

# BARTON PRIMARY SCHOOL AND EARLY YEARS CENTRE



## ATTENDANCE MANAGEMENT & REDEPLOYMENT POLICY AND PROCEDURE

DATE: OCTOBER 2011

TO BE REVIEWED: OCTOBER 2012

Signed.....Chair of Governors

Date.....



## ATTENDANCE MANAGEMENT POLICY AND PROCEDURE

<p><b><u>THE POLICY</u></b></p>	<p>1. The overall aim of Barton Primary school is to provide a high quality and cost-effective service. The management of sickness absence through a fair and systematic framework has two objectives:</p> <ul style="list-style-type: none"><li>• to preserve a healthy workforce; and</li><li>• to contribute towards maximum service delivery and staff commitment.</li></ul> <p>This policy focuses on preventative measures that are aimed at the development of a healthy workforce, and establishes a culture where attendance is valued and respected.</p>
<p><b>SCOPE</b></p>	<p>2. This policy will enable the school to:</p> <ol style="list-style-type: none"><li>a) promote the health, safety and welfare of all staff;</li><li>b) provide the best possible service to our customers and meet the requirements of Best Value;</li></ol> <p>comply with the Equality Act 2010 by identifying changes necessary in working practices or environment to encourage full attendance</p>
<p><b>HEALTHY WORKPLACE STRATEGIES</b></p>	<p>3. This policy applies equally to all employees of the school, whether part-time, full-time or variable hours.</p> <p>4. This document should be read in conjunction with personnel policies which are designed to make the workplace a safe and supportive place to work. These policies include:</p> <ol style="list-style-type: none"><li>a) Health and Safety Policy</li><li>b) Stress Management Policy (LA)</li><li>c) Home/Life Balance: A Flexible Working Strategy (LA)</li><li>d) Harassment Policy (LA)</li><li>e) Capability Procedures</li><li>f) Healthy Workforce Strategy</li><li>g) Disciplinary &amp; Grievance Procedures</li></ol> <p>5. Clear and consistently applied procedures play an important part in managing attendance. However, these mechanisms do not necessarily address some of the underlying causes of sickness absence. It is in some of these areas where prevention may be more effective than cure.</p> <p>6. Specific areas for preventative action by managers should include:</p> <ol style="list-style-type: none"><li>a) health promotion</li><li>b) flexible working arrangements</li><li>c) improving the physical working environment</li><li>d) job design</li><li>e) managing career expectations through the Personal Performance Review Process</li></ol>

<p><b>Responsibilities of employees and managers</b></p>	<ul style="list-style-type: none"><li>f) building trust and loyalty</li><li>g) monitoring of working hours</li><li>h) prevention of accidents and occupational ill health</li><li>i) consultation with staff on work-related issues that may affect their health</li></ul> <p>7. In addition, the Isle of Wight Council operates a confidential counselling service. Any member of staff who may be experiencing problems at work or at home may make use of this service.</p> <p>8. Both managers and their staff have certain responsibilities within this policy: managers to uphold and implement agreed policy (in which they will have the support of the Senior Management Team and the Education Personnel Section), and employees to take responsibility for their own attendance and to comply with the requirements of the policy.</p> <p>9. Discussion about attendance and its effect on performance may form part of an employee's annual Personal Performance Review.</p> <p>10 &amp; 11 No longer applicable</p>
<p><b><u>THE PROCEDURE</u></b></p> <p><b>REPORTING OF SICKNESS ABSENCE</b></p> <p><b>What to do if you fall sick and are unable to attend work</b></p>	<p>12. All employees and managers must report absence following the procedure set out below and using the correct forms within the stated time-frame. Failure to report absence or return to work can result in loss of pay for the employee for the relevant period. Failure to adhere to these procedures – by either party – is a disciplinary matter.</p> <p>13. On your first day of sickness you must notify the Headteacher giving the reason for your absence, to enable the school to make adequate cover arrangements at the earliest opportunity. If possible you should indicate how long you expect to be off work. A friend or relative may telephone on your behalf if you are unable to do so. The school is required to ensure confidentiality in relation to all sickness absences.</p> <p>14. You must contact your school each day by 7am to explain the nature of your illness and the length of time you expect to be absent unless a doctor's note is produced. If you do not follow the procedures outlined above the school will contact you to ascertain the reason for your absence from work.</p>

<p><b>Certification Support Staff</b></p>	<p>1 <b>15.</b> If you do not notify the school as detailed above, you may lose sick pay; disciplinary action could also be taken.</p> <p>1 <b>16.</b> You must inform your school of the date you expect to return to work, in line with the established school's procedure. If you have a doctor's note you must bring it in as soon as possible.</p> <p>1 <b>17.</b> Every day that you are absent on sick leave must be covered by a medical certificate: either a 'self certification' certificate (see paragraph 19) or a doctor's or hospital certificate (see paragraph 21). Any days not so covered will not trigger entitlement to sick pay and may lead to consideration of absence without leave.</p>
<p><b>Certification Teaching Staff</b></p>	<p>1 <b>18.</b> Every day that you are absent on sick leave for more than three days must be covered by a medical certificate: either a 'self certification' certificate (see paragraph 20) or a doctor's or hospital certificate (see paragraph 21). Any days not so covered will not trigger entitlement to sick pay and may lead to consideration of absence without leave.</p>
<p><b>Self-certification Support staff</b></p>	<p>1 <b>19.</b> If you are absent for between one and seven calendar days inclusive, you may complete an IW Council self-certification form which will be sufficient for the payment of sick pay (though there may be circumstances in which self-certification is not appropriate). If you are absent for longer than this, you must obtain a medical certificate from your doctor (see paragraph 21).</p>
<p><b>Self-certification Teaching staff</b></p>	<p>1 <b>20.</b> If you are absent for between three and seven calendar days inclusive, you may complete an IW Council self-certification form which will be sufficient for the payment of sick pay (though there may be circumstances in which self-certification is not appropriate). If you are absent for longer than this, you must obtain a medical certificate from your doctor (see paragraph 21).</p>
<p><b>Doctor's certificates</b></p>	<p>1 <b>21.</b> Where absence extends beyond seven calendar days (i.e. on the eighth day of absence), you must obtain a medical certificate from your doctor and forward it immediately to your school (if you have consulted your doctor earlier than the eighth day you may receive a certificate earlier, in which case you must send it in straight away). This will ensure that you receive the correct pay.</p>
<p><b>RETURNING TO WORK</b></p>	<p>2 <b>22.</b> You must send an additional statement to the school for every subsequent week of absence, unless your doctor issues a special statement to cover longer periods.</p> <p>2 <b>23.</b> When you return to work you will be required to complete a self-certification form which will be countersigned by your school. Teaching staff will only be</p>

<p><b>Return-to-work interview</b></p>	<p>required to complete this form if they are absent for more than three days.</p> <p>2 <b>24.</b> You may also be required to attend a formal meeting on your return to work if your absence exceeds the 'triggers' set out in paragraph 27. The meeting will be private and sympathetic, but it will have two purposes: first of all, to ensure that you are fully fit to return and to complete the relevant absence forms, and also, if you have had a number of periods of absence (see paragraph 27), to establish whether there are particular problems which the school may help you address. A record of the meeting will be kept and key points may be recorded and signed by the school and employee. Either party may be accompanied by a colleague or trade union representative.</p> <p>2 <b>25.</b> If there are concerns about your sickness absence, any or all of the issues below may be discussed:</p> <ul style="list-style-type: none"><li>a) the nature and frequency of the illness;</li><li>b) possible reasons/causes for the illness;</li><li>c) any support the school or the Isle of Wight Council may be able to give you;</li><li>d) the fact that your attendance will be closely monitored for a specified period;</li><li>e) the fact that, in certain circumstances – for example, where there is no proven medical reason for absence or the level of attendance is considered unacceptable – you will be required to provide a GP's medical certificate from the first day of any future absence</li><li>f) the fact that you may be referred to the Council's Occupational Health service to obtain further medical opinion, or that other information may be sought from your doctor.</li></ul> <p>Further meetings may be arranged, if this is considered necessary.</p>
<p><b>MONITORING OF SICKNESS ABSENCE</b></p>	<p>2 <b>26.</b> Monitoring of sickness absence is a management responsibility, and managers are required regularly to review sickness records and the associated costs which should be fully understood by all employees and managers. Managers must ensure that when cover or overtime has been put in place the relevant forms are coded correctly.</p>
<p><b>causes for concern</b></p>	<p>2 <b>27.</b> In certain circumstances, when an individual's sickness absence raises concern, additional actions will be triggered under this procedure. The 'triggers' for concern are as follows (though managers have the right to investigate situations outside of these identified triggers if there are other concerns in relation to absence from work):</p> <ul style="list-style-type: none"><li>a) 4 or more periods of absence within the preceding 12 months;</li><li>b) 7 or more periods of absence within the preceding</li></ul>

	<ul style="list-style-type: none"> <li>24 months;</li> <li>c) 10 or more periods of absence within the preceding 36 months;</li> <li>d) 14 or more calendar days within the preceding 12 months;</li> <li>e) 28 continuous calendar days;</li> <li>f) unacceptable patterns of absence (for example, regular Fridays and Mondays, or absence following holidays or bank holidays);</li> <li>g) where a doctor's medical certificate is received which indicates a possible stress-related absence.</li> </ul>
<p><b>Frequent or short-term absences</b></p>	<p>2 <b>28.</b> Frequent short-term sickness absence can cause significant problems in terms of managing performance and service delivery and the effect on the morale and motivation of other team members. It is essential that it be addressed consistently and effectively, and therefore if frequent or short-term absence exceeds the levels given in Paragraph 27 (a), (b), (c) or (d) above, your school will inform you. If there is no proven underlying medical cause you will be warned that your level of attendance is unacceptable. Failure to improve your attendance within a specified review period may result in action which can ultimately lead to dismissal.</p>
<p><b>long-term continuous absence</b></p>	<p>2 <b>29.</b> Where you have been absent because of sickness for 4 weeks (Paragraph 27 (e) above) and the date of your return is not clear, your school will consult you before deciding what action should be taken. The school is responsible for establishing and maintaining contact with absent employees, and from an early stage will exercise their welfare role by telephoning and where appropriate, visiting you. If it is necessary to discuss options with you in person you will be entitled if you wish to be accompanied by a trade union representative or friend. If it is necessary to visit you at home or in hospital you will be notified in advance. During the early stage of absence, the purpose of discussions will be to keep in touch with your state of health and possible return to work, and to discuss any work-related problems you may have.</p>
<p><b>unacceptable patterns of absence</b></p>	<p>2 <b>30.</b> Where an individual's sickness absence suggests that a pattern may be building up, the individual will be invited to an interview with the school to discuss the issue. If appropriate, disciplinary action may be taken.</p>
<p><b>stress-related absence</b></p>	<p>2 <b>31.</b> In the circumstances under Paragraph 27 (g) above, the stress management policy will apply.</p>
<p><b>obtaining medical advice: doctor/</b></p>	<p>3 <b>32.</b> Employment decisions connected with sickness absence will be made on the basis of medical and other evidence and consultation with you. In order to investigate long-term or frequent short-term absence the</p>

<p>consultant's opinion</p>	<p>school may therefore formally request permission to contact your GP or other health professional to obtain medical advice to establish whether there is an underlying medical condition contributing to the level of absence. You have the right to refuse such permission, but you should note that in these circumstances the school will be obliged to make decisions based only on their own knowledge.</p>
<p>Occupational Health opinion</p>	<p>33. You may be required to see an occupational health adviser retained by the Isle of Wight Council. If you are given an appointment to see an OH adviser you are required to attend: firstly because the school has the right under your contract of employment to require you to attend such appointments, and secondly because appointments have to be paid for whether you attend or not and the additional costs involved in appointments which are not kept are substantial.</p> <p>34. Before any decision affecting your employment is finalised you will have the opportunity to discuss the available options in the presence of a union representative or friend. Options may include:</p> <ul style="list-style-type: none"> <li>• reduced or adjusted contractual working hours;</li> <li>• reorganising or redesigning the job or making other reasonable adjustments to enable you, if possible, to continue doing it;</li> <li>• redeployment to suitable alternative employment (in this context, 'suitable' means work which you are capable of doing but which may or may not be of the same grade or status as your former job). It may be necessary to put a reasonable trial period in place, during which you will be given a temporary period of employment in the new post at the grade established for that post. If either you or the new manager is not satisfied, employment will terminate; however, if the trial period is successful, you will be transferred into the new post with no break in service at the relevant salary for the post (protection of salary will not apply).</li> </ul>
<p>frequent or short-term absences</p>	<p>35. If, following consultation with you and, where necessary, your doctor or the Occupational Health service, absence levels do not improve within specified review periods and any medical or other report does not indicate an underlying medical problem, action will be taken in line with the stage 4.2 of the school's capability procedure for school support staff or stage 3 of the competence of teachers procedure should proceed.</p>
<p>long-term continuous absence</p>	<p>36. Where long-term, ongoing sickness absence is concerned, a slightly different procedure will be used. Following consultation with you and taking appropriate advice from your doctor/consultant and/or the Occupational Health service, the school, in consultation</p>

<p style="text-align: center;"><b>DISMISSAL ON THE GROUNDS OF ILL-HEALTH</b></p>	<p>with the Education Personnel Section, will consider the following factors:</p> <ul style="list-style-type: none"> <li>• the length of absence to date and the likely length of continuing absence;</li> <li>• the nature of the illness;</li> <li>• the medical advice/prognosis;</li> <li>• the effect of the continuing absence on the needs of the service;</li> <li>• the availability of suitable alternative employment.</li> </ul> <p>3 37. If sickness absence, whether long-term or frequent/short-term, becomes so serious a problem that the service can no longer sustain the level of absence, the ultimate option of dismissal on health grounds will have to be considered. Advice and guidance from medical professionals will focus on the options outlined above and the likely ability of the individual to give satisfactory service in the future, and it may be necessary to consider the option of early retirement on the grounds of ill health. However, it should be noted that any decision to dismiss for reasons connected with ill-health will not be dependent upon the granting of retirement benefits, though this option will be explored as part of the decision-making process.</p> <p>3 38. Taking all the circumstances into account, including submissions from you, there may be no alternative other than to come to the conclusion that you are no longer capable of discharging the terms of your contract of employment. In these circumstances a decision to recommend termination of employment on the grounds of capability will be appropriate.</p> <p>3 39. Any decision to terminate employment will be the final responsibility of the Staff Dismissal Committee, based on a full review of all the facts. You will be given the relevant notice and will have the right of appeal against the decision.</p>
<p style="text-align: center;"><b>APPEAL AGAINST DISMISSAL</b></p>	<p>3 40. Where dismissal has been effected, the employee may exercise a right of appeal. The appeal must be made in writing to the Clerk to the Governors within ten working days of the receipt of the written notification. As any dismissal will have taken place on the grounds of capability, the appeal will be held under the terms of the capability/competence procedure.</p>
<p style="text-align: center;"><b>'third party' claims</b></p>	<p>3 41. If you are absent because of the actionable negligence of a third party (for example, a road traffic accident in respect of which you are claiming damages), you may be required to refund to the Council an amount of money equivalent to the amount of sick pay you received during the relevant absence. This amount will form part of your damages claim.</p>

3 **42.** If your damages claim is successful, the amount to be refunded will be equivalent to the total amount of sick pay you received. If the claim is only partially successful, you will be required to refund the same proportion of the sick pay.

4 **43.** In these cases, your return-to-work interview form must contain the information that the absence was attributable to an accident involving a third party. An undertaking form will then be sent to you; you must complete and return it so that if a request for information in connection with your claim is made by your legal representatives, the correct amount of sick pay will form part of your claim. If your claim cannot be made, or is unsuccessful, the undertaking does not commit you in any way.