

Whole School Staff Absence Procedure

1.1. The purpose of these procedures is to take account of the effect of absences upon the work of a school. Only when an informal resolution of absence matters has failed should the formal procedures be pursued. A counselling approach is the heart of good practice when absence issues arise.

1.2. These procedures apply to all employees and outline the method for dealing with cases of absence. They have been divided into two separate sections, A and B, which deal with cases of short and long-term absence respectively.

1.3. These procedures should be used in all cases of absence except where an alternative procedure would be more applicable, e.g. alcohol/ drug misuse.

1.4. In cases of industrial injury the long term absence procedure will normally be applied except where an employee has a record of unrelated industrial injuries which should be considered in accordance with the short-term absence procedure.

Monitoring and Control

2.1. Detailed records must be kept to show an individual's level of absence and the reasons for such absence.

General

3.1. The procedures for short and long-term absence require an employee to attend meetings to discuss the reasons for absence. Management will ensure that:

(i) at each stage of the formal procedure the employee is informed in writing of the date, time and place of the meeting. A copy of the letter will be sent to the Branch Secretary of his/ her union

(ii) the employee is advised that he/ she may be represented by a Trades Union/ Professional Association Representative or work colleague

(iii) the details of the outcome of each meeting are confirmed in writing and sent to the employee, Trades Union Representative and the Branch Secretary of his/ her union

Short Term Absence

4.1. This section sets out the procedure for dealing with cases of either:

(i) frequent or persistent short-term absence, i.e. taking one or two days off work on a regular basis where employees provide sickness as a reason for absence for health reasons of an unrelated nature

and/ or

(ii) persistent intermittent absence i.e. taking one or two weeks off work on a regular basis for health reasons of an unrelated nature

Informal Procedure

4.2. A meeting will be held to discuss the reasons for absence with the employee concerned and try to check further absences of this nature at an early stage. The outcome of the meeting will be to decide what action to take for the future if necessary.

4.3. It may be necessary to refer the employee to the Occupational Health Physician if it is suspected that the employee may be suffering from a work related illness or other medical problem. If the Occupational Health Physician confirms that the individual has a medical condition which will prevent him/ her from improving his/her attendance at work, the case will be dealt with in accordance with the procedures for long-term absence set out in Section B.

4.4. In cases where there is no apparent related health reason for a series of absences, the employee will not normally be referred by the manager to the Occupational Health Physician. However, the Headteacher may wish to discuss the details of the case with the Occupational Health Service, in order to seek guidance on whether or not a referral is necessary. In addition an individual may approach the Occupational Health Service, on a voluntary basis, if he/she feels they would like to seek advice on their medical condition.

4.5. Where it appears that temporary domestic problems have led to the rise in absences, the Headteacher should consider whether a re-organisation of a person's duties or hours of work on a temporary basis will help to alleviate/ resolve domestic problems and improve attendance. Referral to other professional agencies may also be suggested to help the individual.

4.6. An employee should be advised that if his/ her rate of absence continues to be unacceptable following the counselling session, that it may be necessary to proceed to the formal stage of the procedure, which may include counselling.

4.7. A note of the discussion, including details of agreed outcomes, will be kept for reference purposes.

4.8. Where an employee demonstrates an improvement in his/ her level of attendance following the counselling session, a further informal discussion should be held at which the increase in attendance is noted and any other relevant issues should be discussed, e.g. changes in circumstances, continued problems, etc.

Formal Procedure

5.1. The formal procedure will consist of three warnings prior to dismissal as detailed below:

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|-----------------------------|--------------------|
| (i) First Written Warning | 6 months duration |
| (ii) Second Written Warning | 9 months duration |
| (iii) Final Written Warning | 12 months duration |
| (iv) Dismissal | |

These will be issued at formal interviews, the purpose and conduct of which are outlined briefly in the following section.

5.2. An employee's attendance will be monitored during each of the warning stages. The warning will be removed from the file if the employee attains an acceptable level of attendance.

5.3. In cases where an improvement has been made but absence levels have still not reached an acceptable standard, then the existing warning may be extended for a further period rather than proceeding to the next formal stage of the procedure. Progression to the next stage will not be automatic.

Conduct of Interviews

6.1. The formal interview will normally be conducted by a senior member of school staff with the Departmental Personnel Officer/ Manager. Cases which have reached final warning stage should be handled by the Headteacher.

6.2. The purpose of the interview will be to discuss some or all of the following points:

- (i) the employee's level or pattern of absence and the attendant reasons
- (ii) to establish that the employees must make an appreciable and sustained improvement in his/ her attendance at work
- (iii) to consider any information received from the Occupational Health Service, agreed Medical Practitioner or DfEE Medical Adviser where appropriate
- (iv) to confirm that the level of attendance will be monitored over a review period the length of which will be decided by the Headteacher

6.3. The decision to dismiss an employee should only be made by the panel of the Governing Body.

Right to Appeal

7.1. The employee must be advised of his/ her right to appeal at each of the warning stages to the appropriate panel of the Governing Body.

7.2. If the employee is dismissed, he/ she must be advised of his/ her right to appeal to the Governing Body.

7.3. The employee or his/ her representative must register in writing their wish to appeal against any warning or notice of dismissal within five clear working days of receiving the notification.

7.4. In all cases, the employee must receive written notification of the date, time and place of the appeal hearing five working days prior to the appeal, which should normally be heard within ten working days.

7.5. In all cases, the employee must provide a written statement setting out the clear grounds on which the appeal is based, including witnesses, no later than 48 hours prior to the appeal hearing.

Grounds of Appeal

- (i) New facts
- (ii) Severity of decision
- (iii) Procedure not followed correctly

7.6. Those hearing the appeal will advise the parties of the decision orally and will confirm this in writing within three clear working days.

Long Term Absence

8.1. This section sets out the procedure for dealing with cases of prolonged or continuous long-term absence.

8.2. Long-term absence will refer to cases where an employee suffers from an acute or chronic medical condition, e.g. a heart condition, which may last for a duration of weeks/ months, or a particular medical condition which frequently prevents an employee from attending work, e.g. asthma, or absence of either type arising from an industrial injury or disease.

8.3. It is the responsibility of the Headteacher and the employee concerned to maintain close contact with one another in order to keep each party informed of the latest position until the employee returns to work.

8.4. An initial interview will be arranged in order to establish:

- (i) whether there has been any improvement in health
- (ii) the likely duration of the absence and the possible date of return
- (iii) the reasons for referring the employee to the Occupational Health Service

8.5. Where a medical report on the employee is required from his/ her own GP consultant, the provision of the Access to Medical Reports Act 1988 will apply and the relevant procedures must be followed.

8.6. In cases of long-term absence, it will be necessary to refer an employee to the Occupational Health Physician. The employee should be informed by personal contact of a date and time for the examination. The details should be confirmed in a letter to the employee and a copy sent to the relevant Trades Union Branch Secretary.

8.7. A second interview will be held at which the Manager will consider any other relevant information regarding the employee including:

- (i) length of service
- (ii) likelihood of return to work
- (iii) the possibility of future absences
- (iv) any relevant medical advice
- (v) the availability of suitable alternative work in short-term
- (vi) the need to redeploy or dismiss an employee on the grounds of ill-health.

8.8. In cases where there is a difference of medical opinion, with regard to the employee's fitness to return to work, attempts should be made to reconcile the differing views. If this is not possible, the matter can be referred to an independent medical examiner chosen jointly by the Authority and the employee at the request of either side. Any cost involved will be met by the Council. An employee will be medically suspended on full pay until a decision is reached.

8.9. If the independent referee pronounces the employee fit to return to work, with effect from a given date, then the sickness allowance under the scheme will cease with effect from that given date. The independent referee's decision will be binding on both parties.

8.10. In cases where an employee has been absent from work owing to a prolonged or chronic illness, the individual may require advice, support or counselling from the Occupational Health Service either before, during, or after their return to work. The Headteacher should liaise with the Occupational Health Service in order to establish any particular needs of the employee following their illness, which may involve the need to modify working arrangements on a temporary basis, e.g. reduced working hours, lighter workload, alternative duties, etc.

8.11. In cases where an employee is unlikely to return to work on the grounds of ill-health, he or she may benefit from counselling, advice or support from the Occupational Health Service. A recommendation for retirement on the grounds of permanent ill-health may also be in the interests of the employee and should, therefore, be considered at the appropriate time in relationship to the nature and severity of the illness.

8.12. If an employee is declared to be medically unfit to carry out the duties of his/ her substantive post, the Headteacher must consider whether suitable alternative employment is available before a decision is taken to terminate employment on medical grounds. If a



post is found the Occupational Health Physician should be asked to confirm that the employee is fit to undertake the duties.

8.13 In cases where an employee is to be dismissed on the grounds of ill-health the employee must be advised at the second meeting of the reasons behind the decision to terminate employment; of the payments he/she will receive during the period of notice or payment in lieu; accrued payment (if any) to be made. The employee should receive holiday pay; the lump sum and pension payable (if applicable), or gratuity; written confirmation of the decision and formal written notice by the Authority.

8.14 The employee should be advised of their right of appeal to the Appeals Committee of the Governing Body, as appropriate.

Harrow HR Model Policy for Schools Adopted by the Governing Body 12th October 2016.