Managing Absence Policy for School Staff

School	Ysgol Cybi
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1. INTRODUCTION

Sickness absence management is a key process by which the employer aims, through various methods, to achieve better employee attendance at work and to provide reasonable support mechanisms for members of staff who experience periods of ill-health during their employment.

The school is committed to creating a happy and inclusive working environment for its staff and reducing the risks to employee health. The school recognises its obligations to maintain the well-being and mental health of all staff through identifying trends or patterns of absence across the school and organisation and implementing appropriate actions and support.

Effective management of sickness absence is therefore a commitment and responsibility that must be taken at all levels within the Authority with the prime role being undertaken directly by the Headteacher/line manager. In the case of Headteacher absence the Chair of the Governing Body (or person Deputised by the Chair) is the recognised line manager.

Central to this role is effective communication with staff, awareness of employee absences and being proactive in addressing, where appropriate, an employee's absence record. Schools should also ensure that they explore all possible avenues of support in order to facilitate their employees' return to the workplace. Effective management of sickness absence should also provide Headteacher/line managers with greater awareness of the impact that levels of sickness absence is having in terms of team morale, costs and disruption.

2. PRINCIPLES

The school will treat employees fairly and sensitively during times of sickness and ill-health, while encouraging everyone to use the support mechanisms available to them.

All employees have a responsibility under their contract of employment to attend for work. Whilst genuine illness is unavoidable it places additional financial and other burdens on the schools' resources and as such will be monitored and managed. However, the school will make every reasonable effort to support staff who are absent on sick leave so that they may make a speedy return to the workplace. Employees are also responsible for actions to improve attendance and support their return to work.

The school recognises its duties under the Equality Act 2010 and is committed to making reasonable adjustments to duties and the work environment in order to assist employees in remaining in or returning to work.

Headteachers/Governors are responsible for ensuring that this policy is administered in a fair, consistent and appropriate manner. In doing so they will be expected to

balance the needs of their school with the individual needs and circumstances of their team members. Headteachers/Governors are expected to work with staff to tackle any issues associated with attendance at work.

If absence reporting procedures are not followed or a satisfactory reason for absence is not provided, this may be considered a matter of misconduct which will be dealt with through the Schools Disciplinary Procedure. If an employee's level of attendance gives cause for concern they will be required take part in an attendance review meeting with their Headteacher/line manager.

Ultimately, if a member of staff is unable to achieve and maintain an acceptable attendance record following appropriate support, then formal action may be taken by the Sickness Capability Panel/Case Review Panel up to and including dismissal.

The payment of Occupational and Statutory Sick Pay is dependent upon absence from work resulting from a genuine illness which prevents an employee from working. It is also subject to compliance with the schools notification and medical certification procedure. Any attempt to mislead or defraud the school will be considered gross misconduct under the Schools Disciplinary Procedure.

3. OBJECTIVES

The prime objectives of this policy are therefore:

- to establish systems for reviewing individual sickness records in order that Headteachers/line managers can objectively assess the absence(s) and decide on appropriate action
- to monitor and ensure compliance with sickness rules and conditions.
- to explore reason for sickness absence in order to prevent the absence recurring, address any welfare problems and ensure appropriate medical assistance and practical support is being provided where reasonable and practicable.
- to identify trends and particularly any "clusters" of sickness to ensure such cases are further researched and any necessary recommendations are formulated.
- to explore any underlying causes of sickness absence.
- to encourage the rehabilitation of those employees on long term sick leave.

4. REPORTING PROCEDURE

a. Employees MUST notify the designated person personally before 9.00 am (or in accordance with the schools locally agreed procedure) on the first morning of sickness indicating the nature of their sickness and expected date of return. Where local arrangements permit notification by text, employees are required to follow this up with a telephone call

during the course of the school day. If they have more than one job then they must notify each line manager that they are absent.

b. Where the designated person is unavailable then an alternative designated person must be contacted.
c. If the employee is unable to telephone personally, it is the employee's responsibility to arrange for a relative or friend to contact the appropriate designated person.
d. If an employee fails to make contact to report an absence, the Headteacher/Line Manager will contact them. If there is no justifiable reason for failing to make contact the disciplinary procedure may be invoked and may affect pay. If the Headteacher/Line Manager is unable to make contact or ascertain any valid reason for the absence they may record the absence as unauthorised.
e. The designated person must inform the schools sickness co-ordinator of any sickness absence as soon as possible.

Headteacher Absence

The above reporting procedure also applies to Headteachers with the following additions:

f. The Headteacher MUST notify a designated person personally before 9.00 am (or in accordance with the schools locally agreed procedure) on the first morning of sickness indicating the nature of their sickness and expected date of return.
g. Where local arrangements permit notification by text, they are required to follow this up with a telephone call during the course of the school day.
h. The designated person MUST notify the Chair of the Governing Body (or a person Deputised by the Chair) and appropriate Senior Education Manager in the Learning service of the absence.
i. The designated person MUST inform the sickness co-ordinator within the school of any sickness absence as soon as possible.

4.1 Certification

Any absence must be covered by certification. If absence has been of any duration up to seven days, a self-certification form must be completed and passed to the Headteacher/line manager. (See Appendix 1)

Days 2 to 7 of absence:

Employees must make contact with the Headteacher/line manager on a daily basis to provide an update on their health, and the likely duration of their absence where possible. In certain circumstances (if a fit note has already been provided, or it is clear that the absence will be prolonged) the Headteacher/line manager may confirm that this daily contact is not required. Equally, if the employee does not make contact, the Headteacher/line manager may make telephone contact to obtain an update from the

employee.

8th day of absence and beyond

If the absence extends beyond seven calendar days the employee must submit a fit note directly to the Headteacher/line manager whose responsibility it will be to note the information, placing a copy on their personal file. (NB the days referred to include Saturday and Sundays, rest days, and/or free days as applicable). If the absence continues, further fit notes must be submitted as soon as they become due.

Please note, the Headteacher/line manager may, in certain circumstances, ask you to submit a fit note before the 8th day of the absence.

All fit notes should be submitted as soon as possible and no later than 3 days after the employee receives the fit note signed by a registered healthcare professional. Digital fit notes may also be submitted but they must include the name of the registered healthcare professional who issued it. Failure to submit a fit note within the required timescales may result in sick pay being suspended and also invoke the schools disciplinary procedure. The registered healthcare professional will indicate on the fit note if they need to see the employee again before they resume work. If the registered healthcare professional doesn't need to see them again, they may resume work - there is no need to be signed back to work by the registered healthcare professional. If the employee feels able to return to work **earlier** than the date indicated on the fit note, and the fit note does not indicate that the registered healthcare professional wishes to see them again, they must discuss their return to work with the Headteacher/line manager. In some cases, if the Headteacher/line manager has concerns about the employee's fitness for work, or feel they cannot provide the support needed, they may not be able to agree to an earlier return to work without first undertaking a risk assessment to comply with insurance requirements, or obtaining occupational health advice. In such cases the employee should stay off work until the risk assessment/occupational health advice confirms the ability to return to work or until the end date of their fit note whichever is the earliest. During this period employees must make regular contact with the Headteacher/line manager. The frequency and method of contact should be agreed with the Headteacher/line manager.

4.2 Sick Pay

Employees will **only** be entitled to sick pay if:

a. absence is immediately notified to the Headteacher/line manager and further notification is made as required by the school;
b. a fit note is required from the eighth calendar day onwards
c. further fit notes are provided as required.

Occupational Sick pay may be suspended if an employee abuses the sickness scheme. For example, employees working or engaging in activities which are likely

to be inconsistent with the reason for absence and/or which are unlikely to be conducive to recovery, such as:-

- the employee's own misconduct or neglect,
- **or** active participation in professional sport,
- **or** working in the employee's own time on their own account for private gain, or for another employer while absent on sick leave.

The above list provides examples only.

In these instances, reference should also be made to the Schools Disciplinary Policy. The Headteacher/line manager shall confirm why sick pay is being suspended in writing. The employee shall have a right of appeal to the Chair of the Governing Body. A Trade Union Representative or work colleague can also attend a meeting at the employee's request. If the Chair of the Governing Body decides that the grounds were justified, the employee shall forfeit the right to payment for that period of absence.

If an accident/injury occurs ***because*** an employee has performed their duties negligently or disregarded rules (e.g. health and safety rules), these absences will count towards any trigger system for sickness absence management. Disciplinary action may also be taken.

5. NON – COMPLIANCE

As noted previously, any employee, who does not comply with the sickness notification procedures including failure to notify, could have their sickness pay suspended.

In addition, non-compliance by Headteachers/managers/supervisors/employees to adhere to any of the requirements and processes of this policy on managing absence will lead to disciplinary action being taken against them.

Failure by employees to engage or comply with the managing absence process, e.g., refusal to attend Occupational health appointments or provide consent to Headteachers/line managers having sight of Occupational health advice, will mean that the employees' absence will be managed based on the evidence they have without the mitigation of any occupational health advice.

6. RETURN TO WORK INTERVIEWS

Employees will be seen by the Headteacher/line manager upon resuming work to:

a. welcome the employee back,
b. discuss the reasons for the sickness absence and whether there are any underlying issues,

c. ensure the employee is fit to carry out their duties and whether further support or adjustments are required, and
d. Identify whether an ARM (Attendance Review Meeting) (see Section 8) should take place; if triggers have been hit the ARM should be held within 2 weeks of the employee's return to work. Explain the implications of an ARM, i.e., if attendance does not improve this could lead to a decision on continued employment.

On return to work after any period of absence, the Headteacher/line manager must conduct a return to work interview within 5 working days, or as soon as possible, with the employee in as private an environment as possible with the attendance record available for discussion.

A checklist of suggested issues to be discussed at such interviews are included in Appendix 2 and a sample form is attached.

The action to be taken following an interview will depend on the known facts and circumstances and may require fuller discussion with Human Resources. Where there is abuse or suspected abuse of the system this should be dealt with through the schools disciplinary procedure involving Human Resources.

7. PHASED RETURN TO WORK

It is recognised that in certain circumstances, e.g., following a prolonged or debilitating illness, after surgery or whilst recovering from an injury, it may be not be appropriate for the employee to return immediately to their full contracted duties and hours of work. In some cases the employee may need to build up strength and confidence after such an illness. In these circumstances the school will support the employee's return to work in a flexible but tailored way, relevant to the individual's needs and those of the school. If an employee returns to work on a reduced hours basis on medical advice, the school will support this phased return to work by paying the normal salary for a maximum period of up to six weeks. If, after the end of this phased return period, the employee is unable to return to normal working hours then they may need to explore alternative options with the Headteacher/line manager which may include negotiating a temporary reduction in contracted hours through the flexible working policy.

8. FREQUENT SHORT TERM ABSENCE

Frequent, short-term absences are a particular problem for the school as it is difficult to plan for their impact, which might be substantial and can frequently disrupt the normal operation of the school, having a negative effect on work colleagues and pupils. When a pattern of recurring short-term sickness absence is identified and/or any trigger points (see below) are reached, the Headteacher/line manager must arrange an Attendance Review Meeting with the employee concerned within two weeks.

A pattern of recurring short term sickness and trigger points may include certain patterns as follows:

- Three or more periods of sickness absence totalling five days or more over a rolling period of 12 months which ends on the latest day of sickness absence – please see Appendix 5 for guidance.

or

- More than one occurrence of 10 consecutive days' sickness absence over a rolling period of 12 months.

or

- Recognisable pattern of absence, e.g. frequent Mondays/Fridays, pre or post school holidays.

or

- Other circumstances considered by the Headteacher/line manager to be sufficiently problematic, such as failure to record a valid reason for absence

or

- Frequent periods of longer-term absence

Where an employee has been regularly close to but not hit a trigger, the Headteacher/line manager may meet with the employee to bring the pattern of their absence to their attention, identify if there are any underlying problems, whether support is required and whether any preventative action can be taken.

Absences should be monitored on a regular basis. Consideration of the number of days an employee has spent at work must be balanced with the number of days not spent at work.

Any patterns identified in section 8 constitute a trigger for an Attendance Review Meeting (ARM). Members of staff can frequently be unaware of how much absence they have had, and bringing it to their attention, along with a discussion about factors that may be affecting their health, can lead to an early resolution of the problem. However, it is important that they are informed that their level of absence is causing concern.

8.1 Attendance Review Meeting

- The purpose of the Attendance Review Meeting will be to explore reasons for absence from work and to identify underlying issues that may need to be addressed.
- The individual may be accompanied by their trade union representative or work colleague if they wish.
- They will be given advanced, written notification at least 7 working days' of the interview that the school has concerns about the level and pattern of absences and wishes to discuss them at a meeting.

- Details of the absences will be included in the letter, along with a record of relevant dates of absence.
- The meeting should be supportive and aim to resolve the situation, seeking to identify the reasons for the frequent absence, and measures that can be taken by the individual and the school to help to overcome the health or other problem and improve attendance, including a referral to Occupational Health if appropriate.
- The impact of the individual's absence on the rest of the team/school should be explained and it should be made clear that a failure to improve attendance at work may lead to formal action (as noted below) being instigated up to and including termination of employment.
- Where the Headteacher/line manager is not satisfied that the absence is genuine, the employee will be required to provide a Statement of Fitness for Work note for each subsequent absence prior to the next review.
- The member of staff will be sent a written summary of the meeting, an action plan detailing the steps to be taken by all parties to help improve attendance, and the timescales within which it is to happen.
- A date for a further review of attendance should be set within an agreed timescale after the Attendance Review Meeting (excluding school closure periods), but this could be a shorter or longer period, or not at all, as appropriate, depending on the outcome of the initial review meeting.

If after the review period there has been a sufficient reduction in the level of frequent short- term absence the matter will be closed and no further action taken in this instance.

If, following appropriate support and medical advice (if applicable), there has been insufficient improvement during the first review period the matter should go forward to a second ARM (as noted above), where the employee should be informed that, should there be insufficient improvement in attendance during the consecutive second review period then the case may be the subject of a Sickness Capability Panel. Any absences that occur within review periods will initiate an ARM requirement possibly before the end of the review period if those further absences trigger an ARM threshold. You can seek advice from Human Resources at any stage in the process and Occupational Health advice should be sought at any stage in the process if appropriate, and certainly before commencing a Sickness Capability Panel.

Please see Appendix 4 for further guidance on the Attendance Review Meeting process. Possible outcomes of the Sickness Capability Panel may be:-

- Satisfied the current issues have been resolved and transfer the case back to the Headteacher/line manager to manage absence in accordance with the policy;
- one further attempt, with an agreed timescale to try and address the problem;

- an agreed change to the contract of employment so that it reflects the capabilities of the employee. This may involve a change to the hours of work, the pattern of working hours, the grade or content of the job, redeployment;
- invocation of the Performance Improvement or Disciplinary Procedures as appropriate;
- termination of the contract of employment. If this is the identified outcome the school will follow the relevant dismissal procedure for the employee concerned. Termination of employment will not take place without: -

  - full consultation with the employee and consideration of all relevant circumstances
  - a review of the relevant medical information if applicable
  - consideration of reasonable adjustments to duties and/or work environment in order to assist with attendance at work
  - a right of appeal against the decision to dismiss.

Any such action will be taken after every attempt to assist the employee to achieve the desired level of attendance and will require the involvement of Human Resources.

9. LONG TERM SICKNESS ABSENCE

Long term absence is regarded as any absence where the employee is away from work for a period of four weeks (28 calendar days) or more. The Headteacher/line manager should have been maintaining regular contact at weekly intervals with the employee during periods of long term sickness. The employee should also be encouraged to maintain regular contact with the Headteacher/line manager, and will be afforded an opportunity to choose their preferred reasonable method of contact. A template letter and recording form to record such regular contact are attached at Appendices 8 & 9.

If an employee returns to work from long term sickness absence but is only able to maintain the attendance for short periods intermittently due to recurrences of the original absence, the long-term absence approach will continue to be used.

The employee should be made aware that if their absence from work through long-term injury or ill-health has lasted for 5 months and/or if there is no reasonable timeline for a return to work, it will not be possible for the situation to continue indefinitely and their continuing employment may be reviewed and eventually terminated. If the physician considers that the employee is unfit to resume usual duties, they may recommend redeployment or retirement on the grounds of ill health. Where redeployment is recommended, the school and County Council will make every effort to meet with the Occupational Health Physician's recommendation, but

in the event that no suitable alternative employment opportunities are available, a Case Review Panel will be held which could lead to a decision to terminate employment on health grounds.

Termination of employment will not take place without:-

- full consultation with the employee and consideration of all relevant circumstances
- a review of the relevant medical information regarding the condition
- consideration of reasonable adjustments to duties and/or work environment in order to assist with returning and remaining in work
- consideration of redeployment into suitable and available alternative employment.
- A right of appeal against the decision to dismiss.

Please see Appendices 6-10 for further details on the management of Long Term Sickness Absence.

9.1 Ill-Health Retirement
Members of the Local Government Pension Scheme – Support Staff
If an employee has been identified based on an independent medical physicians assessment as being permanently incapable of undertaking work and having no capacity for gainful employment, they may be able to retire on ill-health grounds and their pension benefits released. Depending on the decision, they may be granted Tier 1, Tier 2 or Tier 3 benefits.

Tier 1 – no reasonable prospect of being capable of gainful employment now or at any age before 65. Pension benefits based on membership up to retirement date, plus all membership that would have built up by 65.

Tier 2 – no reasonable prospect of being capable of gainful employment now or at any time in the next three years. However, likely to be capable of gainful employment after that.

Pension benefits based on membership to retirement date, plus 25% of membership that would have built up by age 65.
Tier 3 – no reasonable prospect of being capable of gainful employment right now, but likely to be capable of gainful employment within three years. Pension paid for a maximum of three years and subject to review.
If, based on the independent medical physician's assessment, the Authority is not satisfied that the employee is permanently incapable of undertaking work as outlined in any of the above cases, the Authority may not grant ill-health retirement.

Appeals

Appeals against the decision not to grant ill-health retirement will only be considered on the following grounds:-

a) the application process for ill-health retirement was flawed;
b) there is new medical information to be presented.

Members of the Teachers Pensions Scheme
If an employee has been identified by an independent medical physician as being permanently incapable of undertaking work and having no capacity for gainful employment, they can apply for ill-health retirement.

There are two levels of benefits that might be paid depending on whether the employee is assessed as:

Tier 1 – Being permanently incapable of undertaking teaching but may be able to undertake other work. If assessed as being able to undertake other gainful employment but unable to teach in any full or part time capacity, the employee may receive accrued benefits. This is payable if assessed by Teachers' Pensions as meeting the 'incapacity condition' i.e. 'Incapacitated' and is likely to be 'incapacitated permanently'.

Tier 2 - Being incapable of undertaking any gainful employment. If assessed as being unable to undertake any gainful employment of any type, in addition to accrued benefits, benefits will be enhanced. This is where you meet the 'Total incapacity condition' and are assessed as not only being permanently unable to teach but also unable to undertake any 'gainful employment'.

If the medical condition is severe enough to warrant consideration of ill health retirement, it will generally be expected that employees have had the benefit of a specialist opinion during the illness. Evidence will be considered by the Scheme's Medical Advisors who will make a recommendation based on their consideration about whether the application can be accepted or not.

If an independent medical physician is not satisfied that the employee is permanently incapable of undertaking work as outlined in any of the above cases, the Scheme will not grant ill-health retirement. The decision to grant ill-health retirement lies with the Teachers' Pensions Scheme and not the Authority.

10. PREGNANCY

Absences relating to an employee's pregnancy will not count towards the trigger system. Employees off sick due to a pregnancy related reason in the four weeks before the week the baby is due, will automatically start maternity leave.

11. LONG TERM SICKNESS AND ANNUAL LEAVE

Employees are entitled to postpone paid annual leave if it is affected by illness, ie, if they are unable to travel or undertake their holiday plans. The school will require employees to provide a medical certificate to cover the period for which they are requesting to postpone annual leave due to sickness.

Employees may wish to use accumulated annual leave to support a gradual return to work following a period of absence. However, if employees are unable to take annual leave due to sickness absence, the maximum annual leave that can be accrued will be one year's entitlement to annual leave.

11.1 Employees taking a Holiday while on sickness absence

There are occasions when an employee may benefit from a holiday while they remain absent from work due to their current medical condition. The employee does not need to be signed as fit for work in order to take annual leave. In these instances the following process will apply: -

(a) The employee must make a request in writing to their Headteacher to ask for permission to go away on holiday.
(b) All requests should be discussed with Human Resources or Occupational Health prior to a decision being made.
(c) However, requests for holidays during periods of sickness absence must be agreed by the employees GP or by the Occupational Health Adviser.

Employees must use their annual leave to travel on holiday, and for the actual holiday, during a period of sickness absence, and will be paid accordingly.

12. DISABILITY

All reasonable adjustments will be considered where an employee has a disability covered by the Equality Act 2010. However, good attendance is a requirement for all employees. Should an employee not be able to achieve an acceptable level of attendance, following support and reasonable adjustments, their absence will be managed. Further support is available to Headteachers/line managers from the relevant HR Officer.

13. MONITORING SICKNESS

This policy confirms that monitoring sickness and maintaining attendance is a responsibility that rests with the Headteacher/line manager in the first instance.

Headteachers/line managers must undertake regular general monitoring check and then review such cases that cause concern, e.g., long term absence, a pattern of frequent short-term absence.

14. ROLE OF THE HEADTEACHER/LINE MANAGER

Headteachers/line managers MUST:-

- ensure that the absence management policy is adhered to – in particular that the trigger points to instigate an ARM are always dealt with promptly;
- inform sickness co-ordinator of any absence
- hold return to work meetings following every period of absence;
- ensure that effective communication is maintained at all times in the management of sickness cases and levels, and that appropriate contact occurs with all employees
  during their period of sickness absence on a regular basis, even after referral to Occupational Health, and that an audit trail of such contact is maintained;
- refer employees to the Occupational Health service for advice as required by the policy;
- Headteachers/line managers may contact Occupational Health advisors at any stage in the managing absence process to receive advice and guidance;
- work with the employee, occupational health service and, where relevant, staff representative to
- facilitate a return to work as soon as possible following a period of sickness absence, taking into account any medical advice provided;
- keep accurate records and, by accessing MyView, regularly monitor attendance for all their employees, undertaking analysis that would highlight any underlying trends, causes and reasons that may be influencing sickness levels;
- ensure that employees are made aware of the range of support and assistance that is available to them at times of ill-health;
- ensure that the policy is applied fairly and consistently;
- ensure that all employees understand their roles and responsibilities in line with this policy;
- ensure that the impact of absence on the school is minimised.

15. ROLE OF THE EMPLOYEE

Employees are expected to:-

- Attend work in accordance with their contract;
- Use the support mechanisms available to them;
- Attend any appointments arranged for them with Occupational Health;
- Obtain and follow medical advice and treatment as quickly as possible;
- Avoid activities which could hinder or affect a prompt return to work;
- Report their absence in accordance with the requirements of this policy;
- Attend meetings to manage their absence in accordance with the requirement of this policy.

16. THE OCCUPATIONAL HEALTH SERVICE

When an employee has a prolonged period of four weeks absence, or the manager

is aware from the outset the Headteacher/line manager must arrange a meeting with the employee to advise them that they will be referred to the Occupational Health Service for examination and assessment if a return to work is not imminent.

Any absence due to stress, depression or anxiety, or musculo- skeletal issues (such as back or neck problems) will initiate an immediate discussion and referral to the occupational health service. A Stress Questionnaire must be completed by all employees who are absent due to, or have complained of work related stress, and forwarded with the Occupational Health referral form in order for the school to address the situation.

The purpose of the Occupational Health referral is to:-

- obtain information regarding the implications of the employee's medical condition and their ability to attend for work
- establish an expected return to work date
- provide advice on additional support and guidance during the period of absence and any reasonable adjustments which would assist a return to work.

The employee will be contractually obliged to attend any such appointment arranged. Where the employee is unable to subsequently attend any such appointment, and does not give adequate notice, plausible reasons or persistently fails to attend the Occupational Health Service appointment or engage with the managing absence process, this could lead to withdrawal of pay and/or invoking the schools disciplinary procedure.

The Headteacher/line manager should continue to maintain regular contact with the employee, via the agreed method, throughout their absence period, and should work with the Occupational Health advisers to implement any medical advice offered, if reasonable to the school. Where a school deems such advice to be not reasonable or practicable their rationale for reaching this decision should be formally recorded as part of an audit trail.

If Occupational Health advises that there is a medical condition which may fall within the definition of the Equality Act 2010, Headteachers/line managers should take advice from the Occupational Health Service and Human Resources.

16.1 Counselling Service

Medra

As part of the on-going development of Occupational Health support for staff, and to support employees suffering from stress related issues, the counselling service allows self-referral for a prescribed number of counselling sessions to be funded by the Authority. The staff counselling service is there to provide confidential,

professional, and personal counselling to employees.

If they wish, employees can continue with the service beyond the sessions funded by the Authority, at their own expense.

Further Information is available on Monitor https://monitor.anglesey.gov.wales/en-gb/human-resources/medra-counselling.

Education Support
The education support services offers a range of professional and personal support for teachers and education staff which includes a Helpline, Employee Assistance Programme and Wellbeing Services.

Further information is available from the Headteacher/line manager.

17. ROLE OF THE HR SERVICE
Primarily the HR Team will offer support and guidance to Headteachers/line managers at any stage of the policy, which will also include training. The HR Team will support the management of absence and will work with the employee, Headteacher/line manager, occupational health and, where relevant, the employee representative, to facilitate a return to work as soon as possible following a period of sickness.

18. SICKNESS CAPABILITY PANEL / CASE REVIEW PANEL
The above panels will have the authority to review sickness absence cases and to make employment decisions based on evidence and testimony presented at the panels.

18.1 Sickness Capability Panel
A Sickness Capability Panel will be convened to deal with cases of short term frequent absences, where the Attendance Review process has not resulted in an improvement in attendance and management have concerns about the sustained level of sickness absences. The employee will be given adequate notice of the time and date of the hearing (no less than 7 school days).

The Panel will consist of three members of the School Governing Body staff dismissals committee. The employee will be invited (by letter) to the meeting and will have the right to be accompanied by a trade union representative or work colleague. Also appearing at the meeting will be the relevant HR Officer, Headteacher/line manager and Clerk to the Governing Body (to minute the meeting).

The Panel will consider evidence presented by the Headteacher/line manager, which should include the following:–

- records of return to work interviews
- attendance review meetings
- occupational health advice (if appropriate)
- chronological record of absence
- any other relevant notes or records that have been retained

and will listen to representations from the employee and take into consideration any mitigating factors, before coming to a decision on the employee's employment position. Possible outcomes of the Panel are noted in Section 8 above.

18.2 Case Review Panel

A Case Review Panel will be convened to deal with cases of long term absences, where the employee has been referred to Occupational Health, medical advice has been considered but where there is still no timeline for a return to work and the school can no longer sustain the absence. The Panel will normally convene after a period of 6 months of absence has been reached but can be convened earlier or later depending on circumstances. The employee will be given adequate notice of the time and date of the hearing (no less than 7 school days).

The Panel will consist of three members of the School Governing Body staff dismissals committee. The employee will be invited (by letter) to the meeting and will have the right to be accompanied by a trade union representative or work colleague. Also appearing at the meeting will be the relevant HR Officer, Headteacher/line manager and Clerk to the Governing Body (to minute the meeting).

The Panel will consider evidence presented by the Headteacher/line manager, which should include the following:-

- records of any return to work interviews
- keeping in touch records
- occupational health and other medical advice
- chronological record of absence and contact maintained
- any other relevant notes or records that have been retained

and will listen to representations from the employee and take into consideration any mitigating factors, before coming to a decision on the employee's continued employment as noted in Section 9 above.

18.3 Appeals

If an employee wishes to appeal against a decision to dismiss they must do so in writing, including the grounds upon which it is made. This must be submitted to the Clerk of the Governing Body within **ten** school days of the date of the letter confirming

the panel's decision. Such notification should also include any additional evidence the employee wishes to include in the appeal case file. If no appeal is lodged within this timescale, the employee will lose the right of appeal.

The appeal will be heard by the Governing Body staff dismissal appeals committee as soon as practicable and normally this will be within **ten** school days of receipt of the notice of appeal. Appeal hearings will focus on the issues set out in the appeal notification, therefore the appeal process may not always take the form of a complete hearing. However, under certain circumstances, e.g. where new evidence comes to light or the first hearing process was flawed, it may be appropriate to rehear part, if not all, of the case.

The employee will be;

- given adequate notice of the time and date of the hearing (no less than 7 school days).
- informed of their right to be accompanied or represented by a work colleague or a trade union representative.

The decision of the staff dismissal appeals committee will be final and the employee will be informed in writing of the decision within 5 school days.

The Panel will consist of three members of the school Governing Body staff dismissals appeal committee. Also appearing at the meeting will be the relevant HR Officer, Headteacher/line manager and Clerk to the Governing Body (to minute the meeting).

19. EMPLOYEE RIGHTS

An employee has the right to be accompanied at an Attendance Review Meeting, Case Review Meeting and/or a Sickness Capability meeting by a trade union representative or work colleague when formal action may be contemplated in respect of absence.

In the event of a recommendation of retirement on the grounds of ill health, the employee shall have the right to a further examination by an independent specialist. The cost of any such investigation shall be paid for by the school.

When an employee has an infectious disease, or industrial injury, the Headteacher/line manager should report this to the Council's Health & Safety Section. It should be noted that maternity absence is covered by separate guidelines.

It should also be noted that hospital/doctor/dentist appointments for specific courses of treatment are not covered by this procedure subject to acceptable prior notification/approval of any such absences with the Headteacher/line manager.

This policy supersedes any other policy, procedure, practice or reference in other documents to HR arrangements for dealing with absence management.

July 2022 (SLJ)

APPENDIX 1

ISLE OF ANGLESEY COUNTY COUNCIL
SELF CERTIFICATION FORM

This form should be completed by an employee returning to work after sickness absence, covering the first seven calendar days:-

When completed, the form should be given to the Headteacher/ line manager

Surname	
Other Names	
Post	
School	

1.	**First day of sickness**	
2.	**Date first absent from work (if different to above)**	
3.	**Last day of sickness**	
4.	**I returned to work on**	

The reason for my absence was:-	

Name and address of Doctor, whom we may contact if necessary:-	

Signed		**Date**	

Please note that giving false information will be treated as gross misconduct and could result in dismissal.

THIS PART TO BE COMPLETED BY THE HEADTEACHER/LINE MANAGER

To the best of my knowledge the above information is correct

Signed		**Date**	

APPENDIX 2

Guidance on Return to Work Interviews

Always be fair, firm and consistent.

Purpose - ensure accurate information.

- establish the employee is safe and well enough to return to work and that there are no undue risks for the employee, other employees, pupils or members of the public associated with their return to work, and also to ensure that returning to work will not make the employee's condition worse.
- establish cause of absence (the reason must be recorded on the absence record and signed by the employee and countersigned by the line manager).
- bring the employee up to date with what has happened during their absence.
- discuss any problems that the employee has which affects attendance and seeks wherever possible, solutions to such matters.
- make the employee aware if their patterns or levels of attendance are giving cause for concern and, if the required triggers have been hit, inform the employee that an Attendance Review Meeting will be arranged within 2 weeks of the employee's return to work. This may include a referral to the Occupational Health Service for advice and support. Details of trigger points can be seen in Section 8 of the policy and at Appendix 5.
- convey the importance that the school places on attendance

Follow-on Action

- always record the details of the interview
- consult with the Human Resources Section where necessary for advice, guidance and support, particularly in matters relating to:-

- disciplinary
- capability
- rehabilitation
- counselling
- any other specialist help

CYNGOR SIR
YNYS MÔN
ISLE OF ANGLESEY
COUNTY COUNCIL

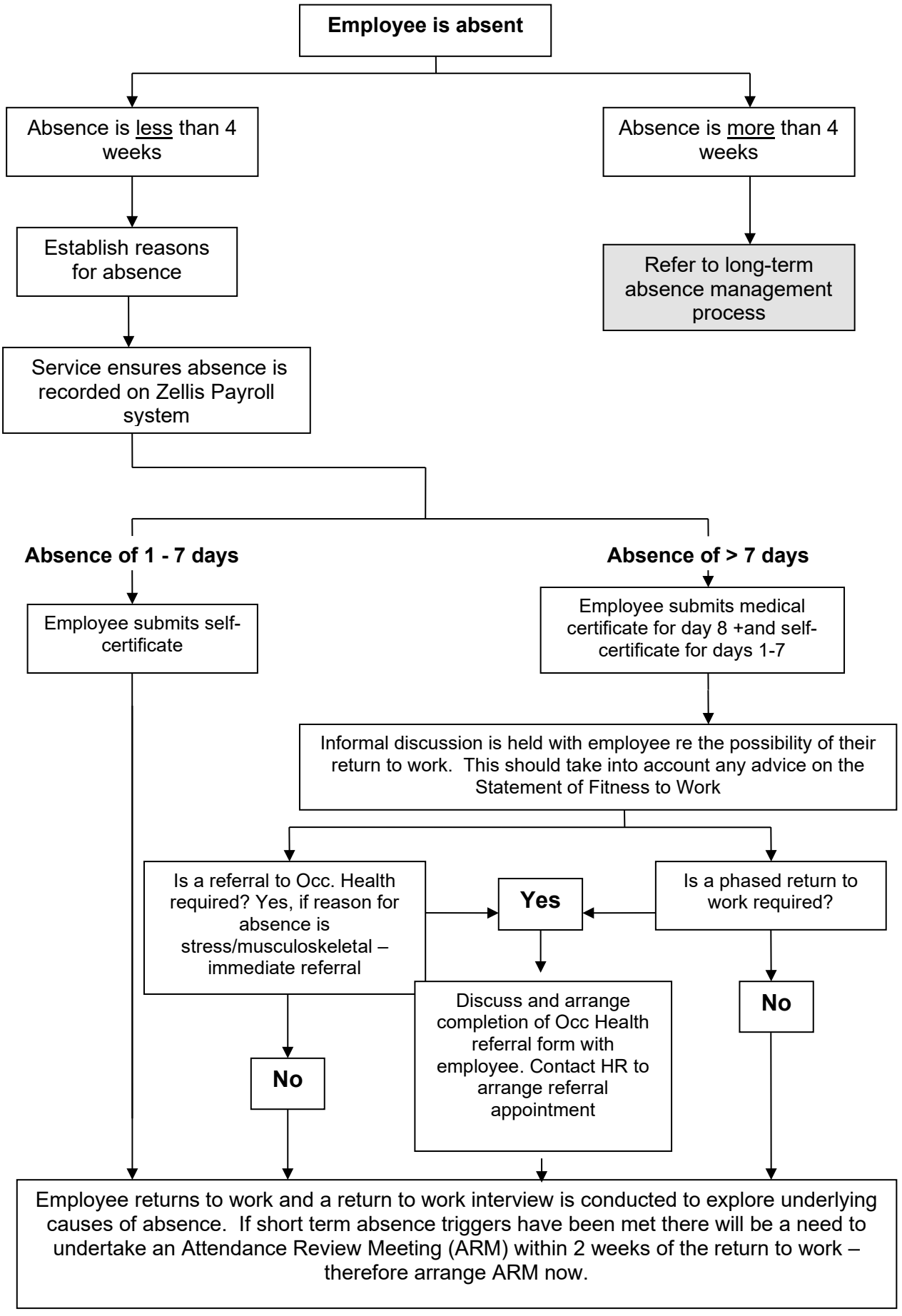
FFURFLEN COFNODI CYFWELIAD DYCHWELYD I'R GWAITH
RETURN TO WORK INTERVIEW RECORD FORM

ENW'R GWEITHWR/EMPLOYEE NAME:			
RHIF CYFLOG / EMPLOYEE NUMBER		**RHIF TAL PAY NUMBER**	
DYDDIAD AC AMSER Y CYFARFOD/ DATE AND TIME OF MEETING:			
ERAILL A OEDD YN BRESENNOL/ OTHERS PRESENT:			
CYFNOD YR ABSENOLDEB/ PERIOD OF ABSENCE:			
NIFER O DDYDDIAU/ NUMBER OF DAYS			
Y RHESWM (RHESYMAU) A RODDWYD GAN Y GWEITHIWR AM ABSENOLDEB/ REASON(S) GIVEN BY THE EMPLOYEE FOR ABSENCE			
YDI HYN YN GYSYLLTIEDIG A DAMWAIN YN Y MAN GWAITH? IS THIS RELATED TO AN ACCIDENT IN THE WORKPLACE? Os ydyw, cysylltwch os gwelwch yn dda gyda Iechyd a Diogelwch ar Health&Safety@ynysmon.gov.uk If Yes, please notify Health & Safety on Health&Safety@anglesey.gov.uk			
DYDDIADAU ABSENOLDEB SALWCH DROS Y 12 MIS DIWETHAF O'R ABSENOLDEB SALWCH DIWEDDARAF (Gwybodaeth ar gael ar Amdanaf I) DATES OF SICKNESS ABSENCE OVER THE PAST 12 MONTHS FROM THE LATEST SICKNESS ABSENCE (Information available on MyView)			
YDI'R PERSON WEDI TARO'R SBARDUN CORFFORAETHOL FEL NODWYD YN Y POLISI? HAS THE PERSON HIT A CORPORATE TRIGGER AS NOTED IN THE POLICY? Os Ydyw, rhowch gylch o gwmpas y sbardun isod / If Yes please circle trigger below:- • **Tri neu fwy o gyfnodau o absenoldeb salwch yn dod i gyfanswm o bum diwrnod neu fwy dros gyfnod treigl o 12 mis o'r absenoldeb mwyaf diweddar / Three or more periods of sickness absence totalling five days or more over the past rolling 12 month period from the latest sickness absence** • **Mwy nag un achlysur o 10 diwrnod yn absennol o'r gwaith yn olynol dros gyfnod treigl o 12 mis o'r absenoldeb mwyaf diweddar/ More than one occurrence of 10 consecutive working days' absence over a rolling 12 month period from the latest sickness absence** • **Patrwm rheolaidd/amlwg o absenoldeb / Regular/recognisable pattern of absence** • **Amgylchiadau eraill sydd, ym marn y rheolydd, yn achosi problem / Other circumstances considered by the manager to be sufficiently problematic** • **Cyfnodau aml o absenoldeb tymor hir / Frequent periods of long term absence** **IF PERSON HAS HIT A TRIGGER AN A.R.M. NEEDS TO BE ARRANGED / OS YW'R PERSON WEDI TARO'R SBARDUN, MAE ANGEN TREFNU C.A.P.**	**YDI YES**	**NA NO**

(gweler adran 8 y polisi am arweniad / (See section 8 of policy for guidance)		
MANYLION AM FATERION A DRAFODWYD/ DETAILS OF ISSUES DISCUSSED		
MANYLION AM GEFNOGAETH A GYNIGWYD/ DETAILS OF SUPPORT OFFERED		
CAMAU Y CYTUNWYD ARNYNT/ ACTIONS AGREED		
UNRHYW SYLWADAU ERAILL/ ANY OTHER COMMENTS		
DYLAI RHEOLWYR GYSYLLTU A'I SWYDDOG ADNODDAU DYNOL OS YDYNT YN YSTYRIED, YN DILYN CWBLHAU'R CYFWELIAD DYCHWELYD I'R GWAITH HWN, EFALLAI NAD OES ANGEN CADW APWYNTIAD IECHYD GALWEDIGAETHOL OEDD EISOES WEDI'I DREFNU I DDELIO A'R ABSENOLDEB YMA/ MANAGERS SHOULD LIAISE WITH THEIR HR OFFICER IF, FOLLOWING COMPLETION OF THIS RETURN TO WORK INTEREVIEW, IT'S CONSIDERED THAT AN OCCUPATIONAL HEALTH APPOINTMENT, ALREADY ARRANGED TO REVIEW THIS ABSENCE, MAY NO LONGER BE REQUIRED.		
LLOFNOD Y GWEITHWR/ SIGNATURE OF EMPLOYEE		
DYDDIAD/DATE		
LLOFNOD Y RHEOLWR LLINELL/ SIGNATURE OF LINE MANAGER		
DYDDIAD/DATE		

APPENDIX 3

SHORT TERM ABSENCE MANAGEMENT



GUIDELINES FOR MANAGERS TO DEAL WITH FREQUENT SHORT TERM ABSENCE

1. Conduct a return to work interview after every period of absence

2. When trigger is reached then conduct an Attendance Review Meeting

3. The employee should be sent a written invitation to attend the meeting – the employee can be accompanied by their trade union representative.

4. Give employee advance notice of the level and pattern of absence that is causing concern to be discussed at the Review Meeting.

5. Explore issues at the Review Meeting, discuss measures that can be taken by both parties to help overcome the health or other problem and improve attendance.

6. Refer to Occupational Health Service if applicable.

7. Send employee a written summary of the meeting, together with an action plan detailing the steps to be taken by all parties to help improve attendance, and the timescales within which it is to happen.

8. Set a date for a second Attendance Review Meeting – normally three months after the first Attendance Review Meeting, but could be a shorter period as appropriate, eg, if the employee continues to be frequently absent and there has been no improvement.

9. If, after this period, there has been sufficient reduction in the level of frequent short-term absence the matter may be closed at this second Attendance Review Meeting.

10. Following a minimum of 2 Attendance Review Meetings if there is no improvement and/or underlying medical problem to account for the level of absence, and, if appropriate, the matter has been referred to the Occupational Health Service for advice, the matter should go forward to a meeting of the Sickness Capability Panel or other appropriate formal procedure, e.g., Performance Improvement Procedure.

APPENDIX 5

Guide to Triggers

The following is **one** of the triggers for short term absence noted in Section 8:

Three or more periods of sickness absence totalling five days or more over a rolling period of 12 months.*

Some practical examples:

First Occurrence	3 days	**TOTAL 6** days - The line manager must arrange an Attendance Review Meeting (ARM) with the employee concerned within two weeks, Template Letter and Record Form available on Monitor. Ensure you have appropriate information to hand, Policy, Individual Attendance Record
Second Occurrence	1 day	
Third Occurrence	2 days	

First Occurrence	2 day	**No ARM** needed because it does not add up to five days or more. Look out for patterns and trends.
Second Occurrence	1 day	
Third Occurrence	1 day	

First Occurrence	40 days	No ARM needed as it's only one occurrence, the employee would need to be referred to Occupational Health after 20 days.

Triggers do not follow the financial year, April to March, for the reason that employees could go off sick twice in February and once in April totalling 5 days, but if the 3 absence occurred in different financial years they wouldn't hit the trigger and then not have an ARM.

*12 months refers to a rolling 12-month period. For example, on the 1st

day of absence count back 12 months. Use this to calculate how many

days' absence the employee has had in a 12-month period. This will

determine if the current absence results in a trigger point. For example

21st – 22nd of July 2021
17th of December 2021
7 - 8th of April 2022

This employee would need an ARM as it's three periods totalling 5 days. Following the ARM a review meeting should be agreed (approximately three months after first ARM). If this person is absent again in September 2015 (say 1 day) , the manager would look back 12 months and a further ARM might be needed. In this example, no further ARM would be required at this stage as the total absence for the 12 month period is 4 days.

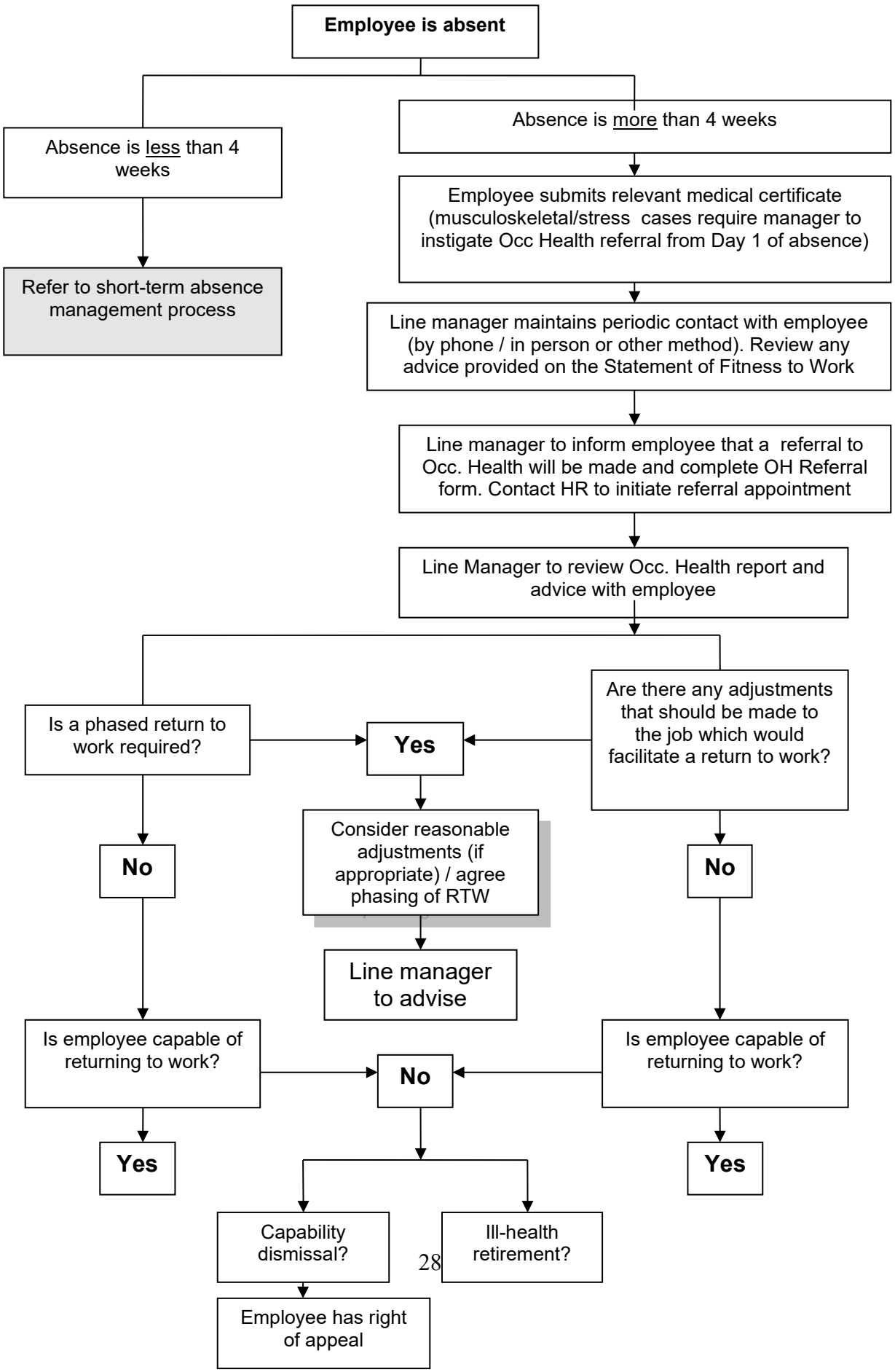
It is important to continuously monitor and review the situation.

Managers should use their discretion if time between absences is over a long period.

Please refer back to Managing Absence Policy section 8.

APPENDIX 6

LONG TERM SICKNESS MANAGEMENT



APPENDIX 7

LONG TERM SICKNESS ABSENCE MANAGEMENT

Checklist for conducting discussions with employees on long term sickness absence

Stages in Absence

1. When maintaining contact with employee (by phone/in person).

- Contact employee and explain the purpose of the telephone call or visit, i.e. to enquire about the individual's welfare and current state of health. Discuss their Statement of Fitness and any advice the GP may have provided.
- Enquire as to the individual's receipt of treatment/medication.
- Ask if there is anything the school can do to support a return to work, e.g. reasonable adjustments, occupational health advice, any management actions.
- Ask if the employee is fully aware of their obligations in relation to the Managing Sickness Absence Policy.
- Agree to maintain contact in accordance with the Managing Sickness Absence Policy.
- Allow the employee the opportunity to ask any questions.

2. When absence is more than 4 weeks

- Contact employee and explain purpose of the telephone call or visit i.e. to enquire about the individual's welfare and current state of health and to inform them that their absence has extended beyond 4 weeks and that the Policy now requires you to discuss referral to the Occupational Health Service with the employee. (Immediate referral if Work Related Stress or Musculoskeletal)
- Explain the purpose of the referral is to provide advice and support for the employee and you as the manager.
- Invite the individual to attend a meeting to discuss and agree the contents of the referral form. Refer to the FAQ's page of the referral form to help you explain the process to the employee and/or answer any questions they may have regarding the referral process.
- Arrange to keep in regular contact with the employee via their preferred reasonable method – see template letter attached for guidance - and record instances of such contact.

3. On receipt of Occupational Health report, discuss contents with employee (by phone/in person)

- Contact employee and explain purpose of the telephone call or visit i.e. to enquire about the individual's welfare and current state of health and to discuss the Occupational Health Report.
- Ask the employee for their views on the report.
- Discuss any recommendations made and consider whether appropriate.
- If appropriate/possible discuss a return to work plan.
- Explain the possible outcomes of long term sickness i.e. reasonable adjustments to post or redeployment.
- **Explain that you are also required to ensure that they are aware that the final steps in the process could include ill-health dismissal following a case review process as noted in the policy.**

APPENDIX 8

LETTER TO EMPLOYEE ON LONG TERM SICKNESS ABSENCE INVITING THEM TO OPT FOR A PREFERRED METHOD OF CONTACT FROM LINE MANAGER

Dear

I write in reference to your absence from work on medical grounds. While I hope that you will soon regain your health, I would like to remain in contact with you during your period of absence.

It is important that we maintain regular contact, to see how you are progressing in terms of your health and to ensure you are kept up to date with events in the workplace. We can also use this contact to answer any queries or concerns that you may have. It is also a requirement of the Managing Absence Policy that we maintain regular contact with you during periods of long term sickness absence.

I am writing to establish your preferred method of maintaining this contact and in which language, Welsh or English, you would prefer. There are a variety of options available such as telephone/occasional home visits/email. I am happy to use whichever is your preferred method or a combination of methods and would be grateful if you could inform me of your preference and what day/time you prefer contact to be made.

I would like to take the opportunity to remind you of the support that is available to you via the organisation's counselling service/occupational health. (occupationalhealth@gwynedd.gov.uk 01286 679 746) (info@medracounselling.com 01248 712 865)

Please contact me to arrange a convenient date and time to contact you. If I don't hear from your about your preferred method of communication, I will be contacting you via the telephone.

Yours sincerely

APPENDIX 9

Recording Form for Long Term Sickness Absence

An employee on long-term sickness absence may feel very isolated and greatly miss the social contact that work usually affords, it will be very important for the employee to know that, even though he or she is off sick, support is available from the employer. The manager should take positive steps to keep in touch so that the employee knows that the organisation is interested in his or her health and wellbeing, and that support is available.

This form must be completed for all sickness absences extending beyond 7 days

Employee Name		**Employee number**	
Job title		**School**	
Time of Call / Visit		**Date / Time**	
Visit / Call undertaken by:			
Update of absence			
Likely date of Return to Work			
Update on Fit Note			
Time of Call / Visit		**Date / Time**	
Visit / Call undertaken by:			
Update of absence			
Likely date of Return to Work			
Update on Fit Note			

Consider:

The employee should be made aware that if they are off work through long term injury or ill health and the absence has lasted for 6 months, it will not be possible for the situation to continue indefinitely and their continuing employment may be reviewed and eventually terminated.

APPENDIX 10

LONG TERM SICKNESS ABSENCE MANAGEMENT PROCESS

Day 1	**Step 1**	Employee phones line manager to inform of sickness absence with some indication of return to work which will vary from 1 – XXX days. Manager to remind the employee a fit note will be required if the absence is envisaged to last more than 7 days.
	Step 2	Manager informs Sickness Absence Co-ordinator so that absence can be recorded on Zellis.
	Step 3	If the absence is due to stress or musculoskeletal issues the line manager must arrange an immediate referral to Occupational Health.
	Step 4	If stress, the line manager to provide information on counselling self-referral process.
	Step5	If a fit note is produced that indicates 4 weeks absence at this stage, line manager to refer to Occupational Health.
Day 2-7	**Step 6**	Employee who has not provided a fit note, and anticipates a return within 7 days (including weekends), to telephone line manager on each day of sickness and provide update.
	Step 7	At any point fit note may become applicable and Steps 3 – 5 above apply.
	Step 8	If there is no contact the manager should contact the member of staff
	Step 9	Manager informs Sickness Absence Co-ordinator so that continued absence can be recorded on Zellis.
Day 8	**Step 10**	Fit note **MUST** be submitted to line manager by employee.
	Step 11	Manager informs Sickness Absence Co-ordinator so that continued absence can be recorded on Zellis.
	Step 12	If absence is likely to be long term manager to agree preferred reasonable method of maintaining regular contact with employee.
Week 4	**Step 13**	Manager to refer employee to Occupational Health if not already done so (Step 5)
	Step 14	If not already done so, manager to agree preferred reasonable method of maintain regular contact with employee (Step 12)
Week 5+	**Step 15**	Review Occupational Health report and act on advice/options contained therein, if practicable and reasonable.
	Step 16	Manager to maintain regular contact with employee on long term absence and ensure an audit trail of such contact is maintained by utilising appropriate template form (see Appendix 9 – Long Term Absence)
	Step 17	If OH advises phased return, line manager to arrange meeting with employee to discuss arrangements.
	Step 18	If employee is unable to return, and Occupational Health are unable to give a timeline for return, arrange a Case Review to discuss employment situation.

KEY MANAGEMENT ACTION POINTS IN IMPROVING ABSENCE LEVELS AND MANAGING ABSENCE CASES

1. It is the line manager's responsibility to manage the absence case with support and advice from their Human Resources Officer.

2. The manager needs to be up to date with the absence levels in their school and focus on reducing absence across the Council. The Manager should also be aware of the absence targets for their school, and the absence cases under review in their team.

3. School absence data should be discussed at the relevant Management Team Meeting in relation to trends and the number of long term cases within the school and that there are mechanisms in place to manage each case.

4. Managers should ensure that their employees understand the reporting procedures and the absence policy and procedure as it affects them. Managers should ensure that new employees are aware of the sickness reporting procedures from their induction.

5. When an employee is sick they must personally report the absence to the designated person before 9.00am on the first day, (or in accordance with locally agreed procedures). This allows the manager to arrange cover if necessary at the earliest opportunity.

6. The line manager holds return to work interviews and if a trigger level is reached, holds an attendance review meeting in line with the managing absence policy.

7. At the relevant stage according to the Absence Policy refer the employee to the Occupational Health Service. This is advisable once a formal stage in the Absence Management Procedure has been reached.

8. If the manager identifies a pattern of short term frequent absence then the manager must follow the guidelines laid down in Section 8 of the Managing Absence Policy.

9. Throughout the management of a sickness case the manager and the Human Resources Officer for the school should discuss the case and the manager should monitor the management of each case so that triggers and timeframes are adhered to.

10. The manager should keep in regular contact with the employee on long term sick, arranging face to face visits when these are appropriate.

11. The manager should consider any underlying reasons for the absence. These may include changes in the employee's personal circumstances or work related issues including stress. They should also be aware of the impact of any equalities issues on the absence.

12. The manager should consider, in a long term absence case, a managed phased return to work or making reasonable adjustments, if appropriate for the school, if recommended by Occupational Health.

13. There should be consideration of the effect of the absence on the team in relation to morale, cover arrangements, and the overall cost of the absence to the school.

14. The manager should always treat the employee with appropriate consideration, support and fairness.

15. Managers should understand the causes of absence as this may reflect a trend or patterns in absence that impacts across the school and organisation.