

Managing Attendance Policy for School Staff



This policy is not intended for use by non-maintained schools. If extracts are used they should be attributed.



Foundation and Voluntary Aided Schools can adapt and adopt this policy or use an alternative.



This policy is for use by Community and Voluntary Controlled schools. Governing Bodies are asked to adopt this policy. Should a Governing Body wish to adopt an alternative policy please ensure that a copy is supplied providing assurance that it is legally compliant.

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Prepared by: Human Resources
Approved by: C&F

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1.0 Policy Statement

- 1.1 The school expects all its employees to provide effective and reliable service, however, it recognises that a certain level of absence due to sickness is unavoidable. The school is committed to ensuring that employees suffering from ill health, including mental and physical illness and disability are treated with understanding and sensitivity whilst achieving an acceptable level of attendance.
- 1.2 A level of absence due to ill health, or the nature of the illness affecting an employee's ability to carry out their duties will be managed in accordance with this policy and steps taken to improve attendance. Where such steps prove unsuccessful the employee may have their employment terminated on the grounds of unsatisfactory attendance.

2.0 Scope

- 2.1 This policy applies to both teaching and support staff in community and Voluntary Controlled schools.

A similar policy applies to employees within Milton Keynes Council.

3.0 Introduction/Purpose

- 3.1 The school recognises that employee absences have an adverse impact on colleagues, pupils, workloads and service delivery. The purpose of this policy is to ensure a consistent and fair approach to managing issues of non-attendance and to minimise employee absence through positive attendance management.
- 3.2 If an employee's non-attendance is related to performance issues then the school's **Managing Underperformance Policy for School Staff excluding Headteachers** or the **Managing Underperformance Policy applicable to Headteachers** should be followed.
- 3.3 If it is established that unsatisfactory attendance is not related to health issues but is the result of employee misconduct or negligence; the **Disciplinary Policy for School Staff other than Headteachers** or the **Disciplinary Policy applicable to Headteachers** should be followed.

4.0 Roles and Responsibilities

- 4.1 Headteacher:

- Communicating the policy and procedure
- Ensuring that every effort is made to achieve full attendance
- Monitoring employee attendance levels and encouraging open and honest dialogue
- Taking appropriate action within this policy to deal with nonattendance at the earliest opportunity and in line with the school's trigger points
- Ensuring, that Fit for Work Statements, if applicable, are scanned and retained electronically in a secure folder
- Ensuring return to work interviews are conducted in a timely manner
- Being aware of employees welfare and if individuals appears to be unwell at work encouraging them to seek advice from their GP or if appropriate the Teacher Support Network
- Developing a culture where employees are supported and assisted in achieving an acceptable level of attendance
- Take advice from the school's HR provider
- Recording and keeping details of all meetings with the employee, monitoring any targets and offering support and, should there be a need to hold a Formal Attendance Hearing, presenting the management case
- Keeping accurate records of all sickness absence and providing appropriate information on absences to the school's Payroll provider within the required timescales

Note: For the purposes of implementing the Managing Attendance Policy, 'Headteacher' means, in the absence of the Headteacher or where delegated responsibility for dismissal has been passed to the Headteacher, a representative who is either a Deputy Headteacher or another senior member of staff who has formally been nominated by the Headteacher (i.e Line Manager).

4.2 Governing Body or IEB:

- Adopting the Policy and procedure
- Ensure that appropriate attendance procedures are in place within the School and are followed in a fair and reasonable manner
- Determine who will be responsible for conducting a Formal Attendance Hearing which **may** result in dismissal. The Governing Body or IEB will make a decision based on the options given below and this decision should be formally minuted and reviewed annually:
 - a) to delegate responsibility for staff dismissals to the Headteacher (only applicable if Headteacher has not been involved in the case up to that point)
 - b) to appoint a separate Hearings Committee consisting of three governors (in exceptional circumstances this may be reduced to two)
 - c) may collaborate with another school's Governing Body or IEB
- Appoint an Appeal Committee (comprising three governors who have not previously been involved) to hear any appeals. A governor who has served on a Hearings Committee or been involved in the case previously with the Headteacher i.e. setting attendance targets with the Headteacher etc. must not serve on the Appeal Committee which hears a resultant appeal
- The Headteacher, the Governing Body or IEB will appoint a Clerk to keep a record of any hearing or appeal hearing relating to a staff attendance matter
- Take advice from the school's HR provider

4.3 Employees:

- Making every effort to achieve full attendance
- Committing to the achievement of acceptable attendance levels should these fall below the standards expected
- Complying with this policy and associated procedure and attending any meetings / hearings convened in accordance with this policy. Failure to do so may result in disciplinary action

4.4 Human Resources:

- Advising and supporting the Headteacher and Governors in the application of this policy
- Attending in an advisory capacity at formal hearings / appeal hearings

5.0 Principles

5.1 The policy set out in this document aims to ensure that there is:

- A means of monitoring attendance levels and ensuring that acceptable levels of attendance are established and maintained
- Consistency in how employees with widely differing responsibilities and duties are encouraged to attain a satisfactory level of attendance
- Assistance in identifying the most appropriate forms of support and providing that support

5.2 If an employee does not meet the required standard of attendance any consequent action will be based on:

- Adequate evidence that the employee is unable to maintain a satisfactory level of attendance

- Adequate evidence that the employee was given reasonable support and assistance to overcome the shortfall in attendance including consideration of any reasonable adjustments
 - Up to date medical advice and
 - A fair procedure.
- 5.3 The school will demonstrate a sympathetic and supportive attitude towards employees who incur injury, who are abnormally prone to sickness or who suffer longer-term illness.
- 5.4 The school is committed to creating an environment that does not place individuals under prolonged periods of unreasonable stress such that their health and effectiveness are likely to be adversely affected.
- 5.5 Payment of 'sick pay' is dependent on the policy and procedures being followed correctly.
- 5.6 It is expected that the Headteacher will conduct the Informal Attendance Meeting. At the Formal Attendance Meeting the Headteacher will be advised by an HR representative from the school's HR provider.
- 5.7 Should the process progress to the final stage, and dependent upon the delegated responsibility for dismissals at each individual school, the Formal Attendance Hearing may be conducted by the Headteacher or by a Committee of three governors forming the Hearings Committee. At any Formal Attendance Hearing and Appeal Hearing the Chair or Committee will be accompanied and advised by a representative from the Human Resources provider. A representative of the Local Authority may also attend the meeting should dismissal be a possible outcome.
- 5.8 Where the Headteacher is absent due to sickness the same principles in relation to reporting, certification and management of the case will apply save that the Chair of Governors will take on the responsibilities of the Headteacher as set out within this policy.
- 5.9 Cases of long-term absence will be handled sympathetically and sensitively and the issuing of warnings in these circumstances is not appropriate. In these cases the Long Term Absence procedure detailed in Section 24.0 should be followed.
- 5.10 The provisions of the Equality Act 2010 will be applied throughout the implementation of this Policy. Headteachers and staff should consult the guidance found at [Equality Act Guidance for Schools](#). This provides protection for several employee characteristics covered by equality legislation:
- age – covers all age related issues
 - disability, including making reasonable adjustments
 - gender reassignment from the moment transition starts
 - race, religion or belief,
 - sex – things associated with being male or female,
 - sexual orientation including feelings, sexuality as well as identity
 - marriage and civil partnership status
 - pregnancy and maternity
- 5.11 If the employee or their representative is unable, for good reason, to attend the Formal Attendance Meeting / Hearing on the date proposed, the Headteacher will reschedule the meeting to take place no later than 5 working days after the date of the original hearing. No further rescheduling will be considered unless the reason for non attendance is considered exceptional. If the employee fails to attend the rescheduled meeting/hearing, it will continue in the employee's absence.
- 5.12 Each stage of the procedure should be carefully documented. It is the Headteacher's responsibility to ensure notes are taken of the informal attendance meetings or in the case of the formal stages, arrange for a note taker to be present at the meetings.

- 5.13 If issues of attendance relate to a trade union / professional association representative, the union's / association's senior local convenor and regional officer must be notified. No further action should be taken until they have been informed.
- 5.14 No decision to dismiss will be taken without the school having first sought all appropriate and up to date medical advice.
- 5.15 An employee has the right to appeal against a sanction issued under the formal process. However the submission of an appeal will not halt the progress of any Formal Attendance Monitoring period which will run concurrently with the appeals process.
- 5.16 An employee cannot invoke the grievance procedure as a challenge to a decision of the Headteacher to issue a sanction under this policy unless there are indications that the Headteacher has acted in a vexatious or discriminatory manner. The Chair of Governors will determine whether the employee has a justified complaint and whether or not the Grievance Policy or the Harassment and Bullying Policy should be invoked.

6.0 Reporting Sickness Absence

- 6.1 An employee unable to attend work because of sickness must advise the Headteacher by phone on the first working day of absence. This must take place prior to the start of the school day. Notification by text and e-mail is not acceptable; an employee must make verbal contact with their Headteacher. At this stage Headteacher and employee must agree the frequency of contact. This may mean daily contact should the expected duration of the absence be unknown or an alternative frequency may be agreed where the expected date of return is clearer.

In extreme circumstances (i.e. hospitalisation) notification can be by a third party, again this must be by phone.

Employees who fail to follow the procedure for notification will be regarded as absent without permission and may be subject to disciplinary action where deemed appropriate. Sick pay will be withheld when notification procedures have been contravened.

- 6.2 The Sickness Notification Form should be completed even if the absence is only half a day. All days of sickness must be recorded, including Saturdays, Sundays and Public Holidays, if on these days employees would not have been capable of work because of personal sickness or injury. (Weekends count as absence if an employee is sick on the previous Friday)
- 6.3 Employees should not return to work before the date stated on their Statement of Fitness for Work, without seeing their doctor first and obtaining written agreement to an earlier return to work date.
- 6.4 If employees are unwell at work, they should inform the Headteacher before leaving for home.
- 6.5 Employees should inform the Headteacher who will inform their Human Resources provider as necessary of any anticipated longer periods of sickness absence, for example, hospital admission.

7.0 Sickness and Working at Home

- 7.1 Sick leave is important to enable recovery and as such requires a detachment from the employee's duties and working environment. Where an employee has been signed off sick by their GP it may be possible for the employee to undertake some work from home (only where this is operationally feasible) where both the employee and their Headteacher feel that this would be beneficial to their rehabilitation. It would also be appropriate to consider whether it is possible to allow the employee to work from home on occasion should it be recommended by a GP or Occupational Health as a reasonable adjustment or as part of a phased return.

7.2 Where an employee is fit to work from home they will need to ensure that the hours worked are distinguished from those hours the employee is unable to work due to illness. Hours where the employee is unable to work from home must be recorded as sick leave. To ensure accurate recording and avoid any overpayment issues Headteachers and employees must agree the working pattern in advance.

8.0 Accident or Injury at Work

8.1 If an employee considers their illness to be work related then the employee must complete an Incident Report form and pass to their Head teacher. In the case of community and voluntary controlled schools this form should be forwarded to the MKC Corporate Health and Safety Team. An employee who is absent from work due to an accident or injury at work should be treated in the same way as if their absence was due to sickness and therefore the Managing Attendance Policy should be followed. In the case of teaching staff the provisions contained within the 'Burgundy Book' should also be applied.

8.2 An employee who is absent from work as a result of an accident and receives damages in respect of loss of pay from a third party claim will be required to refund to the council any sick pay paid to them in relation to the incident.

9.0 Annual Leave Entitlement in relation to Sickness Absence

9.1 Any employee who falls sick immediately prior to commencing pre-booked annual leave or who returns from leave wishing to reclaim a proportion of that leave due to having been sick during their annual leave period will be required to provide a Fit Note from his/her doctor stating the period the employee was not able to work and the reason for absence. The council will not reimburse any fee charged by the doctor for this Fit Note.

9.2 During long-term absence an employee's annual leave allowance will continue to accrue. Employees have the choice of taking a period of annual leave during their sickness absence. If however the employee chooses not to take annual leave while sick and is therefore unable to take this annual leave within the current leave year, then they will be entitled to carry their outstanding annual leave over to the next leave year. It is recommended that the employee is encouraged to take most or all of this leave in a block in the first month after their official return to work date or to assist with a phased return to work.

10.0 Keeping in touch with sick employees

10.1 It is primarily the Headteacher's responsibility to maintain contact with an absent employee as this is part of the school's duty of care. However this does not remove the responsibility on an employee to update their Headteacher about any change in their circumstances whilst they are absent from work.

10.2 If the absence is long term then it is expected that the Headteacher contact the employee on a regular basis and on each occasion when contact is made the two parties agree the date and form of the next contact which may for example include a home visit.

11.0 Stress Related Absence

11.1 Headteachers should contact their HR provider for advice the moment they become aware that an employee's absence may be as a result of stress, regardless of whether this is related to work or personal factors. It is important that medical advice is sought as early into the absence as possible as prompt intervention in stress related absences is known to have a beneficial effect on the duration and frequency of such absences. An early referral to Occupational Health is important to recovery and managers should discuss the approach with their HR provider.

11.2 A review meeting should be arranged with the employee as soon as the Headteacher is aware that the absence is as a result of stress. Headteachers should not wait for the absence to

become long term (e.g. 4 weeks) before arranging this meeting as identifying the cause early may help resolve the absence before it becomes protracted.

12.0 Musculoskeletal Absences

12.1 Absences as a result of muscular or skeletal disorders such as backache, muscular pains in lower and upper limbs, and neck and shoulder pains as well as injuries including sports injuries should be referred at the earliest opportunity. Absences amounting to 10 or more working days, of either one or multiple periods, should be referred to Occupational Health. Where the services of the council's Occupational Health provider are used it may be possible to reduce the duration of the absence through early access to physiotherapy.

13.0 Combination of short and long term absences

13.1 Where an employee's combination of short and long term absence is giving cause for concern the overall absence record must be taken into account when making a decision about how to manage the attendance issues. The approach taken will vary depending on whether the employee is currently subject to the short term or long term procedure.

14.0 Transition Related Absence

14.1 Individuals in sexual transition will be able to take time off for medical and/ or surgical treatment. For other treatments, such as voice training or electrolysis, requests for time off will be treated sympathetically; flexible working patterns may be considered as might unpaid leave.

15.0 Employees Absent without Permission

15.1 An employee that fails to comply with the school's absence reporting procedures will be deemed to be absent without permission and may be subject to disciplinary action which could result in dismissal. Pay will be suspended from the first day of unauthorised absence.

16.0 Absence for issues other than sickness

16.1 Sickness absence must only be used when the employee is personally unwell, it must not be used in situations where the employee has caring responsibilities or for other domestic emergencies etc. In these circumstances other forms of leave, as detailed in the school's Leave of Absence Policy may be requested.

16.2 However in situations where high levels of sickness absence are compounded by excessive periods of absence in relation to family emergencies, compassionate leave, discretionary leave etc. then all/some absences may be taken into consideration when determining the appropriate action under this policy. Headteachers should seek advice from their HR provider before progressing such cases.

17.0 Cosmetic Surgery

17.1 Time off for cosmetic surgery (which is not related to a medical condition) or IVF treatment should be planned to take place during school closure periods or taken as unpaid leave unless the GP states that an employee is unfit and should refrain from work.

18.0 Medical Advice

18.1 Should an employees absence be cause for concern then the school will seek medical advice to help establish the appropriate course of action. This advice should be sourced from Occupational Health.

18.2 Employees absent from work due to sickness are required to attend any Occupational Health appointments made for them. Where the employee refuses to attend an Occupational Health appointment, the Headteacher needs to explain that without such a report management decisions

will be made using the information available to them. Refusal to attend an OH appointment may also impact on an employee's entitlement to Occupational Sick Pay.

19.0 Medical Suspension

- 19.1 In certain circumstances it may be appropriate to medically suspend an employee to ensure that the school complies with its duty of care especially in situations where further medical information is required. Any decision to medically suspend needs to be based on sound justification and the Headteacher should be able to demonstrate this through a risk assessment which will be shared with the employee. A decision to suspend must be approved in writing by the Chair of Governors.
- 19.2 The employee must be informed as soon as possible of the decision to suspend and this must be confirmed in writing. Medical suspension will be on contractual pay and does not impact on sick pay.
- 19.3 The Headteacher will discuss and agree with the HR provider how to obtain the appropriate medical advice which will allow management to make an informed decision regarding the employees return to work.

20.0 Return to Work Interviews

- 20.1 Return to Work Interviews must take place after every period of absence regardless of the duration and should be conducted by the Headteacher or delegated member of staff. Ideally the interview should take place the day the employee returns from sick leave. They should be supportive in nature, clarify the reason for absence and confirm that the employee is fit to resume work. Return to Work Interviews can help identify short and long term absence problems at an early stage and also create an opportunity for the Headteacher to open a conversation with the employee about any underlying issues which may be causing the absence. This will allow the Headteacher to make any reasonable adjustments to the role/working environment to help support the employees return to work.
- 20.2 Should the employee's level of attendance be a cause for concern and absence levels have hit the trigger points then the Headteacher should inform the employee that a further meeting will be arranged within the following five working days to discuss the way forward. This will take the form of an Informal Attendance Meeting at which an Attendance Improvement Plan (see Appendix 4 may be issued.

21.0 Phased Return

- 21.1 Depending on the nature of the employee's absence a phased return may be recommended by the employee's GP (this should be detailed on the employee's Statement of Fitness for Work) or Occupational Health. The type and duration of each phased return will be determined on a case by case basis; however it is vital that the Headteacher and employee are clear from the outset how this will operate.
- 21.2 A phased return should usually be completed within 4 weeks, however this may be extended should the particular circumstances warrant it. It is important to agree how, during the phased return period, the balance of any hours the employee is not at work will be covered. Employees have the choice of having these non-working hours recorded as sick leave (and receive sick pay should they not have exhausted their entitlement), annual leave or unpaid leave. To ensure that the employee is paid correctly it is crucial the Headteacher must inform the Payroll provider of the phased return arrangements as soon as they have been agreed.

22.0 Reasonable Adjustments

- 22.1 The Equality Act 2010 prohibits discrimination because of disability and places a duty on employers to make reasonable adjustments to working practices and premises in order to accommodate the needs of individual employees and job applicants who have a disability. A failure to make reasonable adjustments cannot be justified.

- 22.2 The Equality Act 2010 defines the protected characteristic of disability as applying to a person who has a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.
- 22.3 The Headteacher must have an open discussion with the employee. If there are problems with an employee's attendance and an underlying medical condition or disability is identified, advice should be sought from Occupational Health. OH may be able to suggest reasonable adjustments that could be made to either the physical place of work, or the work itself.

23.0 Trigger Points

- 23.1 The school's trigger points for sickness are reached when an employee has been absent for either 3 periods or 10 days (whichever is the earlier) in a 6 month period. When an employee's absence reaches the triggers points for either short term or long term sickness, the Headteacher will review the attendance record with the employee at an Informal Attendance Meeting, where a monitoring period and targets for improvement will be set.
- 23.2 Headteachers may also review attendance where an employee has been absent in excess of 8% of possible working days, has had more than 5 days absence each year over a 3 year period or where trigger points have not yet been reached but absence levels/patterns give cause for concern.
- 23.3 Occasionally, certain absences will be disregarded, for example, where an employee has a regular hospital appointment or a pregnancy related illness. Where absences are specifically related to a disability a reasonable adjustment may include revised trigger points for the employee. However absences beyond a revised trigger will not be disregarded whether they are related to disability or not. Headteachers should seek advice from their HR provider if they are unsure which absences they should disregard.

24.0 Managing short-term intermittent absence - Informal Process – Informal Attendance Meeting

- 24.1 It is the Headteacher's responsibility to arrange a meeting with the employee to discuss the reasons for the absence. The meeting will also cover the attendance standards expected, the targets to be set the duration of the monitoring period (the Informal Attendance Monitoring Period) and consider any medical advice received and the support required and whether any adjustments may be necessary to the role.
- 24.2 It will be made clear at this meeting that failure by the employee to meet the standard required, during the Informal Attendance Monitoring Period, will lead to the commencement of the formal process and possible issue of an Attendance Improvement Notice.
- 24.3 A date must also be set for a meeting to review the employee's achievement at the end of the Informal Attendance Monitoring Period. (The Informal Attendance Review Meeting.)
- 24.4 The outcome of the Informal Attendance Meeting including the review date will be confirmed in writing.
- 24.5 The outcome of the Informal Attendance Review Meeting will be confirmed in writing.

25.0 Managing short-term intermittent absence - Formal Process - Formal Attendance Meeting

- 25.1 If, after monitoring and support provided within the informal process, the employee's attendance remains unsatisfactory the Headteacher will arrange a Formal Attendance Meeting with the employee.
- 25.2 In preparation for the Formal Attendance Meeting, current medical advice must be obtained.

- 25.3 The employee can be accompanied by a trade union / professional association representative or workplace colleague.
- 25.4 This meeting will restate the standards of attendance, agree further targets and timescales (Formal Attendance Monitoring Period of between 4 and 12 weeks) consider all medical advice received and what support or adjustments may be offered. The employee will be given an opportunity to comment on the concerns, present any mitigation and to ask any questions.
- 25.5 If there are no extenuating circumstances the Headteacher will issue an Attendance Improvement Notice which will remain live for 12 months. If during the 12 month period the employee breaches the conditions set out within the Performance Improvement Notice they will be invited to a Formal Attendance Hearing.
- 25.6 The outcome of the Formal Attendance Meeting including the review date will be confirmed in writing.
- 25.7 At the end of the Formal Attendance Monitoring Period the Headteacher will meet with the employee to assess progress (the Formal Attendance Review Meeting) and the outcome of this meeting will be confirmed in writing.

26.0 Formal Attendance Hearing

- 26.1 If at the end of the Formal Monitoring Period attendance has not improved to a satisfactory level the employee will be invited to attend a Formal Attendance Hearing.
- 26.2 In preparation for the Formal Attendance Hearing, current medical advice must be obtained.
- 26.3 The employee can be accompanied by a trade union / professional association representative or workplace colleague. The accompanying person can address the Hearing, but not answer questions on behalf of the employee (unless this is agreed by the Chair of the Hearing).
- 26.4 Dependent upon the delegated responsibility arrangements for each individual school the Hearing will be conducted by the Headteacher or the Hearings Committee and will be advised by a representative from the Human Resources provider.
- 26.5 The Headteacher (or nominated representative in situations where the Headteacher is hearing the case) will present the evidence for the attendance issues, how those have been addressed, the process followed and the support given as well as details of any medical advice and any reasonable adjustments made.
- 26.6 The employee will be given the opportunity to respond.
- 26.7 The Headteacher or the Hearings Committee will consider the evidence about non-attendance, decide whether it is justified and determine whether:
- To dismiss the employee with notice considering whether alternative employment is available and whether it is appropriate that it be offered to the employee
 - To issue a Final Attendance Improvement Notice and extend the Formal Monitoring Period, to give the employee further time to improve their attendance.
 - To withdraw the procedure
- 26.8 The decision must be relayed verbally as soon as possible after the hearing and be confirmed in writing within 5 working days.
- 26.9 If a Final Attendance Improvement Notice has been issued and the employee again fails to reach an acceptable standard of attendance the Formal Attendance Hearing will be reconvened. The outcome of the reconvened hearing will be dismissal or withdrawal of the procedure.

27.0 Managing Long Term Absence

- 27.1 Each case must be judged on its own merits; however, as a general rule Headteachers should arrange a Long Term Absence Review Meeting for absences of 4 weeks or more. Consideration should be given to obtaining medical advice prior to the review meeting taking place. Guidance on this point should be sought from the school's HR provider.
- 27.2 The meeting should take place at a mutually agreed venue. The employee has the right to be accompanied by a trade union / professional association representative or workplace colleague at all Long Term Absence Review Meetings. The first meeting is to:
- Establish the nature of the illness
 - Discuss the prognosis for return to work
 - Explore what assistance the school can give the employee (e.g. reasonable adjustments, phased return etc.)
- 27.3 Once a medical report has been obtained then a further Long Term Absence Review meeting will take place to examine the report and options available, for example: phased return, reasonable adjustments, redeployment, the feasibility of ill health retirement, the need to progress to a Formal Attendance Hearing.
- 27.4 Redeployment should be considered as an option when the reasonable adjustment suggested by the medical advice can not be accommodated within the employee's current role. In the case of Long Term Absence this option should be explored at the Formal Attendance Hearing. The success of this option will depend on the availability of suitable vacant posts within the school and there is no obligation on the school to specifically create a post in such circumstances. In addition staff employed within community and voluntary controlled schools can be considered for redeployment within Milton Keynes Council, suitable vacancies permitting. In the case of redeployment due to long term ill health the employee will remain in the redeployment pool for a period of **four** weeks. If no suitable alternative employment is identified within that period the employee will commence their notice period. Redeployment efforts will continue during the employee's notice period however if these prove unsuccessful, employment will terminate at on the expiry of the employee's notice.

Advice on how to manage the redeployment process should be sought from the school's HR provider.

- 27.5 Decisions on whether to continue with further Long Term Absence Review Meetings or move to a Formal Attendance Hearing will be considered no later than three months from the first day of absence, but made on a case by case basis. Absences of three months in duration with no prospect of a return to work date must progress to a Formal Attendance Hearing at which dismissal will be considered.
- 27.6 A Formal Attendance Hearing will be arranged in line with the process outline within paragraphs **26.2 - 26.8** above.

28.0 Ill-health Retirement

- 28.1 Ill-health retirement for employees in the Local Government Pension Scheme must be certified by a designated independent Occupational Health Advisor. For Teachers ill health retirement applications will be assessed by the Medical Advisors appointed by the Department for Education.
- 28.2 Where certification is received while an employee is still employed by the school and unless the employee waives their right to attend, the employee will be invited in writing to a Formal Attendance Hearing at which the ill health retirement decision will be ratified.

28.3 Where certification is received after an employee has been dismissed from the school it may be applied retrospectively providing the employee was suffering from the condition at the time of his/her dismissal.

29.0 Appeal

29.1 An employee must appeal the decision at any stage of the Formal Process within 5 working days of notification of the decision. The appeal must be to the Chair of Governors or Clerk to the hearing stating the grounds for appeal.

29.2 The employee can appeal on the following grounds only:

- That the Managing Attendance procedure has been applied defectively or unfairly
- That new evidence has come to light that was not available at previous meeting / hearing and that it is likely to make a difference to the original decision.

and, as a result, the outcome or level of sanction imposed was inappropriate.

29.3 Arrangements for the appeal to be heard will be made by the Chair or Clerk to the hearing within 10 working days and the employee will be given details of the arrangements 7 working days in advance of the hearing.

29.4 Management and the employee should provide the Chair or Clerk with any written material to be used at the hearing at least 5 working days prior to the hearing.

29.6 The Chair or Clerk will arrange for a copy of the other party's written material to be provided to management and the employee at least 3 working days prior to the hearing.

29.7 All appeals will be heard by the governing body's Appeal Committee (which will not include any governor who was a member of the Hearings Committee) advised by a representative from the Human Resources provider. A representative of the Local Authority may also attend the meeting where dismissal was the outcome of the original hearing. The employee may be accompanied to the appeal hearing by a trade union / professional association representative or workplace colleague.

29.8 Both parties have the opportunity to state their case and to ask questions of each other.

29.9 In the case of an appeal against action that includes dismissal, the Appeal Panel can sanction that:

- The appeal is upheld, and that the sanction will then be the same or a lesser penalty; or
- The appeal is not upheld, and is dismissed

29.10 The decision of the Appeal Panel is final and will be communicated in writing within 5 working days of the hearing.

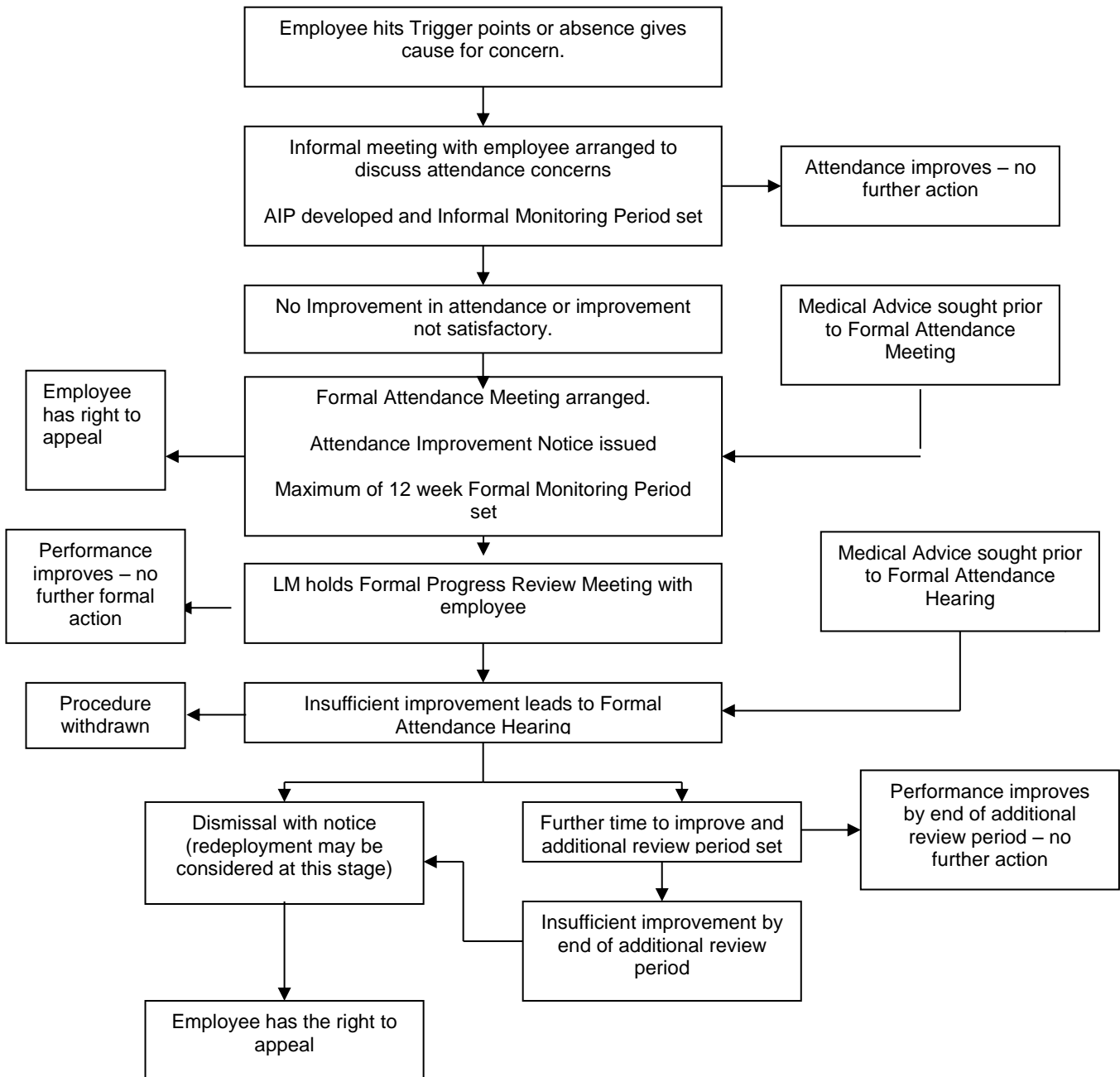
30.0 Representation

30.1 As confirmed throughout the policy, employees have the right to be represented at formal meetings / hearings and appeals by a trade union representative or a workplace colleague. The accompanying person can address the meeting/hearing, but not answer questions on behalf of the employee unless this is agreed by the chair of the meeting/hearing.

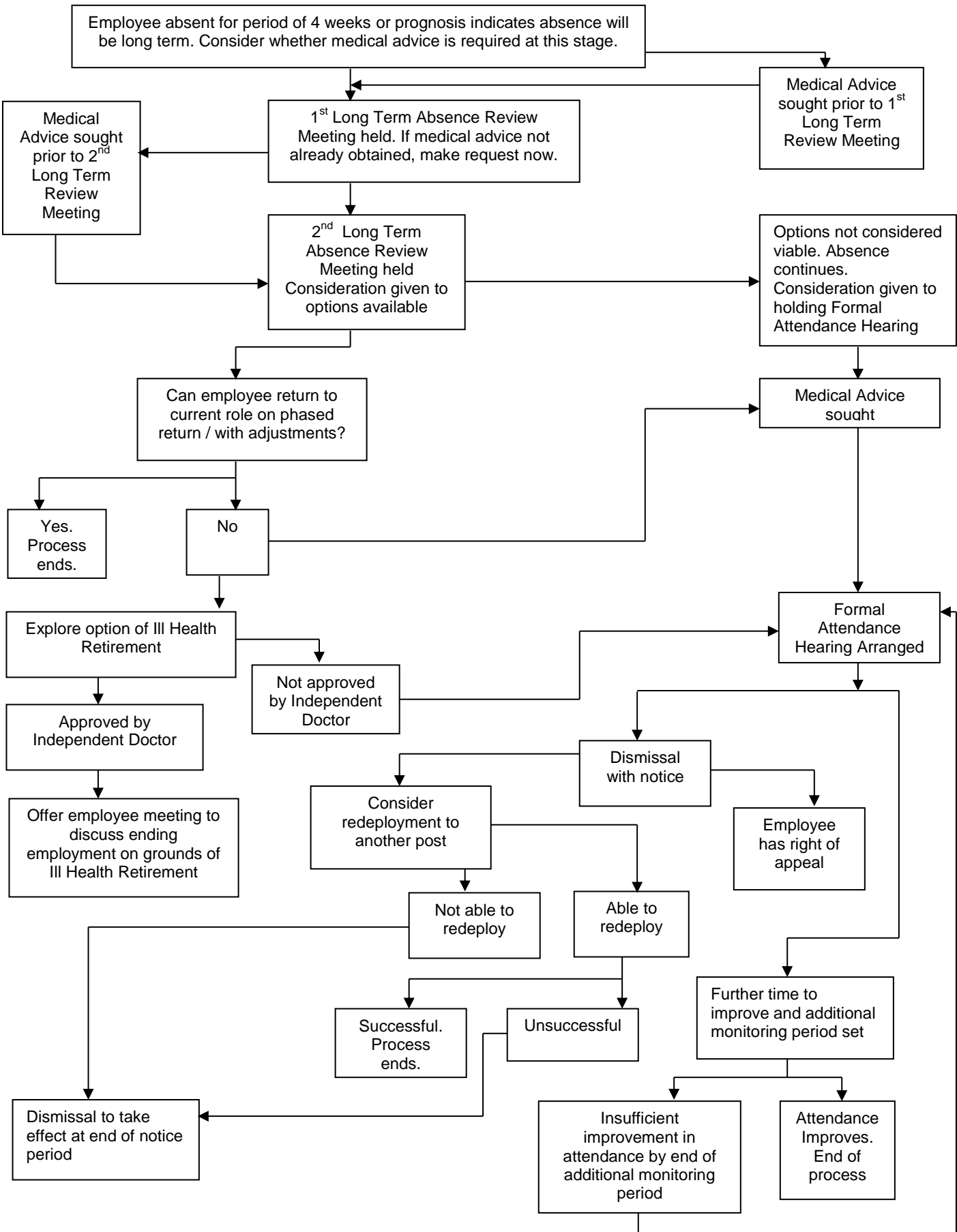
31.0 Interpretation

31.1 Any questions as to the interpretation of this policy should be referred to your Human Resources provider.

Appendix 1 - Short Term Absence – Process Flow



Appendix 2 - Long Term Absence – Process Flow



Agenda for Informal Attendance Meeting

At the meeting the Headteacher will need to:

- Outline the specific absences and confirm that the employee has hit the council's trigger points
- Explore the reasons for the absences
- Explain the standards of attendance expected
- Agree the attendance levels required and set a target level of attendance and the timeframe during which this will operate (Informal Attendance Monitoring Period) using the Attendance Improvement Plan at Appendix 3
- Agree the actions that the employee will take to improve their attendance level
- Decide on the support and help that will be offered e.g. change of hours, adjustments to working environment
- Discuss the content of any medical advice available to you
- If medical advice has not already been obtained, inform the employee of the intention to seek it

Agenda for Formal Attendance Meeting

At the meeting the Headteacher should:

- Explain the acceptable level of attendance required
- Explain how their attendance does not meet this standard
- Agree attendance targets with the employee and timescales (Formal Monitoring Period) for achievement using the Attendance Improvement Plan at Appendix 3
- Consider and discuss with the employee any medical advice from the Employee's GP or Occupational Health
- Discuss and plan appropriate support, adjustments etc taking into account the medical advice
- Allow the employee to comment on the concerns, to ask any questions or present any evidence to support their position (a copy of this should already have been supplied to you 2 working days prior to the meeting)
- Set the date of the end of the Formal Monitoring Period when the Formal Progress Review meeting will be held. Although the circumstances of each case will vary it is recommended that the formal monitoring periods do not generally exceed 6 weeks in length

Appendix 4 – Attendance Improvement Plan Template

Name: _____ Line Manager _____

| Frequency of Absence & Reasons | Target set and timescale for improvement | Possible constraints which may affect ability to meet target | Support Required (e.g. medical advice, counselling, adjustments to job etc.) | Outcome | Next Steps |
|--|--|--|--|--|---|
| Detail number of absences and why cause for concern. | E.g. No absences for next 4 weeks. Monitoring to take place from 7 Nov – 2 Dec 2011. | E.g. Employee suffers from a disability which may affect ability to meet target. | E.g. maybe a change to the working pattern or working hours may help employee improve attendance levels. | E.g. Employee fails to meet target as has had three occasions of absence in the specified 4 week period. | E.g. Proceed to formal process and arrange Formal Attendance Meeting. |
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|--------------------------|-------|-----------------|-------|----|
| Date of Review Meetings: | 1. | 2. | 3. | 4. |
| Signed Employee: | Date: | Signed Manager: | Date: | |

www.milton-keynes.gov.uk/mkgovernors

Milton Keynes Council
Saxon Court
502 Avebury Boulevard
Central Milton Keynes
MK9 3HS

T 01908 253851
F 01908 253867
E declan.leith@milton-keynes.gov.uk
W www.milton-keynes.gov.uk