



Beacon Academy Trust

A COMPELLING VISION FOR SUCCESS

ABSENCE MANAGEMENT POLICY **& PROCEDURE**

Approving Body	Trust/Board
Date of First Approval	June 2016
Date of Last Amendment	June 2016
To be Reviewed	June 2017
Responsible Officer	HR

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Part One – General Policy

1. Introduction

The Trust is committed to providing a safe and healthy working environment for employees. Equally, the Trust aims to encourage all its employees to maximise their attendance at work.

The Trust supports employees through difficult and challenging times and is flexible in terms of approach.

While the Trust understands that there will be some absence amongst employees, it must focus due regard to its business needs. It is recognised that a certain level of absence from work is inevitable for a variety of reasons, including sickness. If an employee is frequently absent from work or is absent for a lengthy period (for whatever reasons), this can impact on teaching and learning, damage efficiency and productivity, and place an additional burden of work on other colleagues and the financial budgets. The Trust has a duty to manage and minimise absenteeism and will treat employees who are absent from work with consideration and respect.

2. Purpose

This policy is intended to support and guide staff and enable managers to manage the sickness absence in a way which is fair and consistent. By implementing this policy, the Trust aims to strike a reasonable balance between the pursuit of its business needs and the genuine needs of employees to be absent from work because of sickness or for family, domestic or other reasons. The key aim of the policy is to encourage reliable attendance among all employees, so that a dependable staffing base can be maintained to meet the needs of the students and the Trust.

All employee absences will be counted for the purpose of this policy/procedure except approved holidays, family leave periods (e.g. maternity leave), approved compassionate or special leave, pregnancy-related absences, absences resulting from a workplace accident, and (unless it is justifiable to include them) absences that are related to an employee's disability. Data will be collected and monitored in order to achieve this aim and the Trust will also be open with employees, alerting them promptly when absence levels are causing concern or are unacceptable. All employees are responsible for their own health and wellbeing and for following the Trust's procedures. In addition, HR will assist managers with ill-health and poor attendance issues by giving support, advice, training to managers and ensuring that any action taken is within regulations set down in employment law.

The application of this attendance policy does not imply that an employee is doing, or has done, anything wrong. The procedure is a means of managing attendance and should not be confused with the disciplinary procedure.

3. Scope

This procedure applies to all permanent and fixed term employees who have satisfactorily completed their probationary period and this policy applies to employees at all levels of the Trust.

The general principles for resolving absence problems are the same for all staff. Managers are advised to make early contact with HR in all cases to provide appropriate support.

4. Responsibilities

The Trust is responsible for maintaining fair, consistent and objective procedures for matters relating to staff sickness absence and attendance.

The Headteacher/Principal has overall responsibility for the internal control of the School/Academy and management of the procedure. The members of the Senior Leadership Team (SLT or designated senior manager) have responsibility for the internal organisation, control and management of their area(s) of responsibility.

All employees are responsible for their own health and wellbeing and for following the Trust's procedures. Any breach of the procedure will result in disciplinary action and or suspension in pay. This may include, but is not restricted to:

- Falsifying sickness records and certificates
- Not following the absence reporting procedure without good cause
- Refusing to explain an absence
- Refusing to attend, or co-operate with, absence review meetings
- Unauthorised absences

5. Confidentiality

Information about sickness absence will be handled carefully and in accordance with the Data Protection Act 1998 to ensure sensitive details remain confidential.

6. Equal Opportunities

The absence management procedure must be applied fairly and in accordance with employment law and the Trust's Equal Opportunities Policy.

Some sickness absence may be related to a condition which is regarded as a disability under the Equality Act 2010. Where this is a possibility, specialist advice should be obtained (e.g. from Occupational Health and HR) and reasonable adjustments to the individual's working systems or environment that may be appropriate should be considered to ensure that any employee with a disability is not placed at a disadvantage.

Absence relating to pregnancy related illness will be kept separate from sickness absence records.

Part 2 – Absence Management Procedure

7. Notification for Unplanned Absence(s)

It is important that, for any unplanned absences, all staff follow the procedure set out below. This should be done in person and not by a third party unless the employee is incapacitated.

If the employee fails to adhere to the procedure this may result in the following:

- Any allowances to which the employee is entitled may be withheld
- Non-statutory payments may be suspended if procedures are not adhered to e.g. sick pay

7.1 On the 1st Working Day

- **ALL STAFF** to telephone at least one hour prior to their start time; notification must be sent to Cover/ Performance Manager/Head of Department (or delegated person) with any work, which may need to be covered during their absence.

The employee must state:

- The reason for their absence
- The estimated length of absence

7.2 Every Day of Absence

Employees are expected to repeat 7.1 unless a return to work date has already been provided.

7.3 On the 8th Calendar Day of Absence

The employee should:

- Repeat Step 7.1.
- Post/scan and email the Statement of Fitness for Work (referred to as a 'fit note') from their GP to the Cover Coordinator/HR.

Should the absence continue, fit notes for periods of sickness must be submitted regularly to the Cover Coordinator / HR to cover their periods of sickness absence.

The Performance Manager or other nominated person should maintain reasonable regular sensitive contact with employees who are absent from working owing to illness. This contact is intended to be constructive and supportive. Employees have a duty to provide contact details throughout their period of absence.

Unreasonable failure to maintain contact could result in suspended sick pay.

8. Return to Work After Sick Leave

On return to work, the onus is on the employee to complete the self-certification sickness form. This is then signed by their Performance Manager / Cover Coordinator and passed to HR.

A Performance Manager may arrange a return to work meeting with the employee to ensure that the employee has recovered and is fit to return to work. It is also to ascertain whether absence is work related, to ask if the school needs to take any action to aid return to work, and ensure that the relevant certification has been received.

Members of the SLT must complete and submit their self-certification forms directly to the Head of HR.

9. Reasonable Adjustments/Phased Return to Work

In cases of long term illness or injury, a phased or gradual return to normal hours and responsibilities within a fixed timescale (not normally longer than four weeks) can be recommended as a means of supporting the employee. In these cases, meetings between the employee and Performance

Manager are appropriate. Medical reports will be taken into consideration and a return to work action plan will be constructed. The Trust will take into consideration any specific advice given by the medical report, and every effort will be made to accommodate any reasonable adjustments.

A phased return should not normally exceed four weeks. In exceptional cases, they may be an extension of the agreed phased return. In such instances weekly review meetings may be scheduled between the employee and the Performance Manager. The phased return should not exceed a total of six weeks. However, if this is the case, a further meeting will be held to review the employee's contractual hours.

If, the employee has not returned to full duties at the end of the phased return period, then payment will only be made for the hours worked and more permanent arrangements should be made with the employee to obtain a new contract of employment to reflect the hours that they are capable of working.

10. Time Off to Attend Medical Appointments

[Refer to Employee Leave Guideline policy]

11. Falling Sick During the Working Day

The absence for an employee who reports sick during the working day, is recorded as follows:

- Leave within 1 hour of start time → One day sickness absence
- Leave after 1 hour of start time/ → Half day sickness absence
before end of working day

12. Sickness During Holidays (applicable to employees on 52.14 weeks contract)

If employees are sick whilst taking annual leave or during periods of school holiday, the absence will be classified as sickness subject to the following criteria:

- Repeat Step 7.1.
- A doctor's Fit Note must be produced regardless of the length of the absence.

For all Staff not required to work during the school holiday a Doctor's Fit note is required for any sickness on the last day of the school term or the first day back from a school holiday.

13. Long Term Sickness Absence

The Trust will continue to support employees who are genuinely sick and unable to come to work. As part of this policy, employees will (subject to a limited number of exceptions) continue to be paid full or part salary for defined periods of time while absent, provided that they comply with the Trust's rules on notification and the provision of on-going medical evidence.

The Trust will seek advice from OH and will make every effort to retain employees in their existing roles. The Trust will, however, review the employment of an employee who is absent from work due to genuine sickness or injury during the first six months of absence. Thereafter, the position will be

reviewed periodically; ultimately, it may become necessary, from a business perspective, to consider termination of employment.

14. Support

All Staff have access to the Employee Assistance Programme, Health Assured on **0800 030 5182** or www.healthassureeap.co.uk. This is a 24 hour, 7 days a week, 365 days a year, confidential telephone helpline.

Additional support may include, but is not restricted to:

- Occupational Health
- Phased Return to work
- Reasonable adjustments to work
- Regular meetings with their Performance Manager
- Liaison with Unions/Professional Associations as instructed by the employee

15. Occupational Health (OH)

The Trust may refer an employee to Occupational Health to obtain expert medical advice at any point if they are concerned about the impact of the employee's health on their work or attendance.

At referral, the employee will be advised of the service provided by Occupational Health as a means to support the employee further.

Failure to attend OH appointments without prior notice may invoke the disciplinary procedure and sick pay may be withheld. Failure to attend OH may result in a decision being taken in respect of an employee's employment position without the benefit of an OH or medical opinion.

Employees can cancel or change an appointment at any time however, charges will be incurred if the following notice has not been provided:

Within 5 working days	Half Fee
Within 2 working days	Full Fee
Non Attendance	Full Fee

The employee will be liable to pay for any cancellation charges and can elect to make a payment directly to the Trust or for a salary deduction.

Part 3 – Absence Management Monitoring Procedure

Managers responsible for staff are expected to manage and control their employees' attendance.

This procedure has three stages and involves the application of absence "trigger points". It also involves the allocation of responsibility to individual Performance Managers to interview any employee whose level of absence has reached a defined trigger point and, depending on the circumstances, issue a warning for unsatisfactory attendance.

16. Trigger System

The Trust will use trigger points as a means to:

- Alert employees that their level of sickness absence is causing concern
- Establish appropriate support systems
- Ensure prompt action is taken to deal with sickness absence
- Identify potential problems and to deal with them effectively before they escalate

It is not always necessary for a trigger point to be reached before action is taken. The Performance Manager may take action at any time (e.g. OH referral), if they have concerns about the underlying cause of sickness and/or there is a significant impact on the service.

Sickness management procedures will be considered whenever an employee meets any of the following conditions:

- 3 separate episodes of sickness absence within any 6 month rolling period
- 6 days of sickness absence within any 12 month rolling period
- A pattern of sickness or unplanned absences (e.g. Mondays/Fridays, regular sickness absence following periods of annual leave)
- 20 continuous working days (or 4 continuous weeks). This is defined as long term absence and employees will be referred to Occupational Health automatically at this stage

The Performance Manager may use their discretion and consider individual circumstances to make a reasonable and justified decision as to the particular stage at which the problem should be addressed.

17. Absence Review Meeting(s).

A confidential informal meeting, termed 'Welfare Meeting', between a Performance Manager and the employee should be arranged as soon as the employee's manager identifies a sickness/attendance issue in accordance with the above conditions. (HR may be in attendance as a means of support)

The purpose of the Welfare Meeting is to discuss the employee's health and sickness absence record, to offer support and to set attendance targets and timescales if necessary.

Employees absent for 20 days or more will be contacted to agree:

- A meeting at the workplace or a suitable neutral venue

If, at any stage, OH advises that the employee is permanently incapable of carrying out the contractual duties of their post due to a medical condition or impairment, the Redeployment process or Ill-Health Retirement process may be applied.

17.1 Stage 1 – First Formal Attendance Review Meeting

Following the Welfare Meeting, if the employee meets one or more of the trigger conditions, the employee will be invited to attend a First Formal Attendance Review Meeting with their

Performance Manager or a member of the SLT. This will constitute Stage 1 of the procedure. The employee will be invited by letter, giving 5 working days' notice.

The purpose of the First Formal Attendance review is to discuss the continuing impact of absence on work and to inform the employee that, if there is not a significant sustained improvement, a Second Formal Attendance Review Meeting will take place. This constitutes Stage 2 of the procedure.

The outcome of the First Formal Attendance will be confirmed in writing to the employee and the life for formal warnings will remain live for 12 months.

17.2 Stage 2 – Final Formal Attendance Review Meeting

Following the First Formal Attendance Review Meeting, if the employee meets one or more of the trigger conditions, the employee will be invited to attend a Final Formal Attendance Review Meeting with their Performance Manager or a member of the SLT. This will constitute Stage 2 of the procedure. The employee will be invited by letter, giving 5 working days' notice.

The purpose of the Final Formal Attendance review is to discuss the continuing impact of absence on work and to inform the employee that, if there is not a significant sustained improvement, an Absence Hearing will take place. This constitutes as Stage 3 of the procedure and their job/employment could be at risk.

The outcome of the Final Formal Attendance will be confirmed in writing to the employee and the life for formal warnings will remain live for 12 months.

Managers may, in appropriate circumstances, use their discretion to discount certain absences (for example on compassionate grounds), and not issue a written warning where stage 1 or 2 of the procedure has been triggered. However, an attendance review meeting should still take place in these circumstances. If an exception is to be made, the reason for it should be discussed and clearly recorded. Similarly, the employer may decide not to dismiss an employee who has reached stage 3 of the procedure if there are special circumstances justifying this course of action. Again, a record should be made of the reasons for the decision and discussed with HR to ensure consistency.

17.3 Stage 3 – Absence Hearing

The Absence Hearing will be chaired by the Headteacher/Principal

Following the Second Formal Attendance Review Meeting, if the employee meets one or more of the trigger conditions, the employee will be invited to attend an Absence Hearing. Where an employee's attendance record does not improve after the Second Formal Review Meeting or the issue of a Written Warning, an Absence Hearing will be arranged. By this stage, the employee will have been given every opportunity to improve attendance to an acceptable level.

The purpose of the Stage 3 Absence Hearing is to consider whether the employee is capable of giving regular and efficient service, and if not, whether to decide on dismissal, redeployment or some other action.

The employee will be invited by letter, giving 10 working days' notice.

The employee may submit any additional evidence to the Chair, in writing, up to 3 working days before the Hearing (copies will be issued to remaining panel). The meeting will be held at one of BMAT's academies or at another venue by agreement.

After considering all the facts, the Headteacher/Principal will decide on the next course of action, which may be to:

- Issue another Written Warning to the employee
- Consider redeployment, if suitable, or other recommended actions
- Terminate the employment – with contractual notice

The outcome of the Absence Hearing will be confirmed in writing to the employee.

18. Long Term Absence

The words 'long term absence' is generally used to mean absence of more than four weeks.

The Trust will not initially consider terminating the employment of an employee who is absent from work due to genuine sickness or injury during. Thereafter, the position will be reviewed periodically and ultimately it may become necessary from a business perspective to consider termination of employment. In these circumstances, the Trust will:

- review the employee's absence record to assess whether or not it is sufficient to justify dismissal
- consult the employee
- obtain up-to-date medical advice
- advise the employee in writing as soon as it is established that termination of employment has become a possibility
- meet with the employee to discuss the options and to consider the employee's views on continuing employment
- review whether there are any other jobs that the employee could do prior to taking any decision on whether or not to dismiss
- allow a right of appeal against any decision to dismiss the employee on grounds of long-term ill health, and arrange a further meeting with the employee to determine any appeal
- following this meeting, inform the employee of its final decision, and act reasonably towards the employee at all times

19. Record-Keeping

Written records of meetings and discussions relating to absence are retained. A copy will be placed on the employee's personnel file in accordance with the Data Protection Act 1998. Copies of meetings will be provided to the employee and are available upon request.

20. Right of Representation and Appeals

An employee has the right to be accompanied by a trade union representative or workplace colleague at any formal meeting.

If the employee's workplace colleague or trade union representative is unavailable to attend, the meeting may be deferred by up to 5 working days from the date of the original meeting.

Should the employee fail to attend without sufficient reason, a decision will be made based upon the evidence available at the time.

The employee can provide a written support statement to the panel and send their trade union/professional association representative or work colleague to attend on their behalf.

The Chair of the panel should confirm the decision in writing

The employee has the right of appeal after every formal stage of the process. Appeals must be received within 5 working days of receipt of the formal decision.

Links to Other Policies

Whilst this document covers a wide range of situations, it is recognised that it cannot cover every eventuality however, the principles contained within it must apply in every circumstance. It should be read and cross referenced to other relevant policies:

- Leave of Absence Policy
- Disciplinary Policy

Support Staff - Sick Pay Entitlement

The scheme is intended to supplement Statutory Sick Pay and Incapacity Benefit to maintain normal pay during defined periods of sickness absence.

Absence through normal sickness is entirely separate from absence through industrial disease, accident or assault arising out or in the course of employment with the local authority. Periods of absence in respect of one shall not be set off against the other for the purpose of calculating entitlements under the scheme.

Employees entitled to receive sick pay for the following periods:

During the first year of service:	Full pay for 1 month and, after completing 4 month's service, half pay for 2 months
During the second year of service:	Full pay for 2 months and, half pay for 2 months
During the third year of service:	Full pay for 4 months and half pay for 4 months
During the fourth year of service:	Full pay for 5 months and half pay for 5 month
After five years' service:	Full pay for 6 months and half pay for 6 month

Teachers Sick Pay Entitlement

Teachers' national sick pay entitlements, set out in the Burgundy Book, give a sliding scale entitlement according to length of service, as follows:

During the first year of service:	Full pay for 25 working days and, after completing four calendar month's service, half pay for 50 working days
During the second year of service:	Full pay for 50 working days and half pay for 50 working days
During the third year of service:	Full pay for 75 working days and half pay for 75 working days
During the fourth and successive years:	Full pay for 100 working days and half pay for 100 working days

The sick leave year runs from 1 April to 31 March and a new entitlement starts each year on 1 April. However teachers absent due to illness on 31 March will not be entitled to the subsequent year's allowance until they are recovered and are back at work. Instead, sick leave will continue to be counted against the previous year's entitlement.

Self-Certification & Return to Work Form

Part 1 - Personal details

Full Name:	Line Manager:
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Part 2 - Period of absence

To be completed by the employee. Please note that weekends bridged by a period of sick absence should be counted	
1 st day of absence..... Last day of absence Date of return to work.....	
<input type="checkbox"/>	Absence is 7 days or less, treat as self-certified
<input type="checkbox"/>	I attach a medical certificate as my absence is more than 7 days

Part 3 - Absence a result from An Industrial Injury? Yes No
(If you answer yes please complete the Accident/Ill Health/Dangerous Occurrence Report Form)

Part 4 - Reason for absence (tick the most appropriate box below)

Colds/Flu/Respiratory/Infections		Cancer related	
Internal Organs/Circulatory/Heart		Diabetes	
Stomach/Gastro/Diarrhoea/Vomiting		Eye Complaint	
Back/Muscles/Skeletal		Neurological	
Mental Health related/Stress/Depression		Post-operative	
Disability Related		Skin complaint	
Injury at Work		Genito-urinary (including menstrual)	
Pregnancy Specific		Reproductive disorder	
Headache/Migraine		Other (please state)	

Are you on any medication we need to be aware of? Yes No

Are there any underlying health/welfare issues linking current and previous absences? Yes No
(If sickness absence is related to a disability, reasonable adjustments must be considered and detailed below)

Is there anything we should consider to support you at work? Yes No

Part 5 - Line Manager/Cover Co-ordinator

Did the employee properly notify the employer of his / her absence? Yes No

Is the employee feeling better? Yes No

Signature (employee):..... Date:.....

Signature (manager):..... Date:.....