



ATTENDANCE MANAGEMENT POLICY

THIS POLICY APPLIES TO THE HOPE TRUST BOARD, CENTRAL TEAM, ALL TRUST SCHOOLS
AND THE EBORHOPE TEACHER TRAINING PARTNERSHIP

Document Management:

Date Policy created: May 2019

Date Policy Approved: 25th November 2019

Dated reviewed: October 2020

Next Review Date: October 2021

Version: 1.0

Approving Body: Resources Committee

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Introduction

The Hope Learning Trust, York is committed to maintaining the health, safety and welfare of its staff. The Trust seeks to provide a positive and healthy working environment and recognises the value of its employee's work/life balance. Regular attendance at work is an integral part of every employee's contract of employment. However, it is recognised that employees will on occasion have genuine and acceptable absence for health reasons and on those occasions the Trust will aim to support an employee, with the aim of assisting their return to work at the earliest opportunity.

The overall aim of the policy is to minimise absence levels, improve attendance and provide guidance on how the Trust may support those employees who are unable to attend work due to ill health, in order to ensure the best quality of education to our pupils. This policy also aims to provide a fair and consistent framework for managing attendance and should inform all employees of their responsibilities regarding sickness absence from work.

A managers' "Toolkit" has also been developed which includes additional guidance on a range of issues covered in the policy as well as example letters. Further support is also available from HR.

Trade Union Support and representation

All absences should be dealt with in a sensitive, confidential and positive manner to encourage and support employees, in order to facilitate a return to work. It is recommended that employees who are subject to the Attendance Management procedure contact their Trade Union representative at the earliest opportunity so that the Union can offer them appropriate advice, guidance and support.

Employees have the right to be accompanied by a Trade Union representative or work colleague who does not have a conflict of interest at any formal meeting. However, the Trust will also accommodate requests for an employee to be accompanied at informal meetings as well (apart from return to work meetings).

Scope of the Policy

The policy and procedures will apply to all employees of the Trust.

This policy does not form part of any employee's contract of employment and the Trust may amend it at any time, following consultation with the Trade Unions.

Equality

In applying the policy and procedure, managers will not unlawfully discriminate in respect of any of the protected characteristics as defined under the Equality Act as specified below:

- Age
- Disability
- Gender Reassignment
- Pregnancy and maternity
- Race (including ethnic or national origins, colour and nationality)
- Religion and belief
- Sex

- Sexual Orientation
- Marriage and civil partnership

Disability and Reasonable Adjustments

Where an employee is identified as having an impairment or medical condition which has a substantial and long term detrimental effect on the individuals physical or mental health, this is classed as a 'disability' under the Equality Act. In such cases 'reasonable adjustments' will be considered and provided to help support and maintain the employees' employment.

The type of adjustment provided to support a disability will vary on a case by case basis, depending on the medical condition or impairment identified. Adjustments could include:

- Changes to the workload, work practices or work pattern environment, either as part of phasing the employee back to work or on a more permanent basis;
- Provision of adaptations or aids;
- Other additional support identified e.g. counselling;
- Dependent care leave/flexible working opportunities;
- An extension to a review period;
- Additional time off for a reason directly related to their disability (DRSL).

The Trust aims to support disabled people in a positive and proactive way to eliminate and avoid any discrimination and disadvantage.

General Data Protection Regulations (GDPR)

Details of sickness and health will be regarded as personal, sensitive information and will be retained and used in accordance with the General Data Protection Regulations (GDPR) 2018 and other legislative provisions.

The Trust's Responsibilities

- To inform all employees of the Attendance Management procedures including the conditions of the sick pay scheme;
- To record all sickness absence upon notification;
- To meet with employees on their return to work, regardless of the duration of the absence;
- To monitor and review sickness absence across the Trust;
- To hold Attendance Review meetings with an employee when their attendance level has reached a trigger point, where appropriate;
- To maintain reasonable contact with employees during a period of absence.

The Employee's Responsibilities

- To attend work when fit to do so;
- To comply with the Trust's notification of sickness absence procedures;

- To maintain contact with the Trust and to attend meetings when required to do so, except in exceptional circumstances and upon agreement with their designated manager when alternative arrangements will be made;
- To attend Occupational Health appointments if requested to do so.

How to report Sickness Absence

The purpose of having a clear reporting process is to ensure that the Trust can make appropriate arrangements to minimise the impact of sickness absence. This may involve arranging for supply cover or longer term arrangements in the event that an employee is absent for a longer period of time.

Notification of Sickness Absence

An employee must notify their manager, or if they are not available another appropriate manager, if they become unwell whilst at work and need to leave early. Similarly, any illness which may affect the ability to carry out normal duties must be reported.

When an employee is unable to attend work because they are ill or injured, they are required to follow the reporting procedure set out by the school/academy. Each school/academy should ensure that all members of staff are aware of, and follow, the procedure.

Certification

Every absence has to be certified to ensure prompt and correct payment of contractual and statutory sick pay.

- For one to seven calendar days of any absence an employee, on return to work, must complete a self-certification form;
- From the eighth calendar day onwards (including Saturday and Sunday), the employee must obtain a 'Statement of Fitness for Work' (fit note) from a medical practitioner/hospital. These must be sent to the nominated manager;
- Where there is continuing sickness absence, the employee must submit concurrent fit notes to cover the whole period of absence. (This also applies during school holidays where an employee's sickness absence continues into the school holiday period or they become ill at the end of the school holiday period and are still absent when a new term begins);
- If the employee's absence persists for longer than seven consecutive days (including weekends), then the employee must submit a doctor's fit note.

It should be noted that failure to follow the reporting and certification procedures set out above, without good reason, may lead to the attendance from work being considered as unauthorised leave, resulting in loss of pay and possibly disciplinary action.

Maintaining Contact

Short Term Absence

When an employee is absent from work due to sickness, it is their responsibility to keep their nominated

manager regularly updated on their situation throughout their period of absence, giving them as much information as possible about the attendance and any treatment that they have had or are planning to have. This should be done by telephone or as per an alternative agreement.

Long Term Absence

If an absence becomes long term, regular contact must be maintained, the method and frequency of which to be agreed dependent upon the circumstances.

Sick Pay

If the Trust is concerned that the reason(s) given for the employee's absences are not genuine, the Trust may withhold sick pay and commence action under the Disciplinary Procedure. In this case the Trust is considering the employee's conduct.

Additionally, if the employee is found to be carrying out some other work, within their contracted hours at the Trust, sick pay could be withheld, unless this is considered by all parties to be of a therapeutic nature.

It is the responsibility of the employee to notify their line manager if undertaking therapeutic work whilst off sick and to avoid misunderstandings it is advised that advice should be sought from Occupational Health as to the advisability of such activity.

Absences Arising from Accidents, Injury or Assault at Work

In the case of absence due to accident, injury or assault attested by an approved medical practitioner to have arisen out of and in the course of an employee's employment, full pay, treated as sick pay, subject to the production of self certificates and/or fit notes shall be paid from the day of the accident, injury or assault up to the date of recovery but not exceeding six calendar months.

Surgery for Non-Medical Reasons

Time off for surgery that is not for medical reasons will ordinarily not be paid by the Trust (unless validated by a medical professional). Any leave granted, whether paid or unpaid, will be subject to the availability of staff to cover the employee's period of attendance.

Returning to work

Where a doctor advises the employee that they are "not fit for work" the doctor will state the period (or dates) that this will be the case and whether they will need to assess the employee again. If the doctor has not stated that they need to assess the employee again, it will ordinarily be assumed that the employee will return to work on expiry of the fit note. There may be occasions where it is advisable to ask the employee to seek further advice from their doctor regarding a return to work or to seek advice from an Occupational Health Advisor before the employee is allowed to return to work. The employee is required to attend such an additional appointment as reasonably instructed by the Trust. During such additional period of assessment (unless the employee refuses to attend such an appointment), the employee will remain entitled to sick pay.

The fit note may state 'may be fit for work taking account of the following advice'. A doctor may be able to suggest ways of helping an employee get back to work. This might mean discussing:

- A phased return to work
- Flexible working
- Amended duties
- Workplace adaptations

It is important that employees contact their nominated manager as soon as possible on receipt of such advice and in any event, significantly prior to their return to work to discuss any adjustments suggested by their GP. Employees should inform their nominated manager of their proposed return to work date as soon as possible.

The Trust will investigate reasonable suggestions made by a doctor of steps that may assist an employee to return. However various factors may prevent the Trust from acting on such advice including (but not limited to) maintaining education standards, the impact on pupils or other staff, practicability, disruption to school life and cost.

Underlying Personal Circumstances

Should it be established that the employee's sickness is related to their personal or domestic life, the employee will be made aware of the services and support that can be provided through the Trust such as counselling and Occupational Health.

Managing Absences Related to Stress

Where an employee feels they are suffering from stress or they are absent from work because of a stress-related reason, they should be reassured that the Trust will adopt a supportive and understanding approach to dealing with this.

If a manager is concerned that an employee's absence may be due to work related stress, or is made aware of this by the employee, then a stress risk assessment should be undertaken. While primarily concerned with stress arising from the working environment it also recognises that events occurring in an employee's personal life may lead to stress and impact on their performance and attendance at work. Further information is available at Appendix 1.

On occasion the manager may have reason to believe, or the employee may have explicitly indicated that the relationship between them is perceived as a cause of stress by the employee. In this situation the manager should ask another colleague to conduct meetings, undertake a stress risk assessment and be involved in the process.

The Trust believes it has a clear responsibility to provide help and support to employees affected by poor mental health. Managers must remember that it may not be easy for the employee to disclose a mental health condition due to the stigma that still surrounds mental health. Managers should contact HR for further advice and guidance.

Dealing with Cancer and other life threatening illness

The Trust believes it should do all that it can to offer appropriate help and support to employees who are

affected in some way by the diagnosis of cancer or other life threatening illness. The procedure for dealing with trigger points, Occupational Health appointments and attendance meetings etc outlined in this policy may be modified as appropriate in these circumstances. However, it is still highly important that contact is maintained with the employee in order to provide them with appropriate support and advice and to keep them up to date so they do not feel isolated.

Occupational Health

The Occupational Health Services provides up-to-date, professional medical advice to managers to help them make informed decisions about an employee's health in relation to their work. Referrals can be made for both employees who are absent due to short and long term absence. Managers do not need to wait until an employee is absent from work or has reached a trigger point before they make a referral to Occupational Health if there are concerns about an employee's health.

Where there are medical confidentiality issues this may mean that the employee has to give their consent to any specific details relating to a current or previous medical condition being released to their employer. However, Occupational Health will provide a medical opinion on the case in as much detail as they can. Management should then consider this information along with any other relevant information such as the nature of the illness, length of absence, ability to provide service delivery while absence continues etc.; in order to consider any appropriate action.

The Trust may refer the employee to an Occupational Health Advisor who will be able to advise on matters such as:

- When the employee may be able to return to their role
- The employee's ability to carry out their role
- Whether the employee falls under the auspices of the Equality Act 2010, and whether any adjustments or modifications could be made to assist the employee in carrying out their role
- Whether the employee is (or will soon be) unable to carry out their role and/or the employee's ability to carry out alternative duties within the Trust
- Whether any adjustments or modifications could be made to assist the employee in carrying out such alternative duties

The Trust has a duty of care to its employees to consider appropriate support options including reasonable adjustments or phased returns to work. More information on phased returns is provided later in the policy.

It may be appropriate for employees experiencing a psychological illness i.e. stress/anxiety/depression or a musculoskeletal complaint i.e. neck/shoulder/back condition, that an immediate referral to Occupational Health is made.

Where long term absence lasts for four weeks, the employee will normally be referred to Occupational Health, unless a referral is not appropriate at that time e.g. the employee is undergoing treatment for Cancer or other serious illness. In such cases a referral should not be unduly delayed as both the employee and the Trust can benefit from Occupational Health advice in such circumstances.

If an employee refuses or fails to attend an interview with Occupational Health without an adequate explanation this may result in their entitlement to occupational sick pay being withheld. In addition, the Trust will proceed to hold appropriate review meetings and make decisions regarding the employees' absence without the benefit of medical advice.

Return to work meeting

Following a period of sickness absence the employee will be required to attend a Return To Work meeting. Ideally this should be done on the employee's first day back to work. If this isn't possible it should be held within three days of their return to work.

The meeting will normally be held by the employee's manager. The purpose of the meeting is to welcome the employee back to work, inform them of any changes during their absence and to seek confirmation that the employee is completely fit for work or if they need any extra support at the time. It is also to demonstrate the Trust's commitment to monitoring the health and well-being of its employees. It may be that a referral to Occupational Health for investigation of the employee's health problems is necessary to gain advice on medium and long term fitness for work and if there is an underlying condition requiring reasonable adjustments to be considered.

In a Return To Work meeting employees should be made aware when they are near to reaching a trigger point (see below) and that reaching these could result in a Stage 1 Attendance Meeting where a formal warning could be given. Employees should be offered support to prevent this. Should the employee have hit the trigger points by this stage they will be informed at the return to work meeting that they will be invited to a Stage 1 meeting. Should a live warning already be on file for the employee, and they have exceeded their attendance target, they will be notified at the return to work meeting that they could be invited to a Stage 2 or 3 Attendance Meeting. A record of the meeting should be made using the return to work meeting form, this is to be signed by the manager and employee and copied to the employee and placed on the employee's personnel record file.

It is the intention that the Trust will manage attendance in a pro-active manner through the effective completion of return to work meetings.

Dealing with short and long term absence

Short term absence is defined as an episode which does not exceed four weeks (i.e. repeated days of full or partial attendance, frequent or persistent in nature).

Long term absence is defined as continuous absence of four weeks or more (subject to the employee's contract e.g part time etc.) or where the employee has been unable to sustain regular and efficient attendance due to a long term condition.

Trigger Points

Where attendance levels become a cause for concern, due to trigger points being reached (see below), this procedure will be invoked to ensure a fair and consistent approach to the management of attendance.

In order to manage attendance effectively it is important that sickness absence is consistently reviewed. The Trust has pre-determined review points which can alert the Trust if an employee's attendance has reached a point where there may be cause for concern or the employee may require support. The following review points are in place to monitor employee attendance:

- Three occasions of absence in a rolling three-month period
- Four occasions of absence in a rolling six-month period
- Ten or more working days in a 12-month period

- A trend of an unacceptable pattern of absence e.g. regular Mondays/Fridays
- Long term attendance lasting four weeks or more

*An occasion is defined as a period of attendance that may be consecutive days, single days or half days. This includes both long and short term absences.

Exceptions to the Trigger Point System

Absence due to pregnancy or related illness will be discounted when calculating the levels of absence for the purposes of taking action under this procedure.

Absences due to disability related illnesses, and/or illnesses covered under the Equality Act e.g cancer, are recorded; however, managers will, when considering sickness absence in relation to disabled employees, consider appropriate 'reasonable adjustments' of which one may be to accept some level of absence from work.

Table showing level of Authorised Officer and potential action at meetings

Stage	Meeting convened and potential level of warning	Authorised Officer (Teaching & Support Staff)	Appeal to (Teaching & Support Staff)	Authorised Officer (Centrally Employed Trust Staff)	Appeal to (Centrally Employed Trust Staff)
Stage 1 Attendance Meeting (at least five working days' notice of meeting)	A trigger point is reached or where absence continues for more than four weeks and there is no sign of a return to work. First formal warning remains in force for 6 months	Nominated senior manager	Headteacher/ Principal	Nominated senior manager	Chief Operating Officer
Stage 2 Attendance Meeting (at least five working days' notice of meeting)	A further trigger point has been reached and/or there has been no significant improvement in attendance at any point during the 6 month review period	Nominated senior manager/ Headteacher/ Principal	Headteacher/ Principal/ Local Governing Committee 'A'	Nominated senior manager/ Chief Operating Officer	Chief Operating Officer/ Chief Executive

Stage	Meeting convened and potential level of warning	Authorised Officer (Teaching & Support Staff)	Appeal to (Teaching & Support Staff)	Authorised Officer (Centrally Employed Trust Staff)	Appeal to (Centrally Employed Trust Staff)
	<p>following a first formal warning.</p> <p>A return to work cannot be foreseen or is not sustained in the agreed timescales.</p> <p>Final formal warning</p> <p>Remains in force for 12 months</p>				
<p>Stage 3 Final Attendance Meeting (at least five working days' notice of meeting)</p>	<p>No significant improvement in attendance at any point during the 12 month review period following a second formal warning.</p> <p>A return to work cannot be foreseen or is not sustained in the agreed timescales.</p> <p>Where options to enable the employee to remain in employment are either unreasonable, inappropriate or have been unsuccessful.</p> <p>Dismissal or ill health retirement in cases of permanent incapacity</p>	<p>Headteacher/ Principal/Local Governing Committee 'A'</p>	<p>Chief Executive/ Local Governing Committee 'B'</p>	<p>Chief Operating Officer/ Chief Executive</p>	<p>Trust Board of Directors</p>

STAGE 1 Attendance Meeting

If the employee's attendance has not improved to a satisfactory level following informal action through the Return To Work meeting, and having taken into consideration the trigger points (please refer to paragraph 24 for exceptions), advice from Occupational Health (if appropriate) a Stage 1 Attendance Meeting will be held between the employee and a nominated manager in accordance with the table above.

The employee will receive at least 5 working days' notice of the Stage 1 Attendance Meeting in writing. This will include the time, date and place of the meeting, the reason for the meeting, issue any evidence to be discussed at the meeting and the right to be accompanied by a trade union representative or work colleague who does not have a conflict of interest.

The manager conducting the meeting should prepare by ensuring that they have identified the employee's sickness absence levels and the support that has been provided via the return to work meetings. Any medical evidence or documentation that the employee wishes to be considered should be submitted prior to the meeting.

In the Stage 1 Attendance Meeting the manager will:

- Explain the concern about the attendance level and reasons for that concern, such as operational difficulties caused;
- Listen to reasons and respond appropriately;
- Consider whether to refer the case to Occupational Health, if they have not already done so;
- State that sustained improvement in attendance is expected and set an appropriate monitoring period and reasonable targets for improvement;
- Identify any support required.

1.1 Potential Outcomes

- Advice is sought from Occupational Health (if not already received)
- Attendance continues to be monitored and reviewed
- No further action is required
- A first formal warning is issued which remains "live" for 6 months

The manager should fully record the details of the discussion and send a letter to the employee confirming the details of this meeting. This will include the right to appeal if a warning has been issued.

When a warning has been issued if the employees does not reach the specified targets at any point during the warning period, the manager may progress to the next stage in the Attendance Management procedure. They will not wait until the end of the warning period to take action. A warning will cease to be 'live' for the periods detailed in the summary table above. The employee should be made aware that if their attendance does not improve to the specified level they could progress to a Stage 2 Attendance Meeting which could lead to the employee's employment being put at risk.

Where there is a history of formal warnings that result in a successful monitoring period which is then immediately followed by further attendances, the school/academy may decide not to re-commence the informal attendance monitoring process but move instead to the next stage in the formal procedure. This may be where the level of attendance continues to be a serious concern, has a serious impact on the school/academy and is unsustainable.

STAGE 2 Attendance Meeting

If the employee's attendance drops below the required level within the set monitoring period the nominated manager will ask the employee to attend a Stage 2 Attendance Meeting.

The manager will provide at least 5 working days' notice of the Stage 2 Attendance Meeting in writing. They should inform the employee of the time, date and place of the meeting, the reason for the meeting, issue any evidence to be discussed at the meeting and state that they have the right to be accompanied by a trade union representative or work colleague who does not have a conflict of interest.

In the Stage 2 Attendance Meeting the manager will:

- Explain the concern about the attendance levels and reasons for that concern, such as operational difficulties caused
- Listen to reasons and respond appropriately
- Consider whether to refer the case to Occupational Health, if they have not already done so
- State that sustained improvement in attendance is expected and set an appropriate monitoring period and targets for improvement
- Identify any support required

1.1 Potential Outcomes

- An extension of monitoring and support
- Additional advice is sought from Occupational Health
- The employee is issued with a final formal warning, to remain on file for 12 months and made aware that continued failure to improve attendance to the specified level could lead to a Stage 3 Attendance Hearing which could result in dismissal
- No further action is required at this stage

The manager will fully record the details of the meeting and send a letter to the employee confirming the details of this meeting.

STAGE 3 Final Attendance Hearing

If the employee's attendance drops below the required level within the set monitoring period, or there is no improvement or clear date for a return to work the employee will be required to attend a Stage 3 Attendance Hearing.

The employee will be provided with at least 5 working days' notice of the Stage 3 Attendance Meeting in writing which will confirm:

- The purpose of the hearing
- Details of the employee's attendance
- The stage reached in the procedure
- When and where the hearing will be conducted
- The right to be accompanied by a trade union representative or work colleague who does not have a conflict of interest
- The requirement for the employee to provide, in at least 2 working days before the hearing, all documents that he/she intends to present at the hearing

Any medical evidence or documentation that the employee wishes to be considered should be submitted at least 2 working days prior to the hearing. The purpose of the Stage 3 Attendance Hearing is to consider whether the employee is capable of continuing employment with the Trust in the light of their health, their attendance and their ability to perform the role with reasonable effectiveness. The meeting also takes into account whether the Trust can reasonably sustain the employee's level of attendance.

1.1 Potential Outcomes

- An extension of monitoring and support
- Additional advice is sought from Occupational Health
- No further action is required at this stage
- Dismissal with paid notice

If it is decided that the employee's attendance is not acceptable and is unlikely to improve to an acceptable level, the employee may be dismissed with notice on the grounds of failure to sustain required levels of attendance.

Prior to a decision to dismiss consideration will be given to any alternative working arrangements or roles with the Trust. When determining whether a dismissal is fair and non-discriminatory the following points need to have been considered:

- The nature of the illness
- The likelihood of it recurring or some other illness arising
- The length of the absences and the periods of good health between them
- The Trust's need for someone to undertake the work
- The cost and impact of the absence on other employees and the school/academy
- The adoption and implementation of the Trust's policy and procedure
- An assessment of the individual case, on its own merits
- Relevant employment legislation

If the Trust decides to terminate the employee's employment on the grounds of the above, the employee will be informed of the Trust's decision to dismiss in writing and advised of their right of appeal.

Time limits for warnings

Warnings should cease to be "live" after the specified time period has elapsed. As part of the Trust's fair approach to dealing with attendance issues, the Trust's Attendance Policy enables employees to regain a clean record and the caution will normally be disregarded once the time period of the caution has expired. However, there may be occasions where an employee's attendance is satisfactory throughout the period that the caution is in force, only to lapse very soon afterwards. A decision to dismiss should not be taken on an expired warning but the fact that there is an expired warning may explain why a lesser sanction is not enforced.

Appeals

Any appeal arising as a result of a warning or dismissal must be made in writing within 5 working days of receiving the outcome of the hearing.

If the employee submits an appeal, he/she will be invited to an Appeal Hearing where their case will be

heard in accordance with the table above. The outcome of the Appeal Hearing will be confirmed in writing to the employee. There is no further level of appeal.

An appeal following a stage 3 dismissal will be heard by a panel of three governors/trustees.

Managing Headteacher/Principal Sickness Absence

In the case of Headteacher/Principal sickness absence, the procedure will be managed by the Chair of the Trust or a nominated Trustee.

Long Term Sickness Absence Management

Where an employee is, or is reasonably expected to be absent from work for four weeks or more (including any period of holiday) or where the employee has been unable to sustain regular and efficient attendance due to a long term condition they will fall within the scope of the long term sickness absence procedure. It may be appropriate for employees experiencing a psychological illness i.e. stress/anxiety/depression or a musculoskeletal complaint i.e. neck/shoulder/back condition, that an immediate referral is made to Occupational Health.

The Trust will maintain regular and supportive contact with the employee, as appropriate and agreed by all parties, which may include regular review meetings to discuss the employee's continuing absence, when the employee may be able to return to work and any reasonable adjustments that the Trust may be able to make to assist the employee in returning to work. It is a contractual requirement that the employee co-operate with the Trust during such periods of absence.

Whilst the procedure remains the same as managing absence for short term sickness, it is recognised that, in the case of long term sickness, not all stages in the procedure may be needed and can be entered at any level. This will be dependent upon the circumstances following discussion with the employee and their representative (if applicable).

As part of the formal review process, regular meetings will be arranged to discuss the likely date of a return to work and what duties, if any, the employee could undertake, together with any reasonable support that could be provided. The review meeting will:

- Establish the likely duration of the sickness absence, and an indication of when the employee will be able to return to work and/or the anticipated next steps in their treatment
- Consider medical/Occupational Health advice
- Review actions or reasonable adjustments that can be taken to support a return to work
- Explore why the employee has been unable to return to work or alternatively not perform to the new arrangements that may have previously been agreed
- Establish if retirement on the grounds of ill health may be a consideration
- Provide information to keep the employee updated on what is happening at work during their absence
- Provide an update on the employee status of pay

In limited circumstances, and providing that all the consultation and review stages are documented and a final Occupational Health report supports dismissal, it may be appropriate to only implement the Stage 3 Attendance Review Hearing, for example where ill health retirement with full acceptance of the employee

is the likely outcome. Managers must seek the advice of the Human Resources department in these circumstances.

Alternative venues

In some circumstances where employees are unable to attend a meeting at the Trust it may be appropriate for management to arrange an alternative venue. This may include the employee's home with their agreement or a neutral venue.

Phased return to work

In order to facilitate an employee's return to work a "phased return" may be appropriate. This enables employees to return to work initially on reduced hours and/or restricted duties to ease the transition and facilitate an early return. Medical advice on the suitability of a phased return can be obtained from Occupational Health. Any advice outlined by the GP on the fit note should also be taken into account. Consideration should also be given to the possibility of working in another area of the Trust for a short time if restricted duties are not available in their own area of work. The phased return should not usually exceed four weeks, however, in exceptional circumstances this can be extended beyond this.

Managers will need to consider reasonable adjustments within a phased return for an employee who has a disability covered by the Equality Act. The phased return may need to be for a longer period than that specified above.

In some cases, a phased return may not yet be appropriate but the employee would benefit from some time in the working environment to help them re-adjust and prepare for coming back to work either on a phased return or full time. This may be appropriate if employee has had a long period of illness or is particularly anxious or concerned about returning to work. In such cases the employee could spend some time visiting the work place for very short periods i.e. a maximum of 1 hour a day but would not be required to undertake any work and they would still be covered by a medical certificate/fit note. They can attend team meetings, spend time talking to colleagues about work related subjects or read work related information.

Pay during a phased return

Employees will receive full pay for any days that they work during a phased return and occupational sick pay for days that they do not work. Therefore, employees will be required to submit a fit note from their GP for the period of the phased return.

Medical Suspension

There are a number of circumstances where it may be necessary to medically suspend an employee. Reasons for such a decision may include consideration for the protection of the person's own health, as well as the health and welfare of other staff and pupils who may be put at risk by the medical condition of an employee. Occupational Health advice should be sought and advice from HR should be sought when medical suspension is being considered. This advice, together with advice from the employee's own GP will be taken into account when determining the need for a medical suspension.

The Chief Executive/Chief Operating Officer are responsible for taking any such decision and while the suspension can be verbal it must be confirmed to the employee in writing. Suspensions will be on full pay and will need to be reviewed on regular basis.

If, following the preliminary meeting, management remain of the opinion that the employee is not able to return to work within a reasonable period of time and that their absence cannot be sustained or that the employee will not be able to provide regular and efficient service in accordance with their contract of employment, the employee should be invited to attend a Stage 3 Final Attendance meeting.

Permanent Ill Health Retirement

A Stage 3 Final Attendance Hearing should also be held where the Occupational Health Doctor has issued certificate of Permanent Ill Health for a member of support staff. As this is still a dismissal by the Trust the employee should also be given the right to appeal against this decision.

The access to Ill Health Retirement for teachers can only be granted through Teacher's Pensions. Where teachers have been granted Ill Health Benefits through Teacher's Pensions, then arrangements should be made to agree a mutual termination date. A Stage 3 Final Attendance Hearing is not required where Ill Health Benefits have been granted and a mutual termination date agreed.

Appeals

Any appeal arising as result of a warning being issued or against dismissal should be made in writing within 5 working days of receipt of the outcome of the hearing.

If the employee submits an appeal, he/she will be invited to an Appeal Hearing where their case will be heard by a panel of three governors/trustees who have not been involved previously. The employee and the Trust may wish to provide additional medical information for consideration at the Appeal Hearing. The outcome of the Appeal Hearing will be confirmed in writing to the employee. There is no further level of appeal.

Redeployment

There may be some instances where an employee is fit to return to work but not necessarily to the role they were originally employed to undertake. Redeployment is where an employee is transferred into a suitable alternative post which they are able to undertake with or without reasonable adjustments and/or training. In respect of alternative work, managers are advised to look at any existing and near future vacancies in the Trust in the first instance and discuss these with the employee in terms of their eligibility (including consideration of reasonable adjustments and training, as appropriate).

Annual Leave

Employees have the right to accrue annual leave during sickness and to take this upon return or carry forward the annual leave into the next leave year. The time an employee takes leave will be agreed by management in line with the needs of the Trust. Full time employees are entitled to 28 days (5.6 weeks) of statutory annual leave under the Working Time Regulations 1998. Therefore, the entitlement to statutory

annual leave can be offset by any periods of Trust closure, whether they occur before or after the period of sickness. Where there is insufficient Trust closure time to allow the statutory annual leave to be taken, the Trust may allow the employee to carry forward the leave to be taken in a Trust closure.

When an employee commences sick leave, the amount of leave an employee has had in the current leave year will be established by the amount of Trust closure periods that have already occurred during the leave year. If this exceeds the entitlement to statutory annual leave there will be no further entitlement to leave. For more information please speak to HR.

If an employee becomes ill whilst on annual leave, then the period covered can be treated as sick leave provided a medical certificate/Fit Note is obtained and completed at the time and place of being ill, confirming the dates they would not have been fit enough to carry out their normal duties. The annual leave will be re-credited and the time off recorded as sickness.

In the event that an employee falls sick immediately prior to pre-booked annual leave and does not return to work before the annual leave period starts, then the employee's continued attendance will be recorded as annual leave, except on production of a medical certificate/fit note, confirming that the employee was not fit for work during the period in question.

Signed by:

_____ Chief Executive Officer Date: _____

_____ Chair of Resources Committee Date: _____

POSSIBLE SIGNS AND SYMPTOMS OF STRESS

Physiological	Cognitive	Behavioural	Emotional
<ul style="list-style-type: none"> • Headaches and migraines • Gastrointestinal e.g. indigestion, nausea, constipation, diarrhoea • Unexplained rapid weight loss or gain • Back pain • Cardiovascular symptoms e.g. chest pain, palpitations, breathlessness • Edginess/inability to relax • Depressed immune system e.g. frequent infections, allergies • Tiredness 	<ul style="list-style-type: none"> • Difficulty concentrating • Poor memory • Persistent negative thoughts • Excessive worry • Making mistakes • Not seeing the bigger picture • Poor judgement • Inability to make decisions/hasty decisions 	<ul style="list-style-type: none"> • Unsociability/anti-social behaviour • Increased accidents • Erratic behaviour • Lying • Change in appearance e.g. disheveled, lack of care in personal hygiene • Change in eating patterns e.g. over eating/missing meals • Health damaging behaviour e.g. excessive smoking/drinking/drug taking • Reduced work productivity • Taking work home • Working longer hours • Not taking leave 	<ul style="list-style-type: none"> • Low mood • Irritable • Mood swings • Lack of motivation and enthusiasm • Reduced self esteem • Feelings of futility, cynicism, suspicion, alienation • Loss of confidence • Anxiety • Tearfulness

Managers are particularly looking for **changes** in the way employees behave that could be linked with excessive pressures. Managers should aim to identify issues as **early as possible** so that action can be taken before the pressure becomes a problem; by doing so it will be easier to reduce and eliminate the cause.

DEFINITION OF STRESS

The Health and Safety Executive (HSE) defines stress at work as:

'The adverse reaction people have to excessive pressures or other types of demand placed upon them at work'.

Stress arises when an individual perceives that they cannot cope with those demands. The point at which workplace pressures become excessive will, of course, vary with individual levels of tolerance and with levels of pressure in other areas of life at particular times.

Stress can affect anybody and can be a significant cause of illness. It can be linked to high levels of sickness attendance, staff turnover and low morale.

Where necessary, managers will conduct risk assessments in order to eliminate, reduce or control the risks from work place stress. This will be done in line with the Health and Safety Executive's (HSE) Guidance and HSE Management Standards. The Standards address six key areas of work that, if properly managed, can help to reduce work related stress. These are:

- Demands
- Control
- Support
- Relationships
- Role
- Change

Work Place Stress Risk Assessment

School name	
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Date Assessment Undertaken:	Name of Assessor (print):	Assessor Signature:	Assessment Review Date:

HR Contact (print):	HR Contact Signature:	Head Teacher / Centre Manager (print):	Head Teacher / Centre Manager Signature:

Background information	Please note that this document has been discussed in a school context i.e. within the fixed structure of a school day, the national curriculum, the Teacher's Pay and Conditions Act and school opening hours.
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Role- time in role, job title, responsibilities.	
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Attendance- reason and length of last attendance(s)	
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Has an OH referral been made?	
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Is an OH report available for this interview?	
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General Background Information	
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Areas Affected	Current Situation	Measures to Reduce Risk	Impl. by
1. Stress - demands			
Key questions.			
1.1 Are you able to cope with work deadlines?			
1.2 Are you being asked to complete too many tasks or tasks that are too complicated?			
1.3 Do you perceive the pressure you feel to be connected to a training need?			
1.4 Are you able to cope with your workload and your pace of work?			
1.5 Do you perceive that the pressure you feel is linked to a lack of motivation?			
1.6 Are you working hours that you perceive to be too long?			
1.7 Are you able to take sufficient breaks?			
1.8 Do you have to neglect tasks to manage your workload?			
1.9 Are different groups demanding projects hard to combine?			
1.10 Do you perceive your pressure to be linked to your working environment?			
Additional information.			

Areas affected	Current Situation	Measures to reduce Risk	Impl. by
2. Stress - control			
Key questions.			

2.1 Do you perceive you are able to control your workload?			
2.2 Are you encouraged to use skills and initiative?			
2.3 Are you encouraged to develop new skills for your work?			
2.4 Within a school structure, are you able to have a say over break times?			
2.5 Are you consulted over work patterns (again within a school structure)?			
2.6 Are you able to decide on your work speed?			
Additional information			

Areas affected	Current Situation	Measures to reduce Risk	Impl. by
3. Stress - support			
Key questions			
3.1 Do you receive feedback on your work?			
3.2 Are you able to communicate work issues to your manager?			
3.3 Do you perceive your manager is able to support you?			
3.4 Do you feel supported by your manager?			

3.5 Do you have any concerns about your working relationships?			
3.6 Are you able to talk to your peers about work issues?			
3.7 Do you feel respected by your colleagues?			
3.8 Do you have regular work review meetings?			
3.9 Are you aware of what systems are in place to support you?			
Additional Information			

Areas affected	Current Situation	Measures to reduce Risk	Impl. by
4. Stress - relationships			
Key questions			
4.1 Do you feel that you have good relationships with your peers?			
4.2 Do you feel that you have a good relationship with your line managers?			
4.3 Do you perceive that you are being bullied?			
4.4 Do you perceive that you are subject to unacceptable behaviours?			

4.5 Do you feel that your working relationships are detrimental to your health?			
Additional information.			

Areas affected	Current Situation	Measures to reduce Risk	Impl. by
5. Stress - role Key questions			
5.1 Do you have a clear and up to date job description detailing your role and responsibilities?			
5.2 Are you clear about your duties and responsibilities?			
5.3 Do you have regular work review meetings?			
5.4 Do you feel work related activities are affecting your health?			
Additional information			

Areas affected	Current Situation	Measures to reduce Risk	Impl. by
6. Stress - change Key questions			

6.1 Do you perceive that you are being affected by changes at work?			
6.2 Have you had opportunities to ask questions of managers about the changes?			
6.3 Are there systems in place to address your concerns?			
6.4 Is there support available during the changes?			
Additional information			

Areas affected	Current Situation	Measures to reduce Risk	Impl. by
7. Medication			
7.1 Prescribed medication and side effects.			
7.2 Will the medication affect the individual's ability to undertake their normal range of duties?			
7.3 Where will the medication be stored?			
7.4 Is the medication monitored by a doctor?			
8. Lifestyle			
8.1 Regular exercise has been proven to be beneficial in the management of pressure. Are you able to undertake any exercise? Details?			
8.2 Some types of diets have been proven to be beneficial in the management of pressure. Do you perceive that you are aware of how to do this? Details?			

8.3 Managing a good work vs life balance has been proven to be vital in the management of pressure. Are you able to do this? Details?			
9. Physical			
9.1 Are there any physical issues to declare, e.g. issues with the back, neck, etc.? Details?			
9.2 Do you have any issues with your physical working environment? Details?			
10. Psychological			
10.1 Do you have any Mental Health concerns?			
10.2 We can point you to help for addictive behaviours. Do you have any issues with drug abuse, gambling or alcohol abuse that you would like help with?			
11. Social			
11.1 Very often, factors outside the workplace can greatly increase pressure on the individual. Please listen to this list and discuss any out of work issues that you perceive to be adding to your pressure. Debt Bereavement Recent trauma House move Recent child birth Divorce Marriage Relationships Childcare etc.			
12. Other			
12.1 Is there anything else not covered elsewhere in this document that you would like to have noted in this document?			