher

- Responsible for the management of attendance of all school employees including implementing controls and ensuring consistency in respect of sickness absence.
- To ensure levels of attendance are monitored, individual sickness is monitored, confidential records of sickness are kept and the employee concerned has reasonable access to them
- To report annually to the Governing Body about school sickness absence statistics and the effectiveness of the school's absence capability procedure.
- To identify any problems and assist in meeting targets for levels of attendance (refer to Part 2 – Management of Attendance Capability Policy and Procedure)
- Ensure 'return to school' interviews are conducted as appropriate
- To discuss sickness absences with employees and to set standards (under the informal stage of The Absence Capability Procedure) prior to considering further action.
- To consider reasonable adjustments in the case of an employee with a disability.

- To take into account any mitigating circumstances, e.g. personal problems.
- To ensure all employees are aware of their responsibilities when reporting sickness
- To ensure that there is contact with the employee who is absent due to sickness
- To ensure all employees are aware of trigger points for the investigation of sickness absence (see Management of Attendance Capability Policy and Procedure, Section 2).
- To treat all employees with sympathy, compassion and understanding.
- To consider any recommendations on the Fit Note.

4.3 Employee

- To attend “return to school” interviews where requested.
- To follow the procedure with regard to notification of absences and producing Fit notes.
- To attend Occupational Health appointments if required.

4.4 Schools HR Consultancy Team

- will advise the Headteacher and Governing Body on matters concerning sickness absence
- will provide a point of contact for the school, teachers’ professional associations and trade unions for sickness absence
- will undertake training as appropriate for the Headteacher, Governors and employees on matters relating to sickness absence

4.5 Occupational Health Provider

- provide an independent opinion as to the fitness of an employee to carry out his/her duties
- negotiate facilities such as counselling, therapy etc where appropriate
- advise on temporary or permanent changes in duties and responsibilities which might be required to enable the employee to return to his/her duties
- advise on periods of rehabilitation if appropriate
- advise on retirement on health grounds
- assist the Governing Body and Headteacher in reaching decisions about employees’ health issues
- assist the Governing Body and Headteacher in reaching decisions about alcohol, drug or substance abuse
- assist in differentiating between illness and capability/competence

4.6 Professional Associations/Trade Union

- To support an employee during formal meetings arranged under the sickness absence management procedure.
- To represent the employee at any formal meetings arranged under the sickness absence management procedure.
- Where appropriate, can be contacted for advice and guidance and may be available to attend relevant meetings. E.G. Stress Risk Assessment.

5. Generally there are three distinct types of sickness absence which cause concern:

Regular patterns of absences such as;

- regularly taking Mondays/Fridays off
- absent adjacent to school holidays
- taking the same period of sickness absence each year

5.1 Persistent Short-term Sickness

Short-term absences can normally be defined as those of seven calendar days or less which are self-certificated by the individual, i.e. not supported by a qualified medical practitioner.

Frequent and persistent absence occurs where a pattern of absence has been established (E.G. frequently on Mondays or Fridays), or sometimes the reasons for absence are unrelated, (there is no medical connection between each episode of illness).

5.2 Long-term Certificated Absences

Long-term absence can be defined as medically certificated absences over seven calendar days, and normally lasting twenty calendar days or more.

When employees are absent from school due to long-term sickness they need sympathy and support. It is important that the Headteacher (or his/her nominee) takes an interest in their welfare and keeps them informed about any developments in school so that they do not feel isolated and forgotten. It is the Headteacher's responsibility to ensure they are aware of any changes and/or updates with each employee, and to take the appropriate action.

Should a particular case become complex in any way, and the skills of specialist agencies such as Occupational Health are required, Headteachers are recommended to refer such cases to the School's HR Consultancy team for guidance and support on the recommended steps to follow.

5.3 Alcohol, Drug or Substance Abuse

Alcohol, drug or substance abuse are primarily health problems. Headteachers should respond to employees suffering from alcohol/drug/substance abuse problems in a confidential, sympathetic and constructive way. Advice should be sought through the School's HR Consultancy team who can recommend specialist support and counselling services.

5.4 Stress Related Absence

HSE defines stress as;

'An adverse reaction a person has to excessive pressures or other types of demands placed upon them.'

Given an excess of pressure, stress can therefore happen to anyone, and should not be seen as a weakness. Instead, an individual needs to be helped to deal with these pressures.

As reactions to stress will vary from one individual to another – and may also vary at different times of our lives – it's important that we learn to recognise stress and understand what to do to reduce it.

Source: HSE leaflet-Making the Management Standards work-How to apply the standards in your workplace-MISC714

Tackling personal stress is an individual's responsibility; however, employers have a legal responsibility to help reduce stress which may arise in their employees as a result of their work. With this in mind, we advise that reasonable steps are taken to reduce the incidence of work related stress by introducing the following measures;

- Identifying potentially unreasonable levels or sources of stress via the process of risk assessment;
- Striving to provide a working environment which enables employees to effectively carry out their duties and responsibilities;
- Acknowledging that stress may arise from both work related or other situations, such as domestic circumstances, and treating individuals affected in the same way as those affected by any other health problem;
- Encouraging employees to accept responsibility for their own mental and physical health and to develop a responsible balanced approach to work and their personal lives.

Where illnesses relate to stress whether work or personal, specialist advice should always be sought. Please contact the School's HR Consultancy team for support and guidance.

5.5 Industrial Injury

A person who is injured in the course of his/her work may claim industrial injury compensation.

All accidents/injuries to employees in schools should be recorded and reported as per the school's Safety procedure. For any injuries resulting in three or more days of sickness absence, the HSE must be informed.

6. Phased Returns

In certain cases, normally following a long term certified absence or injury, an employee's own GP or the Occupational Health Physician may indicate that a phased return to school would facilitate an employee's recovery. The phased return, by mutual agreement, could take a variety of forms including;

- working initially on certain days of the week
- working a reduced number of hours
- undertaking restricted duties for a specified period of time

Both the school and the LA would wish to facilitate and encourage this good practice in appropriate circumstances in order to provide the following advantages;

- assisting the recovery of an employee

- minimising the strain on an employee following a serious illness or injury
- encouraging a return to school

A phased return would normally last for up to four weeks with each week seeing the employee increasing their attendance and duties at school until the end of the fourth week when they would be expected to be carrying out, by agreement with the school's senior management, their full duties and responsibilities.

The employee will be paid their full salary for the period of the phased return.

It is advisable to put arrangements for phased returns in writing, to avoid any misunderstanding.

7. Fit Notes

In April 2010 'sick notes' were replaced by 'fit notes'. When completing a fit note a doctor has the choice between two options;

- not fit for work
- may be fit for work.

If the doctor selects 'may be fit for work', one of the following four options also has to be selected:

- phased return to work
- amended duties
- altered hours
- workplace adaptations.

The doctor then has the option to make any additional comments.

The Headteacher should arrange to meet with an employee who is assessed as 'may be fit for work' to discuss appropriate ways to manage the return to work process.

8. Return to School Meetings

Holding return to school meetings is good practice and encouraged.

Return to school meetings are designed to give the Headteacher (or his/her nominee) and the employee a further opportunity to maintain contact. They will normally take place on the day of return to school or as soon as is **practically possible**. They are **NOT** a punitive measure but a way of providing support to the returning employee. It has been established that return to work interviews are one of the most effective way of reducing sickness absence.

During the meeting, the Headteacher (or his/her nominee) should identify whether the absence was work related, or whether there were other underlying problems (e.g. care responsibilities). If this should be the case the circumstances should be discussed and relevant assistance offered in order to improve the future attendance level of the employee.

One of the critical aspects of the meeting is to show a willingness to assist the employee in overcoming any problems, whether these relate directly to their health or to personal

difficulties. Details of this meeting should be recorded on the Return to School Interview Form (Appendix 5).

As part of the Return to School Interview it is appropriate to consider whether any reasonable adjustments can be implemented in order to reduce the extent of disability related absences. A reasonable adjustment such as providing the appropriate equipment, can sometimes resolve the need for absence. Advice may be sought from OH and all agreed reasonable adjustments should be recorded.

There may be cases of employees who exceed acceptable absence thresholds. This will be due to frequent and long term or persistent short term absence. The Headteacher has a duty to remind those employees that if no improvement in attendance is forthcoming, formal action (through the school's Absence Capability Procedure (See Part 2), or if there is any suggestion of unauthorised absence, the school's Disciplinary Procedures) could be taken.

During the return to school meeting any employee can advise the Headteacher (or his/her nominee), or the Headteacher (or his/her nominee) may advise an employee, that they need support due to their personal or family problems. Counselling is available through the school's Occupational Health provider and can be facilitated by the Headteacher. Such referrals are confidential with no report being sent to the school

9. Personal Contact and/or Home Visits

Should an employee be absent for a period of ten working days, the Headteacher will ensure that personal contact is made by an appropriate senior colleague either by telephone or in person. Any such contact will be recorded on the Keep In Touch Form (see Appendix 4).

Any employee absent for twenty working days or more will normally, with their agreement, receive a home visit arranged by the Headteacher or an appropriate senior colleague acting on behalf of the Headteacher at a time which is appropriate. If the employee does not wish to receive a home visit, then arrangements will normally be made for the meeting to take place elsewhere.

During these visits, concern will be shown for the employee and, if appropriate their potential return to school date will be discussed. The Headteacher (or his/her nominee) will also clarify whether any form of assistance can be offered in returning to school, e.g. changes to work patterns, hours etc. If a return to school will be facilitated by a referral to the Occupational Health service, this can be organised by the Headteacher. Such a referral should be seen as a positive step which offers advice and support to the employee as well as giving them access to other forms of assistance, e.g. physiotherapy, counselling, etc.

10. The Procedure for the Reporting of Sickness

Employees should report non-attendance at the earliest opportunity but no later than 7.45 a.m. on the first day of absence. At the time of contact, the employee should where possible describe:

- The nature of the illness
- The probable date of return to duty
- Any relevant information in relation to their duties and previously planned work

It is accepted that some employees may be unable to comply with this procedure because of personal circumstances. If this is the case then alternative arrangements can be made with the Headteacher.

If the absence continues beyond seven calendar days, it is the responsibility of the employee to ensure that the Headteacher receives a Fit note no later than the eighth calendar day of absence. If the period of sickness absence extends beyond the period covered by the initial Fit note, the employee should send a new Fit note

In the case of absence of more than one day or part of a day, the employee should notify the Headteacher (or his/her nominee) of their intention to return to school on the working day prior to return.

Upon returning to school, following a period of sickness over seven calendar days, the employee must attend a return to work interview with their line manager.

Occasionally, an employee may be required to produce a Fit note if he/she has reached an extreme level of uncertified absences. In these cases, they may be instructed to provide a Fit note for all absences for a specified future period. The cost of the Fit note will be reimbursed to the employee concerned by the school upon the provision of a receipt.

Employee Absence Information**Fit Notes**

- Fit Notes are required after your 7th day of sickness to cover your absence until you are fit to return to work. These should be sent immediately to the Headteacher/ Line Manager.
- Your name, personal number and National Insurance number should be clearly shown on any medical certificates.
- For absence periods of between 7 and 14 days where a doctor has not requested that you return to him/her for a medical view as to your future return to work, you may self certify that you are fit to resume work by completing this form. Unlike the old Medical Note, the Statement of Fitness for Work does not include the option for Doctors to advise that an employee is fully fit for work.
- If you recover faster than expected and you agree with the Headteacher that it is appropriate to return to work, you do not need to wait until the end of the Statement period to return to work.
- If your sickness is related to a disability, please ensure that this is confirmed by your doctor on your medical certificate or by a covering letter.

Employment and Support Allowance (ESA)

If during your sickness, Payroll Services send you a form SSP1 to claim Employment and Support Allowance from the Department of Working Pensions (DWP), you must;

- Show your Line Manager the original medical certificate, who will take a copy for pay purposes.
- You should then submit the original medical certificate together with the SSP1 form to your local DWP office.

Occupational Sick Pay

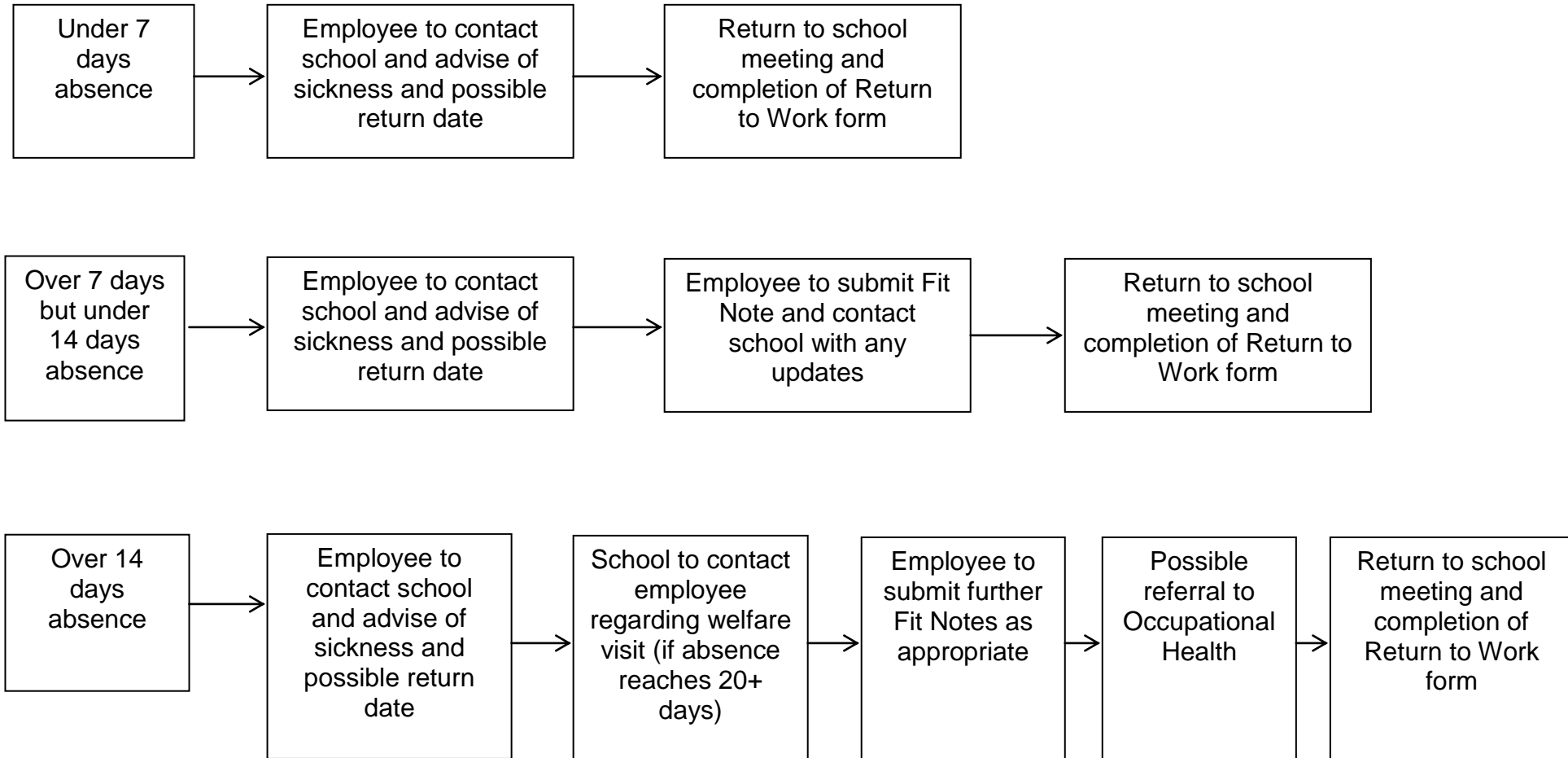
For Pay queries please contact the School's Payroll provider, Finance Department (see telephone number on payslips).

Return to school interview

Upon return to work, your Headteacher/Line Manager will undertake a 'Return to school interview' with you. You should use this as an opportunity to discuss with the Headteacher/your Manager, any issues which may affect your future ability to attend work.

The Headteacher/Line Manager will make notes of the discussion which you should sign as a true record. You can ask for a copy if you so wish, however they will be retained on your Personal file.

Management of Attendance Procedure Flowchart



Keeping in Touch Form

It is important that the Headteacher/Line Managers record all contact, receipt of associated documents and decisions made in relation to the sickness absence following the notification call.

Section 1 –Employee’s Details	
School Name:	
Employees Full Name:	Employee No:
Post Number/Job Title:	
Day & Date notified:	Time notified:
Nature of Illness:	
Expected return to work date:	

<i>All contact with the employee following initial notification of sickness should be recorded below.</i>		
Date	Type of contact	Brief detail of discussion

Please use additional sheets if required and attach with this form

	Action for Headteacher/Line Manager
1	Share a copy of this form with the employee at the Return to Work Interview
2	This form should be retained in school on employees personal file.

Attendance Management Return to Work Interview Form

Name:			
Employee Number:		Post Number/Job Title:	
Dates of Absence	From:		To:

For the Return to Work Interview the Headteacher/Line Manager should ensure they have:

- A private room/space where they will not be interrupted.
- Reviewed the employee's absence history to establish whether there are any reoccurring patterns and/or regular intermittent periods of short term absence that cause concern and/or numerical triggers that could shortly be hit.
- A copy of the employee's absence record to share with the employee at the Interview.

The Return to Work interview should be conducted face-to-face and should only be undertaken over the phone when there may be a delay in meeting with the employee.

Interview Checklist

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Welcome the employee back to work	<input type="checkbox"/>
Bring them up to date with what has been going on in their absence as appropriate	<input type="checkbox"/>
Share a copy of the Keeping in Touch Form with the employee	<input type="checkbox"/>
Discuss the nature of their absence/ask if there are any underlying reasons for the absence. (It may be appropriate to give the employee the opportunity to discuss any personal problems with another manager of the same gender)	<input type="checkbox"/>
Ascertain whether there is any support that can be offered to the employee	<input type="checkbox"/>
Ascertain whether medical advice has been sought and if any medical recommendations or reasonable adjustment have been made (GP or OH) and how they can be implemented	<input type="checkbox"/>
Consider any reasonable adjustments that are made to assist with the Return to Work. These should be confirmed in writing after the Interview along with a date to review the success of the reasonable adjustments	<input type="checkbox"/>
Review whether the employee has complied with the sickness absence reporting procedure?	<input type="checkbox"/>
Discuss the employee's attendance in line with the Attendance Management Capability Policy Absence Triggers and where necessary identify if they are likely to fall within formal procedures should they have further absences	<input type="checkbox"/>
Remind the employee about the Employee Assistance Programme where appropriate	<input type="checkbox"/>

Action to be Taken

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<i>Please tick to indicate what action has been taken following Interview</i>	
No Action Taken	<input type="checkbox"/>
Informal discussion given about absence levels	<input type="checkbox"/>
Confirm Formal Meeting to be arranged	<input type="checkbox"/>
Referral to Occupational Health	<input type="checkbox"/>

Referral to EAP	<input type="checkbox"/>
Other (please give details below)	<input type="checkbox"/>
Please use this form to record details of the discussion	

Headteacher/Line Manager Signature:

Employee Signature:

Headteacher/Line Manager Name(Print):

Employee Name (Print):

Date:

Date:

Action for Headteacher/Line Manager	
1	Fill in Return to Work Interview e-form on HR SelfServe (if applicable)
2	This form is to be retained in school and stored on employees personal file.