



Attendance Management Policy

Approved by: Board of Trustees

Last reviewed on: November 2024

Next review due by: As Required

Policy Outline

Reviewing the Policy

Inspire Multi Academy Trust will keep the operation of this policy under review and will make such changes to the policy as deemed appropriate following consultation with the trade unions, where appropriate.

Summary of Changes

The 2023 Attendance Management policy has been reviewed and there were no significant changes made.

Equality Impact Assessment

As with all policies that affect service users, the wider community or employees, schools should undertake an analysis of the potential equality impacts and record that assessment.

Contacts for help and assistance

Please contact the Inspire Multi Academy Trust Central Team for help and assistance in applying the content of this policy.

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1 Introduction

- 1.1 Inspire Multi Academy Trust (MAT) values the contribution of its employees and understands that high levels of attendance positively impact on service delivery and the Trust's ability to adapt and respond to change.
- 1.2 The aim of this policy is to support all our employees to achieve and maintain high levels of attendance wherever possible, recognising that some absence will be inevitable. The Trust is committed to dealing fairly and sympathetically with employees who are absent from work for long periods because of ill health and aim to assist them with their rehabilitation and eventual return to work.
- 1.3 By implementing this policy, the Trust aims to strike a reasonable balance between the pursuit of its operational needs and the genuine need of employees to take time off work because of ill health.
- 1.4 The policy is designed to ensure that attendance matters are dealt with in a fair, focused, and reasonable manner.
- 1.5 **Who does the policy apply to?**
This policy will apply to all employees employed and contracted to work within the Trust who require support to achieve and maintain high levels of attendance. Where the employee is the Chief Executive Headteacher, the Chair of Trustees should ensure that they are appropriately supported, seeking advice from HR where appropriate, and that the policy is followed. Where the employee is a Lead Headteacher or Headteacher, the Chief Executive Headteacher should ensure that they are appropriately supported, seeking advice from HR where appropriate, and that the policy is followed.

2 Data Protection

- 2.1 When managing employee's sickness absence, the Trust processes personal data collected in accordance with its data protection policy. Data collected from the point at which an employee begins sickness absence is held securely and accessed by, and disclosed to, individuals only for the purposes of managing his/her absence. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Trust's data protection policy immediately. It may also constitute a disciplinary offence, which will be investigated and dealt with under the Trust's disciplinary procedure.
- 2.2 Inspire Multi Academy Trust recognises that data relating to an employee's health is a 'special category' and the implementation of this policy will comply with the Access to Medical Reports Act 1998, the Data Protection Act 2018 and the General Data Protection Regulation (2016/679 EU).

3 Associated and Alternative Procedures

- 3.1 Inspire Multi Academy Trust recognises that the management of attendance needs to be part of a wider approach; therefore, it has a number of associated and alternative policies, procedures and guidance documents, which are available by request. Employees can request a copy of any additional policies referred to within the Attendance Management Policy from their line manager, school office or Trust Central Team.
- 3.2 This policy refers to capability dismissals which may be invoked as a result of health related matters. Capability issues that relate to the skills, knowledge or abilities of an employee will normally be dealt with under the Capability Procedure.

- 3.3 Failure to comply with, or any suspected abuse of, this policy could lead to formal action. Where misconduct is suspected, the Trust's disciplinary procedure will apply, and matters will be investigated in accordance with that procedure. This could include, for example, failure to follow the attendance management procedures including notification, certification, keep in touch arrangements or attendance at OHU appointments, where absences are believed not to be due to genuine illness or if an employee knowingly gives false information or false statements about their absence. In proven cases of gross misconduct, it could lead to dismissal (e.g. absent on sick leave and inappropriately working elsewhere). This list provides examples only and is not exhaustive. Also see [Section 7](#).

4 Employee Health & Wellbeing

- 4.1 Throughout this policy it sets out the measures which the Trust will take to support all employees in maintaining their health and wellbeing at work, including during periods of absence, whilst going through the attendance process. We are committed to creating an environment that promotes good mental health and where staff can thrive and feel supported. However, we recognise that whilst dealing with absence issues, it can be a difficult time for all staff involved.
- 4.2 Ultimately it is the Board of Trustees who are responsible for ensuring, so far as reasonably practicable, that the health and wellbeing of the affected employees is considered at all times and that the relevant officer(s) appointed to deal with absence matters are continuing to support our wellbeing strategy.
- 4.3 The Board of Trustees are also responsible for ensuring that the health and wellbeing of those officers handling absence matters feel supported throughout the process.

5 General Principles

- 5.1 The Trust will achieve the aim of this policy by:
- Promoting health, safety and well-being;
 - Monitoring levels of sickness absence;
 - Valuing good attendance;
 - Offering support to employees that are sick and unable to attend work;
 - Supporting and actively managing employees during periods of absence and their return to work;
 - Applying procedures to deal with unjustified and/or high levels of absence;
 - Exploring the options available to support an employee's return to work;
 - Adopting a consistent, fair and focused approach.
- 5.2 Where an employee, due to ill health, is no longer deemed capable of performing their duties, the Trust will explore all reasonable alternatives, such as reasonable adjustments, redeployment, re-training and rehabilitation.
- 5.3 The Trust recognises that having exhausted the reasonable options available it may be necessary to consider the dismissal of an employee on the grounds of capability. Such decisions may be made whilst the employee is in receipt of occupational sick pay or still at work. Before doing so, the Trust will seek to clarify if the employee may qualify for ill health retirement and if an application for such should therefore be submitted in accordance with relevant pension scheme protocol. The employee may wish to consider making contact with their trade union representative, if they have not done so already and should they be a member of a trade union. Section [13.18](#) refers to employees in the Local Government Pension Scheme (LGPS) and Section [13.32](#) refers to employees in the Teacher's Pension Scheme.

- 5.4 The management of attendance and well-being are the responsibility of everyone within the Trust, including Members, Trustees, Local Governors, the Chief Executive Headteacher, Lead Headteachers, Headteachers, line managers and employees. A summary of the main responsibilities of employees, the Chair of Trustees, Chief Executive Headteacher, Lead Headteachers and Headteachers are detailed in [Appendix 1](#); however, the lists are not exhaustive and should be read in conjunction with the full policy.
- 5.5 Line management arrangements will be communicated to all employees on commencement of employment and are usually as follows:
- Chief Executive Headteacher will be line managed by the Chair of Trustees.
 - The Lead Headteacher and Headteachers will be line managed by the Chief Executive Headteacher.
 - School-based employees will be line managed by the Headteacher/Lead Headteacher.
 - Central team will be line managed by the Executive Bursar or Chief Executive Headteacher.
- 5.6 External support should be sought when required for services such as HR, Occupational Health Unit and Health and Safety. These services will be able to provide support, guidance and advice to line managers during the attendance management process.
- 5.7 The Trust is aware of its responsibilities in relation to equality and diversity and will consider the individual circumstances of employees, for example this will include where appropriate the consideration of reasonable adjustments.
- 5.8 At all formal stages of the procedure the relevant employee will have the right to be accompanied by a Trade Union representative or a work colleague of their choice. Where an employee may require additional support, consideration will be given to requests for reasonable adjustments. For example, in respect of the appropriate person to accompany the employee, language or interpretation support, venue for the meeting etc.

6 Mental Health and Well-Being

- 6.1 The Trust is committed to supporting the emotional, and psychological health and wellbeing of all its employees. Employees with mental health problems will be treated with the same care as those with a physical health problem.
- 6.2 It is recognised that mental health problems can:
- Happen suddenly.
 - Build up gradually over time.
 - Be hard to spot because everyone has different signs and signals.
 - Be hidden because many people find it difficult to talk about their mental health.
 - Fluctuate over time, which means that an employee's ability to cope with the demands of the job might change.

6.3 Mental Health and Well-being Support

In the first instance, employees are encouraged to seek support from their GP and contact their Headteacher / line manager. Additional support (such as counselling) may be available via the Trust's occupational health provider.

We buy into healthcare provider Education Mutual to provide additional wellbeing support to all employees, and our wellbeing strategy outlines our commitment to staff wellbeing.

~~The Trust also has a Staff Wellbeing Policy in place which details support available for employees.~~

Employees can also seek advice and support from their trade union.

Alternatively, employees may wish to seek help from an external organisation, options of which are detailed at [Appendix 5](#).

7 Payment for Sickness Absence

7.1 Employees are entitled to receive payment for sickness absence in accordance with their terms and conditions of employment, as cited in the Green Book (Local Government Terms and Conditions) or the Burgundy Book (National Conditions of Service for School Teachers).

7.2 However, employees who fail to comply with the requirements of this policy could have their occupational sick pay withheld, and could be subject to formal action, up to and including dismissal. For example, this could include situations where:

- An employee fails to follow notification or certification procedures.
- An employee fails to maintain contact or fails to attend meetings without good reason, including those arranged with the school's Occupational Health provider.
- Absence is due or attributable to deliberate conduct prejudicial to the employee's recovery; the employee's own misconduct or neglect; active participation in professional sport or injury while working in the employee's own time on their own account for private gain or for another employer.
- A return to work cannot be agreed with an employee, but management has sufficient medical evidence to consider that the employee is fit to return, with or without adjustments.
- An employee provides misleading or false statements or repeatedly abuses the occupational sick pay scheme.

Please note: These are examples only and therefore this list is not exhaustive. Where misconduct is suspected, the Trust's disciplinary procedure will apply, and matters will be investigated in accordance with that procedure.

7.3 If an absence is occasioned by the actionable negligence of a third party in which damages may be recoverable, employees should advise the line manager as soon as possible. An employee may be required to refund a sum equal to the aggregate of sick pay paid to them during the absence, not exceeding the amount of damages recovered. Further advice should be taken from the Trust's HR officer.

8 Notification of sickness absence

8.1 **Employees must report their absence to their line manager. Employees must personally telephone the line manager or designated contact on the first day of absence by an agreed time as detailed within the Trust's sickness reporting procedure.** It is usually not acceptable for an employee to notify the designated contact of their absence by email or text message, unless this has been agreed by them beforehand. In such cases, the line manager/designated contact or appropriate leader will follow the email up with a telephone call as early as possible on the first day of absence. In **exceptional circumstances**, where an employee is unable to notify of their absence personally due to serious illness or injury, employees should arrange for their representative to inform the Trust or individual school at the earliest possible opportunity.

- 8.2 The employee should inform the line manager/designated contact of the reason for absence, anticipated length of absence and discuss any support which may assist them in returning to work. The line manager/designated contact will record and report the absence in line with Trust procedures.
- 8.3 On the **4th calendar day** of absence, employees must notify the designated contact of their continuing absence. Please note: weekends count towards calendar days of absence. In addition, if the 4th calendar day falls on a non-working day for the Trust/school, employees must provide this notification on the next available working day.
- 8.4 Where an employee believes that their absence has been caused by work or something that has happened at work, they must inform the line manager/designated contact of this and arrange for an accident report to be completed. The line manager/designated contact should seek HR advice and consult the Health and Safety team and undertake any appropriate investigation.

9 Certification

- 9.1 Every absence must be certified.
- 9.2 Employees must complete a Sickness Declaration Form upon return to work. This form acts as certification up to the first 7 calendar days of absence.
- 9.3 From (and including) the 8th calendar day of absence (including weekends), employees must also submit medical evidence. This will normally be in the form of a fit note, also known as a 'statement of fitness for work.' As well as being issued by doctors, fit notes can be issued by nurses, occupational therapists, pharmacists and physiotherapists who have assessed the individual's fitness for work. Employees must submit copies of fit notes promptly to the Headteacher during their period of absence. Where the absence is ongoing, employees must continue to submit promptly concurrent fit notes ensuring every subsequent day is covered during that period of absence.
- 9.4 Whilst it is accepted that a fit note issued by an appropriate medical professional provides their opinion of the individual's medical condition and fitness for work, the Trust may seek the opinion and advice of their Occupational Health provider with regard to the employee's condition in relation to the specific requirements of the job role and their fitness for work.
- 9.5 An employee does not always have to be 100% "fit" to be able to complete work – in fact work can help an employee recover from their health problems or can support their overall wellbeing should they suffer from a long-term health condition.
- 9.6 An employee can return to work as soon as they feel able to and with the Trust's agreement. This may be **before** the employee's fit note runs out. An employee may wish to return to work sooner if:
- they have recovered from their illness or injury more quickly than expected.
 - the Trust can offer the employee support to enable their return to work.
- 9.7 Should an employee wish to return to work before the end of the date on their fit note they should discuss this with the line manager/designated contact. In some cases, the line manager/designated contact may not be able to agree to an early return and reasons should be explained to the employee. In cases like this the employee should stay off work until the end date of the fit note. For example, this might happen if the school are unable to make the required workplace adjustments. In this instance a suitable risk assessment should be carried out.

- 9.8 If an employee's frequency or amount of absence is of concern the notification and certification requirements may be amended. The employee would be notified of this prior to any amendment. For example, the Trust may remove the employee's right to self-certification resulting in the employee being required to submit a fit note for all periods of absence (the Trust will reimburse the cost of any fee charged).

10 Annual Leave and Sickness Absence

- 10.1 If an employee falls ill whilst on annual leave, they will not be entitled to have the annual leave allowance reinstated unless the dates are specifically covered by a fit note.
- 10.2 An employee requires prior permission to take a holiday during a period of sickness absence. For school-based employees, the Headteacher/Lead Headteacher will decide if such a request is acceptable and may take advice from the Occupational Health Unit. In the case of the Headteacher/Lead Headteacher, the Chief Executive Headteacher will decide and in the case of the Chief Executive Headteacher, the Chair of Trustees will decide. Employees may be asked to provide medical consent from their GP or specialist that the holiday will not be detrimental to their recovery. If an employee fails to gain approval prior to taking a holiday, this may result in the withholding of occupational sick pay and could lead to a disciplinary investigation and appropriate formal action up to and including dismissal.
- 10.3 Where permission is granted for annual leave during a period of sickness absence, the payment of any occupational sick pay entitlement (as appropriate) will cease during that period and the appropriate payment for the annual leave will be made. The appropriate deduction from the annual leave entitlement must be made. If an employee qualifies for SSP, this payment should continue during the annual leave payment, however, the SSP will count toward any holiday payment made at that time.

11 Managing Sickness Absence

- 11.1 Short term absence is defined as any single period of absence up to a maximum of one week. Medium term absence is defined as any single period of absence of more than one but less than four weeks. Long term absence is defined as any single period of absence over four weeks.
- 11.2 **Keep in Touch**
The line manager and the employee both have a responsibility to maintain regular contact during any period of absence. Keep in touch arrangements should normally be agreed when an absence is likely to exceed 8 calendar days of absence. Arrangements should be reasonable and appropriate to the individual circumstances and employee's health. Arrangements can and may develop throughout the absence.
- 11.3 Keep in touch discussions are useful two-way discussions to:
- Understand the nature and potential length of the absence and any changes/progress/updates,
 - Identify appropriate support and interventions, which may assist a return to work,
 - Share work updates and changes which may occur during the absence.
- 11.4 **Medical Advice**
At various stages of managing the employee's sickness absence, a line manager may want to obtain advice on the employee's fitness for work from the Trust's occupational health provider. The aim of seeking medical advice is to understand and seek guidance regarding the employee's condition, establish when the employee might be able to return to work, and identify

any support/adjustments that could assist the employee in making a partial or full return to work at the earliest opportunity.

- 11.5 The line manager will usually seek medical advice in all cases where an absence extends beyond four weeks and a return to work date has not yet been determined.
- 11.6 Earlier referrals to OHU should be made where it is indicated that the absence may be long term, or the complexity or nature of the illness suggests this may be beneficial.
- 11.7 The line manager will promptly refer employees to their Occupational Health provider where the absence relates to a muscular skeletal condition or where the absence is stress related.
- 11.8 In seeking medical advice and/or a report, the school (and its OHU provider) will comply with the Access to Medical Reports Act 1998, the Data Protection Act 2018 and the General Data Protection Regulation (2016/679 EU).

Return to Work Meetings

- 11.9 Employees must complete a Sickness Declaration Form upon return to work.
- 11.10 The line manager will conduct a return to work meeting with employees for **every absence**, on the first day of the return to work, or at the earliest possible opportunity. This meeting will always be completed by the line manager unless there is good reason for changing this. The purpose of the meeting is to discuss the absence, the reason(s) for it and to identify any potential problems or difficulties the employee may be experiencing at an early stage. Where appropriate to the individual circumstances, the employee and the line manager will look to identify how further absences can be prevented. These meetings also communicate to employees that the line manager consider attendance management is important.
- 11.11 The line manager will complete a record of the discussion, which the employee will be asked to sign. This will be held on the employee's personal file and the employee will be entitled to receive a copy. (See template at appendix 2)

12 Reasonable Adjustments

- 12.1 In managing sickness absence and supporting attendance, the Trust will consider what reasonable adjustments can be made to remove or reduce a disadvantage related to an employee's disability, physical or mental health condition.
- 12.2 The Trust is committed to making reasonable adjustments when:
 - We know, or could reasonably be expected to know, someone is disabled.
 - A disabled employee asks for adjustments.
 - A disabled employee is having difficulty with any part of their job role.
 - An employee's absence record, or delay in returning to work is because of, or linked to, their disability.
- 12.3 Employees are encouraged to talk to their line manager and/or trade union representative as soon as possible should they believe that they need a reasonable adjustment.
- 12.4 A record of reasonable adjustments will be made, and they will be subject to regular review to ensure that the adjustments are working well, and the most appropriate adjustments are in place.
- 12.5 The line manager should remember that:
 - a reasonable adjustment can include a change or adaptation to the physical or working environment that has the effect of removing or minimising the disadvantage faced by an employee as a result of their disability, so they are able to undertake their job duties.

- a reasonable adjustment could include modification of trigger points for employees suffering from a disability, especially where there is no allowance for any other legitimate absence.
- they are accountable for deciding what (if any) reasonable adjustments will be made. It is good practice to seek advice from Occupational Health in coming to this decision. The focus is very much on the employee's ability to function on a day-to-day basis rather than on medical diagnosis.

Reasonable Adjustments for Mental Health

12.6 It is recognised that reasonable adjustments for mental health can help employees to stay in work while recovering from or managing a mental health condition.

12.7 Further guidance is set out at [Appendix 4](#).

13 Managing Long Term Sickness Absence

13.1 When dealing with long term sickness absence cases, the line manager will consider the potential options and outcomes for the employee based upon medical and other professional advice. This information should be used to inform discussions in the Attendance Review meetings, medical referrals and support that can be offered.

Where it is a school-based employee who is absent, the Headteacher should ensure that the employee is fully supported. Where it is a central team employee who is absent, the Executive Bursar or Chief Executive Headteacher should ensure the employee is fully supported.

Where it is the Headteacher or Lead Headteacher who is absent, the Chief Executive Headteacher should ensure that the Headteacher or Lead Headteacher is fully supported; in terms of the policy the Chief Executive Headteacher assumes the role of Headteacher.

Where it is the Chief Executive Headteacher who is absent, the Chair of Trustees should ensure that the Chief Executive Headteacher is fully supported; in terms of the policy the Chair of Trustees assumes the role of Headteacher.

When supporting an employee with a long term health condition, line managers should treat each employee as an individual rather than focus on their health condition, as each person will experience different symptoms and deal with their condition differently. If an employee has had a recent diagnosis of a long term health condition, line managers should be aware that there may be a period of adjustment for both employee and employer in coming to terms with the diagnosis and the effects this might have. Line managers should ensure that they discuss with the employee if any additional support would benefit them, such as counselling, workplace adjustments, time off to attend medical appointments etc.

13.2 Sickness Absence Review Meetings

Line managers should conduct regular sickness absence review meetings regardless of any anticipated date of return or the nature of the employee's illness or injury. This is to ensure that the employee does not feel isolated during a period of absence, appropriate support can be identified at the earliest opportunity and where appropriate, the employee can maintain an understanding of the potential long-term implications for their employment.

13.3 When arranging the sickness absence review meetings, consideration may be given to the timing, nature and location, depending on the individual circumstances and medical advice. Home visits will take place only with the prior consent of the employee at mutually agreed times. Where the employee is too unwell to attend the school for a meeting, or as an adjustment depending on the circumstances, it may be more appropriate to hold a meeting virtually to allow communication to continue during a period of absence.

13.4 Support and interventions will be considered at the sickness absence review meetings and could include phased return, temporary or permanent arrangements, dependent upon medical advice, individual circumstances and business needs. These could include:

- Reasonable adjustments e.g. changes in workloads, work practices or work patterns,
- Medical redeployment,
- Rehabilitation,
- Re-training.

The Meeting/s

13.5 The line manager will arrange to meet with the employee, in most cases supported by HR. The employee has a right to be accompanied by a trade union representative or work colleague. The discussions held in these meetings will differ depending on the circumstances of the employee and their reason for absence. Further sickness absence review meetings must then be held regularly and following receipt of a medical report.

13.6 The meetings will be used to discuss and consider:

- The reason for the employee's absence and any changes or updates,
- The points discussed in previous meetings,
- Any medical reports or other appropriate information available,
- Any further support the school could offer to assist the employee in returning to work,
- Any action the employee can take to support their own return to work,
- Relevant risk assessments (as appropriate i.e. stress risk assessment),
- Work updates,
- The appropriate options available to resolve the absence,
- The identification of a return to work date and a return to work plan (where possible),
- Setting a date for the next meeting.

13.7 At appropriate points in the absence, the line manager will ensure that employees understand the possible consequences of continued absence, specifically that the school may not be able to sustain their absence indefinitely.

13.8 Following a sickness absence review meeting, the line manager will confirm the discussions in writing, including any agreed action points. A copy of this letter will be held on the employee's personal file.

Return to Work

13.9 When it is expected that an employee may soon be able to return to work, the line manager should work with the employee to agree an expected date of return and develop a return to work plan, in accordance with appropriate medical advice. The plan should be in writing, have clearly defined timescales and be subject to monitoring and review by the line manager. The employee should be given a copy of the written plan. Where appropriate, further advice may be required from the Trust's HR provider, Occupational Health provider, and/or Health and Safety. The line manager should use this plan to monitor and review the employee's progress following a partial or full return to work from long term absence. Where necessary this may include further medical or specialist reports and advice.

13.10 A phased return may be considered appropriate at any stage of a long-term absence to enable an employee to return to work, sooner than might otherwise have been possible. A phased return involves a temporary change to working arrangements such as a:

- Change in working hours or working pattern,
- Change in work location,
- Change to workload and/or responsibilities
- Or a combination of any of the above.

- 13.11 The length of the phased return will depend on each case and would not normally exceed 4 weeks. Up to 4 weeks of a phased return will be paid at the employee's normal rate of pay. It is recognised that to facilitate a successful return to work there will be some individuals who would benefit from an extended phased return; where such an extension is requested, full consideration should be given to the individual circumstances (including relevant medical advice) and the operational needs of the Trust or individual school. An extended phased return may only be appropriate where it is believed the extension is likely to achieve a successful full return to their job. Consideration could also be given as to whether a longer term, temporary flexible working arrangement would be a more appropriate option.

Employees may use accrued annual leave as part of a phased return plan.

- 13.12 A return to work meeting should be held by the line manager with the employee on their first day of return, or at the earliest possible opportunity. The appropriate paperwork should be completed and the return to work plan should be discussed.

Prognosis Remains Uncertain

- 13.13 Where a prognosis for a return remains unclear, the line manager must ensure that the employee is informed at appropriate points in the absence that continued absence cannot be sustained indefinitely. The employee should be clear that decisions may need to be made about their continuing employment which may lead to a decision to dismiss due to their incapability to undertake their job due to ill health.
- 13.14 In the circumstance that an employee's absence may be sustained for a further period, a definite review date must be set, and advice taken from HR.
- 13.15 The employee may wish to consider making contact with their trade union representative at this stage of the procedure, if they have not done so already and should they be a member of a trade union.
- 13.16 Where it is deemed that an employee's absence cannot be sustained or where the employee is unfit for the foreseeable future, all reasonable adjustments and alternative options will need to be explored and exhausted before deciding to dismiss an employee. Such options could include redeployment, flexible working, career break, ill health retirement. For employees in LGPS it is also necessary to consider whether an application for ill health retirement should be submitted on behalf of the employee, prior to dismissal.
- 13.17 Capability dismissal may also be a potential outcome, in situations where an employee has returned to work in a limited capacity, which can no longer be sustained. The line manager will ensure that all reasonable approaches to sustain the employee's return have been explored.

Retirement on the Grounds of Ill health (LGPS Members Only)

- 13.18 In cases of ill health where the specific criteria, as defined in the Local Government Pension Scheme Regulations, are met, retirement on grounds of ill health may be a potential option. To be eligible the employee must:
- Be under normal pension age,
 - Be dismissed by the school on the grounds of ill health,
 - At the date they leave, have been a member for at least two years,
 - Meet the LGPS criteria for retiring on ill health.
- 13.19 Where the above criteria are met a specially qualified doctor must then be satisfied that the employee meets two main conditions:

- The employee is permanently incapable of doing their current job, and

- The employee is not immediately capable of carrying out any type of gainful employment.

- 13.20 In cases of long-term ill health where the specific criteria are not met, termination of contract of employment on grounds of incapability may be considered.
- 13.21 The employer may instigate the process of applying for ill health retirement in cases where alternative options have been exhausted, the employee is unable to return to work and their long-term absence is no longer sustainable. The employer does not necessarily need to wait for the outcome of the application before moving to dismiss the employee. However, in cases whereby the employer is able to await an outcome, the employee should be made aware that should they fail to meet the criteria for early retirement that the alternative will be a dismissal on the grounds of medical capability.
- 13.22 Once an application has been instigated, an Independent Registered Medical Practitioner IRMP (upon receipt of supporting medical reports) will advise on whether, in their opinion, an employee meets the requirements of the Local Government Pension Scheme (LGPS) Regulations for early retirement on the grounds of ill health.
- 13.23 Should the IRMP find that the employee meets the criteria for ill health retirement they will also make an assessment on whether, in their opinion, the employee falls into Tier 1, Tier 2 or Tier 3 as listed below.
- 13.24 The Local Government Pension Scheme Regulations 2013 contain a three-tier ill health retirement benefit package.

Tier 1

If they have no reasonable prospect of being capable of undertaking any gainful employment before they reach normal pension age. They will receive a pension, based on the membership as if they remained in the scheme up to normal pension age.

Tier 2

If they are likely to be capable of undertaking any gainful employment before they reach normal pension age but not within three years. They will receive a pension based on their accrued membership, plus 25% of the membership as if they remained in the scheme up to normal pension age (i.e. 25% from their last day of service to normal pension age).

Tier 3

If there is reasonable prospect that they will be capable of undertaking any gainful employment within three years. They will receive a pension based on their accrued membership. The pension payable is not enhanced and will only be paid until such time as the member undertakes gainful employment or up to the maximum of three years.

As required by the LGPS, the Trust (as the former employer) will review an individual's employment status after 18 months. If the individual is employed, the Trust will undertake a review to assess whether the employment meets the LGPS definition of 'gainful employment'. If the individual is not employed, the Trust will be able to seek further opinion from the Occupational Health provider on:

- Whether they remain capable of undertaking gainful employment within three years. (The employer has the power to stop further payments in this scenario), or
- Whether they are incapable of undertaking gainful employment within three years but are likely to be able to undertake gainful employment before normal pension age. (The employer has the power to enhance payments to the level of the 2nd tier in this scenario).

- 13.25 **Decision**

The IRMP can offer an opinion only and the decision rests with the Trust as the employer. On receipt of a certificate of permanent incapacity, issued by the IRMP, a decision (taking into account the issued medical certificate and the relevant evidence) is determined by the school as employer as to the granting of ill health retirement. The employee is subsequently notified of this decision.

- 13.26 The line manager will, with advice from HR, arrange to formally meet with the employee to explain the meaning and implications of the certificate and their decision. Prior to this discussion, the line manager should try to obtain details of final payments, such as notice pay, holiday pay, pension estimates where possible. It is important to ensure that the employee understands the details and the implications of the actions.
- 13.27 Where ill health retirement is granted, the Trust will be required, in full consultation with the employee, to terminate the employee's employment. Employees will be entitled to be paid their full contractual notice pay upon termination of employment.
- 13.28 Should the IRMP recommend that the application fails to meet the criteria of retirement on grounds of ill health, and the Trust agrees with the recommendation, dismissal on the grounds of incapability may be the only option.
- 13.29 In certain circumstances i.e. where there is or is likely to be an unreasonable delay in a decision for ill health retirement being made and where the Trust are unable to sustain the absence any further, so long as the application has been submitted the school may consider dismissal on medical grounds in line with paragraph 13.37, whilst the application is being considered.

Appeal

- 13.30 Under the Internal Dispute Resolution Procedure, as set out in the LGPS Regulations, a member has a right to appeal against the decision on the matter of meeting the requirements for early retirement on the grounds of ill health and also on which tier is applied to their pension.
- 13.31 Where the Trust makes a decision to terminate the employee's contract and grant ill health retirement, the employee also has the right of appeal against the decision to dismiss as set out in paragraph 13.42.

Retirement on the Grounds of Ill Health (Teachers' Pension Scheme)

- 13.32 In cases of long-term ill health where particular criteria are met in accordance with current pension scheme rules and regulations, retirement on the grounds of permanent ill health may be a potential outcome **should a teacher choose to apply for ill health retirement**. Under Teachers Pay and Conditions this is not classified as a dismissal as it is with employees in the Local Government Pension Scheme.
- 13.33 Where a request for ill health retirement is employee driven, it is important that the employees fully understand the implications of their application. In submitting such a request employees should be aware that should they fail to meet the criteria for early retirement that the alternative may be a dismissal on the grounds of medical capability.
- 13.34 The employee may wish to consider making contact with their trade union representative at this stage of the procedure, if they have not done so already and should they be a member of a trade union.
- 13.35 Should the teacher's application be successful, a meeting should then be arranged between the Headteacher (or in the case of the Headteacher/Lead Headteacher with the Chief Executive Headteacher or in the case of the Chief Executive Headteacher with the Chair of Trustees) and the employee to finalise arrangements and discuss any benefit queries. It may be useful for HR and the employee's professional association to attend the meeting. As ill health retirement for

teachers is deemed to be a resignation the teacher is required to submit a resignation letter to complete the process.

- 13.36 Should the application be unsuccessful, a meeting should then be arranged between the Headteacher (or in the case of the Headteacher/Lead Headteacher with the Chief Executive Headteacher or in the case of the Chief Executive Headteacher with the Chair of Trustees) and employee to discuss next steps. It is likely that the Trust will consider dismissal on the grounds of ill health at this point.

Capability Dismissal – Ill Health Grounds

- 13.37 Where the employee is unable to return to their role in the foreseeable future, the Trust can no longer sustain the employee's absence and all reasonable measures to support the employee to return to work have been explored, the case should be referred to the relevant Committee of the Board of Trustees (or other appropriate senior manager in line with the Trust's Scheme of Delegation). In the case of a potential dismissal, the Headteacher (or in the case of the Headteacher/Lead Headteacher with the Chief Executive Headteacher or in the case of the Chief Executive Headteacher with the Chair of Trustees) must inform the employee at appropriate points in the absence that there is a possibility of dismissal if a return to work is not agreed.
- 13.38 The relevant Committee of the Board of Trustees, who will be advised and supported by HR, will meet with the employee. The employee will receive at least 5 working days' notice of the meeting, and the written notification will give details of the time and place of the meeting and will advise the employee of their right to be accompanied by a work colleague or trade union representative. The employee will be informed in writing of the reason for the meeting, and this correspondence will include relevant background information, the content of which should already have been discussed with the employee during previous review meetings. The letter of notification will state that dismissal is a potential outcome of this meeting. The employee can present a written statement prior to the meeting should they wish to do so.
- 13.39 The employee will have a full opportunity to state their case and put forward any relevant information prior to any decision being taken.
- 13.40 At the meeting, the Committee of the Board of Trustees should consider all the circumstances of the employee's absence, including:
- The length of the employee's absence and the likelihood of a return to work.
 - Medical advice regarding the employee's condition.
 - What adjustments are available to help the employee return to work.
 - If applicable, the possibility of ill health retirement.
 - The effect of the employee's continued absence on colleagues and the ability of the Trust or individual school to meet its business needs.
- 13.41 As a result of the meeting, the Committee may determine that:
- Further actions are required. A review date will be set when the case will be reconsidered, or
 - The employee is dismissed with notice, subject to the right of appeal. It may be appropriate for support staff to be paid in lieu of notice.

The decision will be confirmed in writing to the employee and will also indicate his/her right of appeal where appropriate.

Right of Appeal

- 13.42 The employee will have the right to appeal against dismissal. To appeal, an employee must notify the Clerk to the Board of Trustees in writing setting out that they wish to appeal the decision within 10 working days from receipt of the letter confirming the decision. The employee

must also submit a written statement setting out the detail of their grounds for appeal. The employee will have a further 5 working days to submit this written statement via the Clerk to the Board of Trustees.

13.43 An appropriate Appeal Hearing will then be arranged, without unreasonable delay. The employee will be invited to the Appeal Hearing in writing, which will include notification of their right to be accompanied by a trade union representative or an appropriate work colleague. The individual who made the decision at the previous hearing/meeting will be present at the appeal to explain their decision.

13.44 The decision made at the Appeal will be confirmed in writing to the employee, without unreasonable delay, and will be final with no further internal right of appeal.

Additional Information

13.45 Employees should be advised at appropriate points in their absence that there is a possibility of dismissal if a return to work is not agreed.

13.46 In all cases the line manager will be able to demonstrate that a full and fair procedure has been followed and the decision is reasonable in the circumstances.

14 Managing Persistent Absence or Attendance Concerns

14.1 The Trust has agreed attendance review points, which when met by employees, will activate this section of the policy. The review points are:

- An employee has 3 occasions of sickness absence in a 6-month rolling period.
- An employee has 5 occasions of sickness absence in a 12-month rolling period.
- There is any other cause for concern relating to an employee's attendance. Although not an exhaustive list this could include:
 - A trend or an unacceptable pattern of absence e.g. absences occurring regularly on a certain day or week, pre or post annual leave, school holidays, pay day,
 - A concern that Leave of Absence requests are being submitted as a way of avoiding to hit trigger points,
 - Failure to follow the school sickness reporting procedure,
 - Unsustainable periods of long term sickness absence.

14.2 It is important to adopt a consistent approach when following the attendance review process.

14.3 When instigating any meetings and subsequent formal action under this policy, the line manager is not challenging the legitimacy of the absence and meetings should be conducted with a primary focus on support. Concerns relate to the level of attendance only and any action will be used to emphasise a need for improvement.

14.4 The absences under review could include periods of short, medium and long term absence. From the date this policy was adopted by the Board of Trustees, absences relating to Covid-19 will be counted for the purposes of sickness trigger points.

Disability Related Absences

14.5 The Trust is committed to removing or reducing disadvantage caused by an employee's disability. Whilst absence/s relating to an employee's disability will not automatically be discounted for attendance review points the line manager will be able to demonstrate that they have considered reasonable adjustments, including the adjustment of review points.

14.6 Where the absence/s is wholly or partly for a disability-related reason, the attendance review points referred to in this policy may need to be modified to take proper account of the employee's disability (e.g. to ensure that there is allowance for any other legitimate absence),

and other adjustments to the procedures set out in this policy may need to be made. The line manager should seek advice from the Occupational Health provider in respect of any reasonable adjustments that should be considered.

Pregnancy Related Absences

- 14.7 Pregnancy related sickness should be recorded but will be discounted in terms of attendance review points and any action resulting from this.

Informal Attendance Review Meeting

- 14.8 An informal attendance review meeting is normally the first review meeting a line manager will hold with an employee where they have a concern regarding attendance. It is expected that this meeting will take place between the line manager and the employee, without HR or trade union presence.

- 14.9 The line manager should arrange a meeting with the employee to review the cause for concern. A meeting should be held on all occasions where an attendance review point has been met, in order to try to identify how future occasions of sickness absence can be prevented. The meeting should be conducted in a positive manner with the aim of achieving an improvement to the employee's attendance.

- 14.10 At the meeting the line manager should have full details of the absences, including the dates, length, reasons, and any other relevant information e.g. medical information.

- 14.11 The format of the meeting will be appropriate to the individual circumstances. The meeting may include:

- A review of each absence being considered, including the dates, length and reason(s) for each absence,
- A discussion in relation to any particular causes for concern or whether there are any underlying reasons for the employee's poor attendance,
- A discussion about any support the employee is receiving or has received in relation to the reasons for each absence,
- A discussion about the impact the absences have had on the school,
- A discussion about how further absences could be prevented going forward,
- A discussion and consideration to any support and assistance that could help the employee to improve their attendance going forward, this may include a referral to the Occupational Health Unit,
- A discussion about any actions the employee could take to improve their attendance,
- A review and update of risk assessments, (if appropriate),
- Setting and agreeing targets and actions for improvement, including extending attendance review points in relation to disability related absences

An employee may also be advised at this meeting that if the attendance does not improve to a satisfactory level, then formal attendance management procedures may commence, which may result in formal action.

- 14.12 The line manager will complete a record of the discussion, which the employee will be asked to sign. The form will be held on the employee's personal file and the employee should be given a copy. (See template – appendix 3)

Formal Attendance Review Meeting

- 14.13 If a line manager has on-going concerns about an employee's attendance the employee will be invited to a Formal Attendance Review meeting. In cases where concerns about attendance are sufficiently serious, and it is deemed reasonable and appropriate to do so, the line manager (with advice from HR) will convene a Formal Attendance Review meeting without having held an informal meeting.

14.14 The line manager supported and advised by HR will meet with the employee. The employee will receive at least 5 working days' notice of the meeting. The written notification will give the time and place of the meeting and will advise the employee of their right to be accompanied by a work colleague or trade union representative. The letter will advise of the reason for the review and set out details of the absences to be considered. The letter of notification will state that formal action is a potential outcome of the meeting, and that the employee can present a written statement prior to the meeting should they wish to do so.

14.15 During the meeting the employee will be given the opportunity to discuss and explain their absences, provide any other information they feel is relevant, identify any actions, support or interventions they feel could improve their attendance, and ask questions before any decision is reached.

14.16 The possible outcomes of this meeting may include:

- No further action
- Informal action
- Formal Action

Informal Action

14.17 Where no formal action is deemed necessary, other informal actions may be implemented. For example, this could include identifying actions the employee could take to improve their attendance, implementing support and interventions such as counselling or seeking medical advice, amending attendance review points in relation to disability related absences, or it could include requiring the employee to submit a fit note for every period of absence. The employee may also be informed that if their attendance does not improve to a satisfactory level then this may lead to formal action being taken. The employee should receive written confirmation of this decision, and a copy should be held on the employee's personal file.

Formal Action Stage 1 - First Written Warning

14.18 After a full discussion with the employee, followed by a consideration of the facts, the employee may be issued with a first written warning. If a first written warning is issued, the line manager should:

- Explain to the employee the impact their absence is having on the Trust or individual school and why their attendance must improve,
- Inform the employee of the improvement in their attendance which is required,
- Explain any actions, support or interventions that have been identified and explain how these will be implemented and monitored,
- Review and update risk assessments (if appropriate),
- Explain the level of formal warning that is being issued, why, and how long this formal warning will remain live, subject to a satisfactory improvement in their attendance,
- Explain that their attendance will continue to be monitored, and make it clear that failure to improve their attendance to a satisfactory level may lead to a final written warning and possibly dismissal,
- Inform the employee of their right of appeal.

14.19 Formal warnings will normally be considered to be disregarded for attendance management purposes after a period of 12 months satisfactory attendance from the date of the warning.

14.20 The line manager must continue to monitor and review the employee's attendance. Support, interventions or actions that have been agreed should be implemented. If the employee's attendance improves and meets the required attendance standard this should be recognised. However, if attendance continues to be of concern, the employee should be invited in writing (as set out above from 13.13) to attend a further Formal Attendance Review.

14.21 There may be instances whereby the employee is still subject to a “live” First Written Warning, but they find themselves in a further Formal Attendance Review. The line manager will reserve the right to extend the period that the First Written Warning will remain “live”, as opposed to moving to a Final Written Warning. This will be dependent on the individual circumstances and will be confirmed in writing to the employee. The maximum time frame that a “live” sanction can be extended is 12 months.

Formal Action Stage 2 - Final Written Warning

14.22 After a full discussion with the employee, followed by a consideration of the facts, the employee may be issued with a final written warning where their attendance has failed to improve to a satisfactory level whilst the prior warning is still “live”. See also paragraphs 14.18-14.20.

14.23 The line manager must continue to monitor and review the employee’s attendance. Support, interventions or actions that have been agreed should be implemented. If the employee’s attendance improves and meets the required attendance standard this should be recognised. However, if attendance continues to be of concern, the employee should be invited to attend a further Formal Attendance Review.

14.24 There may be instances whereby the employee is still be subject to a “live” Final Written Warning, but they find themselves in a further Formal Attendance Review. The line manager will reserve the right to extend the period that the Final Written Warning will remain “live”, as opposed to moving to Formal Action Stage 3. This will be dependent on the individual circumstances and will be confirmed in writing to the employee. The maximum time frame that a “live” sanction can be extended is 12 months.

Formal Action Stage 3 – Dismissal with Notice

14.25 If the employee’s attendance has failed to improve to a satisfactory level during the period that the Final Written Warning is still “live” the case will usually be considered by the relevant Committee of the Board of Trustees. (See also paras. 14.18-14.20).

14.26 Should the case be referred to a relevant committee of the Board of Trustees, the Committee, who will be advised and supported by HR, will meet with the employee. The line manager will also be in attendance to present the case to the Committee. At least 5 working days’ notice will be given, and the written notification will give details of the time and place of the meeting and will advise the employee of their right to be accompanied by a work colleague or trade union representative. The letter will include the reason for the meeting, set out the details of the absences to be considered and include relevant background information. The letter of notification will state that dismissal is a potential outcome of this meeting and that the employee can present a written statement prior to the meeting should they wish to do so.

14.27 During the meeting the employee will be given every opportunity to discuss and explain their absences, provide any other information they feel is relevant, identify any actions, support or interventions they feel could improve their attendance and ask questions before any decision is reached.

14.28 After a full discussion with the employee, followed by a consideration of all of the facts and if there is no other reasonable alternative the employee will be dismissed with notice. It may be appropriate for the employee to be paid in lieu of notice. The decision and the reason for it will be conveyed in writing to the employee and will also identify their right of appeal.

Right of Appeal

14.29 The employee will have the right to appeal against any formal action, including dismissal. The appeal process would be as per paragraphs 12.42-44

14.30 Potential outcomes of the appeal are:

- Uphold the original decision.

- Overturn the original decision – the formal warning will be removed. Targets for improvement may be set and attendance will continue to be monitored.

The decision made at the Appeal will be confirmed in writing to the employee, without unreasonable delay, and will be final with no further internal right of appeal.

Additional Information

- 14.31 There may be instances where concerns about attendance are sufficiently serious to warrant the procedure being commenced at a later stage of the procedure. HR will provide advice.
- 14.32 Should an employee hit trigger points and there is a previous Informal or Formal Attendance Review meeting on record, regardless of how long in the past the Headteacher will reserve the right to move straight to a Formal Attendance Review meeting.

15 Work-related Ill Health or Injury

- 15.1 Where an employee's ill health or injury has been caused by work it must be reported as soon as possible following the school's accident reporting procedures which are contained within the Health and Safety Code of Practice. Further advice and support should be obtained from the Trust's HR provider and Health and Safety.

16 Personal Injury Claims

- 16.1 Where an employee's absence results in a personal injury claim it is important that the Trust's HR provider and insurance provider are involved in such cases at the earliest possible opportunity. The line manager will, however, continue to manage such cases in line with this policy ensuring that all positive outcomes are explored ensuring that any issues which may have contributed to the individual's illness or injury have been fully explored and addressed prior to their return.

Summary of Responsibilities

It is the **employee's responsibility** to:

- Attend work unless unfit to do so.
- Look after their general health and wellbeing and, where necessary, to promptly seek medical attention or other support to maintain high levels of attendance.
- Promptly raise issues with their Headteacher or another appropriate person e.g. their health and safety representative, if they have any concerns in relation to their work.
- Understand the requirements of this policy and follow the sickness absence procedure for every absence; this includes, for example, notification, certification and keep in touch requirements.
- Attend and participate fully in discussions in attendance review meetings and OHU appointments to identify ways to support a return to work or to identify an early prognosis of on-going illness.
- Complete a sickness declaration form on return to work and participate in a return to work meeting.

It is the **Chair of Trustees/Chief Executive Headteacher's/Lead Headteacher's/Headteacher's responsibility** to:

- Understand the requirements of this policy and other associated procedures and to have participated in any appropriate training.
- Proactively manage absence from work in accordance with this policy.
- Ensure employees receive an appropriate induction, training and support relevant to their job role, which includes ensuring employees are aware of their responsibilities in relation to this policy.
- Ensure that appropriate policies, risk assessments, monitoring activity and the performance management framework are in place to safeguard employee health and well-being. This may include using the Health and Safety Executive Management Standards.
- Respond to any work related issues which may impact on an individual's performance and wellbeing, and provide appropriate support.
- Recognise the impact external factors can have on the wellbeing of employees, and consider the options available e.g. flexible working, physiotherapy, counselling, other forms of leave, and training.
- Ensure that good attendance is encouraged and recognised.
- Record all absences in line with school procedures and monitor and analyse team and individual records to identify and address trends and issues.
- Inform an employee at appropriate points of the potential implications of their continued absence, where decisions may need to be made about their continuing employment.
- Maintain an awareness of their responsibilities in relation to equality and diversity, and the Equality Act.

It is the Chair of Trustees responsibility to:

- Ensure, so far as reasonably practicable, that the health and wellbeing of all employees is considered at all times.
- Ensure that the line manager appointed to deal with absence matters are continuing to support the wellbeing strategy.
- Support and proactively manage the Chief Executive Headteachers absence from work in accordance with this policy.

Sickness Code:

Appendix 2

Return to Work Meeting & Sickness Declaration – Record of absence

Document Summary – this form is to be completed to enable appropriate records to be made of all for all sickness absences regardless of length

Name of Employee	Payroll No.
School	
Employee's Contact Address	
Contact Tel. No.	Date

Details of Absence

First day of sickness	am <input type="checkbox"/> pm <input type="checkbox"/>	Last day of sickness	am <input type="checkbox"/> pm <input type="checkbox"/>
Total no. of days absent (calendar days)		Total no. of days absent (working days only)	
Date returned to work			
What was the reason(s) for absence? (Diagnosis and/or symptoms)			
Do you believe your current absence to be work related?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
Was the absence as a result of an injury at work? If Yes, give details		Yes <input type="checkbox"/> No <input type="checkbox"/>	
If Yes, was the incident reported?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
If the absence has lasted for 3 or more days, has the Health and Safety Team been informed		Yes <input type="checkbox"/> No <input type="checkbox"/>	
Do you believe your absence to be disability related?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
Was a Doctor/medical professional consulted? If Yes, please give dates and the name and address of the Doctor		Yes <input type="checkbox"/> No <input type="checkbox"/>	
Was medical treatment required/necessary? If Yes, give details (e.g. medication, hospitalisation, therapy etc.)		Yes <input type="checkbox"/> No <input type="checkbox"/>	
If Yes, Is this ongoing?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
Did the absence last for more than one calendar week?		Yes <input type="checkbox"/> No <input type="checkbox"/>	
If Yes, have fit notes been received to cover the whole period of absence (following self-certification)		Yes <input type="checkbox"/> No <input type="checkbox"/>	
If Yes, when did you submit your Doctor's Statement(s)? (Approximate date(s))			
Fit Note expiry date			
Does your fitness need to be assessed again at the end of this period (please tick as appropriate)		Yes <input type="checkbox"/> No <input type="checkbox"/>	

Any person who wilfully makes a false or misleading statement could be liable to disciplinary action and may result in loss of sick pay.

Return to Work Meeting Form:

Note to Line Managers and Employees - You should record a summary of the discussions e.g.

- Any other reasons for the absence further to those originally specified
- Contact with the employee during the period of absence
- Fitness for work (all duties, full-time, support required etc.)
- Adjustments/Modifications/Support for returning to work e.g. return to work plan
- Previous sickness (associated or other)
- Has the employee reached a trigger level (3 occasions in 6 months/5 occasions in 12 months) or are they approaching a trigger level?
- Is there any support the employee needs going forward to prevent future absences e.g. Employee Wellness Programme, referral to OHU, flexible working etc?
- Update of work-related developments during absence
- Any concerns over the period of absence
- Any other general comments

Notes

Signing below does not indicate that either party agree with points made or conclusions drawn in the 'Notes' section of this form.

Employee's Declaration:

The information given on page 1 is true and accurate.

Employee	Date
-----------------	-------------

Line Manager's Declaration: I have conducted the return to work meeting

Line Manager	Date
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Record of Informal Attendance Review Meeting

Record of Informal Attendance Review Meeting	
Employee Name	
Job Role	
School	
Date of Meeting	

Brief summary of meeting include what was discussed by you, the employee's comments, and the actions/outcomes agreed going forward. Refer to the Policy for further information on completing an Attendance Review Meeting.			
Line Manager's Name		Job Title	
Line Manager's Signature		Date	

The information detailed is an accurate record of the discussion

Employee's Signature		Date	
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(Please attach additional sheet(s) if required to record the information and ensure that these sheets are also signed).

Part 1- Equality Act and Reasonable Adjustments

Reasonable adjustments are changes an employer makes to remove or reduce a disadvantage related to someone's disability For example:

- Making changes to workstation and/or premises
- Changes someone's working arrangements
- Finding a different way to do something
- Providing equipment, services or support
- Allowing time off during working hours for rehabilitation, assessment or treatment
- Modify trigger points for attendance management purposes

When making adjustments for mental health it is important to remember that:

- Every job is different, so what works in one situation might not work in another
- Every person is different, so what works for one employee might not work for another
- Mental health fluctuates over time, so what works for an employee at one point in time might not work in the future.

Definitions / Examples Of Reasonable Adjustments

The duty to make reasonable adjustments for disabled people in employment is an important part of the Equality Act 2010. Employers are required to take positive steps to ensure that disabled people can access and progress in employment. The duty to make reasonable adjustments applies to all employers but the question of what is reasonable may vary according to the circumstances of the employer.

It is good starting point to conduct a proper assessment, including seeking medical advice, in consultation with the employee of what reasonable adjustments may be required. It may be helpful to set out the employee's duties and tasks (see part 2) to establish if they have any difficulty completing them because of their disability and if so discussing what, if any, reasonable adjustments can be made to lessen that impact. It is advisable to agree any proposed adjustments with the disabled employee before they are made. Any necessary and reasonable adjustments should be implemented in a timely fashion, reviewed regularly, and it may also be necessary to make more than one adjustment.

Reasonable adjustments are specific to an individual person. They can cover any area of work.

1. Making changes to the workplace

For example:

- changing the lighting above someone's desk or workstation
- widening a doorway, providing a ramp or moving furniture for a wheelchair user
- relocating light switches, door handles or shelves for someone who has difficulty in reaching
- providing an accessible car parking space

2. Changing someone's working arrangements

For example:

- changing someone's working patterns or allowing them to work more flexibly
- distributing someone's breaks more evenly across the day
- allowing part time working, or different working hours, for example to avoid the need to travel during rush hour
- working from home or hybrid working

- reasonable adjustments for disability-related absence - including time off for medical appointments, rehabilitation and treatment, or modification of trigger levels.
- A phased return to work after absence

3. Finding a different way to do something

For example:

- distributing work differently within a team – reallocating minor duties to another person if the employee has difficulties undertaking those tasks because of their disability
- giving someone different responsibilities or offering another suitable role
- giving someone more time to do written or reading tests that are part of an interview
- finding a different way to train someone if they find classroom-based training difficult

4. Providing equipment, services or support

For example:

- Acquiring or modifying equipment – for example, an adapted keyboard, a large screen, specialist chairs, adapted telephones
- providing emails and documents in an accessible format
- modifying instructions, reference manuals, or handbooks
- providing a reader or interpreter
- giving one-to-one support or supervision, for example to help someone prioritise their work
- employing a support worker

5. Transferring an employee to fill an existing vacancy

For example:

- An employer should consider whether a suitable alternative post is available for a worker who becomes disabled (or whose disability worsens), where no reasonable adjustment would enable the employee to continue doing their current job. This might involve retraining or providing adapted equipment for the new post.

Mental Health and Well-being Support – External Organisations

This list is not exhaustive and inclusion within this policy is for signposting purposes only.

Education Support Partnership

The Education Support Partnership is a UK based charity dedicated to supporting the mental health and wellbeing of staff in schools, colleges and universities. They offer a 24/7 telephone helpline in addition to advice and guidance on their website.

Helpline: 08000 562 561

Website: www.educationsupport.org.uk/

Samaritans

Provide emotional support for people 24/7, 365 days a year. They allow people to talk about feelings of distress and despair, are confidential and offer non-judgmental support.

Phone: 116 123

Email: jo@samaritans.org Website: www.samaritans.org

Sunderland Psychological Wellbeing Service

Working in partnership with a number of other providers, this service provides assessments and a range of treatments for people with common mental health problems.

Phone: 0191 566 5454 (self-referral)

Website: www.sunderlandiapt.co.uk

Mind

Mind cannot provide emotional or crisis support but do provide information on mental health issues including where to get help, medication, alternative treatments and advocacy. Their Infoline provides an information and signposting service and is open 9am to 6pm, Monday to Friday (except for bank holidays).

Phone: Infoline on 0300 123 3393

Website: www.mind.org.uk

Text: 86463 Infoline: 0300 123 3393

Sunderland Initial Response Team (IRT)

The Initial Response Team provides practical advice, emotional support from qualified nursing staff and when appropriate, routing to the right service.

The service is available 24/7 throughout the year by calling 0303 123 1145.

The team is made up of a clinical lead, qualified mental health clinicians and experienced support staff. The team are also supported by clinicians from specialist areas of care such as children's and young people's mental health services, learning disability services and older persons' mental health services.

NHS Direct 111

The service has psychiatric nurses on the switchboard who can offer advice - [NHS 111](https://www.nhs.uk/111)