Liverpool City Council

ATTENDANCE POLICY AND PROCEDURE

Produced by Schools' HR

Tel: 0151 233 3901
www.schoolimprovementlimited.co.uk

This policy has been consulted centrally and fully agreed by teaching trade unions. To change any aspect of this policy at a school level, the relevant body must consult appropriately with school teaching staff and their recognised trade union representatives.

DOCUMENT STATUS

Version	Date	Action
Previous Version	12/2015	
Current Agreed	11/7/2018	Agreed by Teacher and Support Staff Unions at Special JCC
Revised	20/10/2021	Revisions agreed by Teacher and Support Staff Unions
Revised	August 2025	Revisions agreed by Teacher, Support Staff Unions and LCC

Attendance Policy & Procedure

Attendance Policy

1. Principles

1.1 This Attendance Policy sets out our school's approach to supporting and managing attendance in the workplace.

1.2 Attendance at work from employees is essential to the successful running of the school and support for pupils. It is the responsibility of both employer and employee to enable this to happen.

1.3 However it is recognised that from time-to-time employees may be prevented from attending work through ill health. The Sick Pay Schemes provide for this. These are not entitlements but a condition of service for each employee.

1.4 All staff should be aware that any abuse of the Sick Pay Scheme or Attendance Policy and/or Procedure or deliberate falsification of any form of documentation will be investigated and could result in disciplinary action, where warranted.

1.5 Any requests from relevant employees to record and replace sickness absence with annual leave will not be approved as this will prevent accurate records being kept and may result in managers not suitably fulfilling their duty of care to employees.

1.6 This policy will not be used to discourage absence due to illness.

1.7 Meetings may be held virtually or in person. The virtual meeting protocol is included in Appendix 2.

2. The Equality Act 2010

2.1 When managing sickness absence, employers must bear in mind the provisions of the Equality Act 2010. This act makes it unlawful to discriminate against workers because of a mental or physical disability, or to fail to make reasonable adjustments to accommodate a worker with a disability.

2.2 The act makes it unlawful to discriminate against people with a protected characteristic. This covers age, race, sex, disability, religious belief, gender reassignment,

2.3 With regard to disability employers need to ensure they do not discriminate against workers because of a mental or physical disability, or to fail to make reasonable adjustments to accommodate a worker with a disability.

2.4 For the purposes of the Act, a person has a disability if he or she has a "physical or mental impairment which has a substantial and long-term adverse effect on her/his ability to carry out normal day to day activities."

The definition breaks down into four parts:

- The person must have a physical or mental impairment
- The impairment must have adverse effects which are substantial

- The substantial effects must be long term
- The long-term substantial effects must have an adverse effect on normal day-to-day activities

The effect of an impairment is long term if it has lasted, or is likely to last, at least 12 months.

2.5 An employee has an implied responsibility to disclose their disability in order that the school can make any reasonable adjustments.

2.6 A progressive condition is one that gets worse over time. People with progressive conditions can be classed as disabled. Employees automatically meet the disability definition under the Equality Act 2010 from the day they are diagnosed with a HIV infection, cancer, or multiple sclerosis.

2.7 Under the Act, an employer is required to make 'reasonable adjustments' to ensure that workplace requirements or practices do not disadvantage employees or potential employees with a disability. Reasonable adjustments should be made with the employee's involvement. Examples of reasonable adjustments include time off to attend medical appointments, adjustments to start or end of work times, adjustments to duties, providing physical aids to allow the employee to carry out their role and may include adjustments to triggers.

3. Scope

3.1 This Policy applies to all staff employed under the Governing Body of the School or Academy/Trust.

3.2 The Attendance Policy is based upon fairness, equity and the need to manage levels of sickness.

3.3 The Policy is based upon support and actions to deal with all forms of sickness absence and reflects the school's duty of care to ensure the well-being of its staff.

3.4 The manager or governors dealing with any aspect of this policy or procedure may, where appropriate, be supported by a member of the HR team who can advise on procedure.

4. Industrial Disease and Accidents/Assaults at Work

4.1 For absence due to industrial disease including contact with infectious disease at work and accidents or assaults at work, managers should refer to the relevant paragraphs in the Burgundy Book for Teachers and the Green Book for Support Staff.

5. Triggers (Short Term and / or Repeated Absence)

5.1 Trigger levels have been established to enable the school to manage absence fairly and equitably and to ensure employees understand the levels of absence which may lead to management under this policy. Consideration should be given to the adjusting or modifying of triggers for employees covered by the Equality Act 2010.

5.2 Stage one meetings under this procedure may be held where triggers have been met.

5.3 An initial conversation with the employee should ensue as part of the return to work discussions/meeting and should refer to Section 5. Managing Sickness Absence, particularly 5.1 and 5.2 and may not lead to any further action.

5.4 Trigger Levels

- *Four separate periods of sickness absence within any rolling 12 months' period.*
- *A total of ten working days (pro rata for part-time employees) within any rolling 12 months' period.*
- *Patterns of absence that cause concern. e.g. frequent absences on specific days of the year, time of the year or days linked to bank holidays or just after / before annual leave / school holiday periods.*

5.5 In rare circumstances designated managers may trigger the Short Term / Repeated Absence procedure outside of these triggers when there are clear reasons to do so (for example, where patterns of absence are a cause for concern).

5.6 Designated managers must on all occasions apply this policy to ensure staff are effectively supported when periods of ill health impede their ability to attend work appropriately.

5.7 After each period of sickness absence a return to work meeting should be held with the employee.

6. Long Term Absence

6.1 Absences exceeding **28 calendar days** are generally considered to be long term absences.

6.2 Stage one meetings under this procedure should be held where the employee has been absent longer than 28 days continuously.

7. Monitoring Sickness Absence

7.1 All sickness absence will be recorded accurately.

7.2 Designated managers are required to monitor sickness absence levels regularly within their teams and ensure employees with health concerns are appropriately supported and managed.

7.3 At return to work meetings, designated managers should remind employees' of their attendance record, especially if they are approaching triggers.

8. Attendance Procedure

8.1 The Attendance Procedure is designed to:

- Set out the rights and responsibilities of employees in relation to attendance in the work place.
- Set out the responsibilities and duty of care of the employer in relation to managing and monitoring sickness absence.
- Set out the notification arrangements for employees who are absent from work due to sickness.
- Set out the contact and return to work arrangements for employees and managers.
- Set out the role of Occupational Health.
- Set out the responsibilities of managers and employees in relation to referrals to Occupational Health for employee assessment to obtain professional medical advice.
- Detail the different stages of the Attendance Procedure.

8.2 Any manager or governor panel involved in any part of this procedure may, where appropriate, be supported by their HR provider.

8.3 Responsibilities of Employees and the Employer in Managing Sickness Absence

Responsibilities of Employees

It is the responsibility of the employee:

a) To attend their work place.

b) To take reasonable care for the health and safety of themselves (and of others who may be affected by their acts or omissions at work).

c) To ensure school is made aware of any changes to personal contact and emergency contact details so that records can be kept fully updated.

d) To inform their designated manager if any form of ill-health begins to impact upon their ability to perform the duties of the role they are assigned to do.

e) To comply with the school's absence notification process (see appendix 1).

f) To maintain regular contact with the designated manager whilst absent due to any form of sickness. This should be by phone, unless another appropriate means of communication is agreed. All contact should be made by the individual employee and not via a third party unless there are exceptional circumstances. The School has an equal duty to maintain contact.

g) To provide appropriate Self-certification Statements or a Doctor's Medical Certificate or any other requested documentation following any period of sickness absence.

h) Not to abuse or falsify any claims relating to sickness. Any cases of suspected abuse or falsification will be investigated under the School's Disciplinary Policy.

i) To attend any meetings, hearings or appointments arranged under this policy as requested by the designated manager. It is a reasonable requirement for employees to attend such meetings or hearings. Any unreasonable refusal could result in disciplinary action being taken.

Responsibilities of the Employer

a) To promote and support a culture of good attendance throughout the organisation.

b) To ensure a duty of care for all employees, to comply with the terms of their employment (as specified for example in the Burgundy/green book) and to promote the health, safety and well-being of all employees, Including the use of risk assessments to identify and manage any potential hazards.

c) To attempt to make contact with an employee on the first day of absence, if the employee has not made contact and if necessary thereafter.

d) To maintain regular contact with employees who are absent due to sickness. Employees also have a duty to maintain contact.

e) To comply with, and instigate, all procedures for managing sickness absence.

f) To monitor levels of sickness absence and take appropriate action on all occasions.

g) To arrange all meetings in good time and communicate arrangements clearly with the employee. The notice period provided for any meeting (except Return to Work/ informal welfare meetings) will be a minimum of 5 working days, unless a shorter period is agreed by all parties.

h) For members of LGPS, ensure any potential right to Ill Health Retirement is explored, when appropriate.

8.4 Maintaining Contact during periods of Sickness Absence

a) Employees must notify the designated manager (or other named contact officer) that they are unable to attend work with as much notice as possible but at least before the time they are due to start work on that day. Any absence from work due to sickness must be recorded as sickness absence. Requests for annual leave will not be allowed. Any request for leave of absence (i.e. leave for reasons other than sickness) must be made appropriately and does not form part of this procedure.

b) The School should share with all staff its 'Absence Notification Procedure' outlining the steps to take to report sickness absence. This procedure should be followed for all periods of sickness absence [an exemplar is included at Appendix 1].

c) If an absent employee fails to make contact with the school on the first day of absence the school will take reasonable steps to make contact with the employee on that day.

d) It is the responsibility of both the employee and the school to maintain regular contact when an employee is absent from work due to any form of sickness. This should be in line with any medical recommendations and follow the procedures detailed in 8.4e and 8.4f.

e) The school must maintain regular contact with absent employees. Under normal circumstances this should be on a weekly or fortnightly basis unless a different arrangement has been agreed with the employee or there is a recognised recovery period in which case contact can be made less frequently. Employees may not refuse this contact. Occupational Health can advise on recognised recovery periods.

f) There may be circumstances where the school needs to give careful consideration as to which leader / manager is best placed to maintain contact with an absent employee. This may be, for example, when absences are due to stress at work or working relationship difficulties.

g) Under duty of care, contact must be maintained with the employee only, except in circumstances where an intermediatory is agreed by both parties.

8.5 First Day of Absence

a) Whilst the designated manager will advise all employees of the notification requirements it is the responsibility of the employee to follow this procedure.

b) Failure to notify the manager (or nominated contact) of any periods of absence may lead to the absence from work being considered unauthorised. This may result in the loss of pay and, where warranted, possible disciplinary action under the School's Disciplinary Policy.

c) It is important that the line manager has as much information pertaining to an employee's illness as possible to ensure they offer appropriate support and management. **If possible**, employees should provide the following details on each occasion of absence:

- That the absence is due to sickness.
- The anticipated length of the absence period (if known).
- Any work commitments or arrangements that may need progressing.
- Whether the reason for the absence is work related and if so, how?
- Any other relevant information pertaining to the sickness/incapacity/work.

d) When the employee first notifies the school that they are absent, arrangements should be agreed regarding the timing of subsequent notifications. Where a Fit Note is in place, employees will not be expected to notify the school of their continuing absence until the Fit Note is due to expire, although contact should still be maintained in line with section 8.4.

e) It should be noted that the school will offer relevant support and management based on the information available at the time.

f) Managers (or relevant contact) will document the information provided by the employee and ensure that any reasonable measures to effectively cover the employee's absence are put into place.

8.6 After Five Working Days of Absence

a) If the absence is likely to extend beyond 7 calendar days an appropriate doctor's note (Fitness work statement) must be provided to the designated manager as soon as possible covering absence from the 8th calendar day. The first 7 calendar days will be covered by the employees signed self-certification.

b) Failure to provide an appropriate Doctor's note to your designated manager may result in pay being withheld. The manager will record the information and retain the certificate for their records.

8.7 Assisting Employees to Return to Work

a) It is an important part of the employer's duty of care to support an employee to return to work, particularly following a long-term sickness absence, or where the absence has been as a result of work related stress, where the employee may feel apprehensive about returning to work.

a) Regular contact from the designated manager will assist an employee (during their absence) and avoid feelings of isolation. Managers may consider encouraging the employee to come into the workplace during any recovery period for informal discussions to ensure that they feel a valued part of a team.

8.8 Phased Return to Work / Amended Duties

a) Where the employee's doctor or Occupational Health make a recommendation in relation to adjustments that could facilitate a return to work, including a phased return or amended duties, the manager will consider these. It remains a decision for the manager as to whether such recommendations can be reasonably accommodated.

b) A phased return to work / amended duties may be appropriate to ensure that the employee does not undertake too much, too soon after a period of a long absence which would be detrimental to their recovery.

c) A phased return / amended duties may also be recommended medically where the employee is not sufficiently recovered to be able to immediately undertake the full hours or duties of the post.

d) The terms of any phased return or amended duties should be negotiated with the employee prior to its commencement and must take into consideration any medical advice obtained.

e) The terms of any phased return should be discussed at a meeting with the employee prior to their return to work and confirmed in writing.

f) The phased return / amended duties should be closely monitored and be for no more than four weeks except in exceptional circumstances.

8.9 Return to Work Meetings

a) The return to work meeting is considered to be the most effective tool for managing sickness absence. It provides the opportunity for managers and employees to discuss the absence and establish whether there are any underlying causes which may be affecting the employee's attendance at work.

b) These meetings must be conducted in a supportive way. Where appropriate, the manager should seek to establish what support or measures could be made to assist the employee to maintain his or her attendance at work.

c) A return to work meeting should take place in a suitable room to maintain confidentiality.

d) Return to work meetings should take place on the first day of return and every effort should be made to accommodate this. However, if not practicable on the first day, a return to work meeting should be held as soon as possible following every period of absence.

e) A record will be kept of the discussion and shared with all parties. A copy will be held on the employees file.

8.10 Referral to the Occupational Health Services

a) The employer may, at any time, request an employee to be referred and examined by a medical practitioner through a referral to the School's occupational health service provider. The employee may also request a referral.

b) The timing of any referral will depend upon the nature of the illness. However, a referral should be made after four weeks of continuous absence, if appropriate. In some circumstances it may be appropriate to refer earlier or later than four weeks depending on the illness/incapacity and this is at the discretion of the manager.

c) Where an employee is absent due any forms of stress, anxiety, depression or a similar condition (work related or not) immediate consideration should be given to making an occupational health referral.

d) Where the employee is absent due to an industrial injury or other work-related condition, this should be recorded appropriately and immediate consideration should be given to making an occupational health referral.

e) A referral may be made where it is considered that a medical condition or illness could be impacting upon the employee's ability to perform their role.

f) An employee will be notified by the manager when a referral to occupational health is to be made and the reason for referral. Copies of any information sent to the occupational health provider and a copy of the referral, including any attachments/enclosures, must be sent to the employee in good time and prior to the appointment with Occupational Health.

g) A copy of the occupational health report will be provided to the Referring Manager and the employee who has been referred. Permission will be sought from the employee to release the medical report and they have the right to review the report before it is released.

h) Any OH appointment should be made allowing sufficient notice for the employee to make the necessary arrangements to attend. Unreasonable refusal to attend a scheduled occupational health appointment may result in disciplinary action and may result in loss of pay. In addition, non-attendance without reasonable notice, may result in the employee being invoiced for any costs incurred by school.

9. Managing Sickness Absence

9.1 There are many methods of managing sickness absence. The most effective methods include:

- The provision of meaningful support
- Ongoing and accurate monitoring of sickness absence.
- Referrals to specialist support services including counselling
- Maintaining contact with employees.
- Conducting return to work meetings following every period of absence.

9.2 Each absence case should be considered on an individual basis taking into account:

- The nature of the employee's illness or condition.
- The frequency and pattern of absence.
- Any underlying reason(s) for absence.
- The employee's overall absence record.
- The operational needs of the service.

9.3 Where an employee is unable to attend a meeting or hearing relating to their sickness absence then, in certain circumstances, that meeting or hearing may proceed. In the case of a Hearing, a decision will be made on the basis of evidence available.

10. Entitlement to pay during periods of sickness absence

10.1 Provision is made for pay during periods of absence in nationally agreed terms and conditions of employment. Section 4 of Burgundy Book – Conditions of Service for School Teachers and Section 10 of Green Book for all support staff set out provisions for pay during periods of absence due to sickness.

11. Short Term / Repeated Absences Procedure

11.1 When managing sickness managers are reminded to pay due heed to the provisions of the Equality Act 2010 in that it is unlawful to discriminate on the grounds of disability. Managers have a duty to engage appropriately with all employees and to treat all staff equitably.

11.2 In <u>all</u> circumstances a manager will maintain adequate contact with and offer appropriate support to an individual who is absent from work due to ill health. This must include, where appropriate, advising employees to seek support on relevant pension matters.

11.3 Sickness Absence Review Meetings

11.3.1 The purpose of absence sickness meetings is to:

- Discuss the employee's progress
- Identify any areas for support.
- Discuss a likely return to work date (if known,) if appropriate.

- Advise the employee of the policy and processes that could follow this meeting.

11.3.2 At the meeting, as part of the support offered to employees, it may be appropriate to update the individual on any relevant developments in the workplace.

11.3.4 The employee must be provided with the outcome of the meeting in writing (or by email) including details of any actions and / or desired outcomes, including details of any review period, any phased return arrangements, the next stage in the process or confirmation that the matter has been referred to an Attendance Hearing.

12 Stage One Sickness Absence Review Meetings

12.1 Consideration should be given to the reasons for the absence. A stage one sickness absence review meeting may be held where an employee has hit a trigger point under 5.4 and/or where patterns of absence **cause concern**.

12.2 The invitation will state the reason for the meeting, outline the absence record to date and the right of the employee to be accompanied by a work colleague, a trade union representative or an official employed by a trade union. No third party representatives will be allowed.

12.3 At this meeting the following should be discussed:

- the details of the employee's absence record and that the level of absence is a cause for concern
- the reason(s) for absence and any patterns of absence that have emerged.
- whether there are any underlying causes for the absences
- the action points to be agreed including areas of assistance and support, this may include a referral for counselling
- the improvements required over the review period should be established
- details of any occupational health reports and recommendations
- whether there is medical evidence that an injury or accident has been sustained at work
- The employee should be given details of any employee assistance programme and/ or informed about Access to Work and any other support available, if appropriate.

12.4 The employee will be given the opportunity to respond to the concerns raised. Where it is likely that the employee is covered under the Equality Act 2010, any reasonable adjustments should be discussed, considered and implemented where reasonable.

12.5 The improvements required will depend on the circumstances of the individual case and any absence history will be taken into account, along with any representations made by the individual.

12.6 A Review Period will normally be set and will be effective from the date of return to work after the last absence. A review period should be no more than 12 working weeks. The outcome of the meeting will be provided to the employee in writing (or by email).

12.7 If the employee achieves the improvements required within the 12 working weeks review period, the employee returns to normal absence monitoring. However if in the subsequent 12 month period following conclusion of the review period, the employees attendance record gives cause for concern consideration will be given to re-invoking the process at stage one. If, in the subsequent year, the employee hits a trigger based solely on new absence since the conclusion

of the previous monitoring period, the employer will consider invoking stage two of this policy. It may also be appropriate for an employer to invoke two if an employee is repeatedly at stage one (i.e. More than twice).

12.8 If the agreed improvements are not met during the 12 working week review period set at stage one, the review period may be extended by a further 12 working weeks. A referral to Occupational Health may be made to ascertain whether there are any medical reasons or underlying causes for the levels of absence giving cause for concern that have not previously been made known or considered.

12.9 An employee will be notified by the manager when a referral to occupational health is to be made in line with section 8.10.

12.10 If the employee achieves the improvements required within the extended 12 working weeks review period set at stage one, paragraph 12.7 is applicable.

12.11 If there is no improvement in the extended 12 working weeks review period set at stage one a stage two meeting may be convened.

13 Stage Two Sickness Absence Review Meetings

13.1 Where the employee has met the criteria for a stage two meeting the employee should be invited to the meeting in writing (or by email), without unreasonable delay. The purpose of the stage two meeting is to discuss their sickness absence within the review period or longer monitoring period and the content of any occupational health report. The employee will have the right to be accompanied by a fellow worker, trade union representative or an official employed by a trade union. No third party representatives will be allowed.

13.2 Where an occupational health report confirms long-term medical issues, suggests possible medical reasons, or underlying causes for the level of absence, these should be discussed at the meeting and appropriate reasonable adjustments should be considered and put in place, where practicable, to reduce the level of absence.

13.3 A stage two review period of 12 weeks will be set from the date of the last absence.

13.4 If the employee sustains an acceptable level of attendance during any review period under this stage no further action will be taken at that time. This should be confirmed to the employee in writing (or by email). The employee should be made aware that attendance will continue to be monitored under normal monitoring. Should their attendance fall below this level during the 12 week period then a referral to occupational health will be made and a stage three review meeting may be convened.

13.5 If the employee achieves the improvements required within the 12 week review period, they will be informed that their attendance will continue to be monitored under normal monitoring.

13.6 If in the subsequent year, the employee's attendance record gives cause for concern consideration will be given to re-invoking the process at stage two. If, in the subsequent year, the employee hits a trigger based solely on their absence since the conclusion of the previous review period, the employer will consider convening a stage three review meeting. It may also be appropriate for an employer to convene a stage three review meeting if an employee is repeatedly stage two (i.e. More than twice).

A referral to occupational health may be made and a stage three review meeting may be convened.

13.7 If the agreed improvements are not met during the 12-working week period, a referral to Occupational Health may be made to ascertain whether there are any medical reasons or underlying causes for the levels of absence giving concern that have not previously been made known or considered. A stage three review meeting may be convened.

13.8 An employee will be notified by the manager when a referral to occupational health is to be made. An employee may request copies of any information sent to the occupational health provider.

14 Stage Three Sickness Absence Review Meeting

14.1 The purpose of the stage three review meeting is for the manager to meet with the employee and consider all relevant information before a decision is taken to refer the case to an Attendance Hearing.

14.2 The employee should be invited in writing (or by email), without unreasonable delay, to discuss their sickness absence within the review period or longer monitoring period and the content of any occupational health report. The employee will have the right to be accompanied by a fellow worker, trade union representative or an official employed by a trade union. No third party representatives will be allowed.

14.3 Where an occupational health report suggests possible medical reasons (or underlying causes) for the level of absence that have not being previously considered, these should be discussed at the meeting and appropriate reasonable adjustments put in place, where practicable, to reduce the level of absence before deciding whether to refer the case to an Attendance Hearing. The attendance will continue to be monitored during an Extended review of no more than 6 months and a formal meeting held at the end to determine whether or not the attendance levels have been attained. Consideration will be given as to whether the case should be referred to an Attendance Hearing.

14.4 Where improvements have not been met/attendance is considered unsatisfactory, taking into account all available information or the employee should be informed that the case will be referred to an Attendance Hearing. However, the manager has the discretion to extend the review period under stage three for a further 12 working weeks.

14.5 If at the end of the further review period the employee's attendance remains unsatisfactory the employee may be re-referred to occupational health and upon receipt of the report a further stage 2 review meeting will be held. Where improvements have not been met/attendance is considered unsatisfactory taking into account all available information the employee should be informed that the case will be referred to an Attendance Hearing.

14.6 If at the end of the further review period the employee's attendance has improved they will be informed that their attendance will continue to be monitored under normal attendance monitoring.

14.7 If in the subsequent year, the employee's attendance record gives cause for concern consideration will be given to re-invoking the process at stage three. If in the subsequent year the employee hits a trigger based solely on their absence since the conclusion of the previous review periods, the employer will consider referring the matter to an Attendance Hearing. It may also be appropriate for an employer to refer to an Attendance Hearing if an employee is repeatedly at stage three (i.e. More than twice).

15 Long Term Absence Procedure

15.1 An absence exceeding 28 calendar days is generally considered to be a long-term absence.

15.2 Regular contact must be made with the employee so that the employee feels supported.

15.3 Where the period of absence is long-term contact with the employee may include telephone calls and also informal welfare meetings to enquire as to their well-being and keep them informed of school matters. Depending on the circumstances, the welfare meeting can be held at the school to encourage the employee to visit the site, virtually, a neutral venue, or in exceptional circumstances at the employee's home with prior mutual agreement.

15.4 The individual should be referred to the School's Occupational Health provider in line with Section 8.10

Sickness Absence Review Meetings

15.5 Following receipt of a report from Occupational Health the designated manager will arrange a sickness absence review meeting with the employee.

15.6 The employee will be invited (in writing or by email) to the meeting without unreasonable delay. The invitation will state the reason for the meeting, outline the sickness absence record to date and inform the employee of the right to be accompanied by a work colleague or a trade union representative. No third party representatives will be allowed.

15.7 The purpose of the meeting is to:

- Discuss the employee's progress.
- Discuss the occupational health report including recommendations and any review periods.
- Identify any areas for support.
- Consider and review any possible short term or long term adjustments or actions that could be made to facilitate a return to work.
- Where the employee's condition or illness is considered to fall within the definition of disability under the Equality Act 2010 reasonable adjustments will be discussed with the employee.
- Discuss a likely return to work date (if known).
- Advise that continued absence may put their employment at risk or, given their absence history and current situation, that the case will be referred to an Attendance Hearing.
- Consider if Ill-health retirement is an option for the employee due to permanent ill health.

At the meeting, as part of the support offered to employees, it may be appropriate to update the individual on any relevant developments in the workplace.

15.8 The employee must be provided with the outcome of the meeting in writing (or by email) including details of any actions and / or desired outcomes, including details of any further meetings or phased return arrangements.

15.9 Subsequent meetings may be arranged with the employee as appropriate, including further referrals to Occupational Health. It is expected that employees will attend such meetings and appointments.

15.10 If at the subsequent meetings it is clear from the medical information available that the employee has no confirmed date to return to work (within the foreseeable future), and there is no recommendation for ill-health retirement, the relevant manager will make an occupational health referral to establish whether the employee will be able to return to work in the foreseeable future.

15.11 If, following a formal review meeting, and on the advice of occupational health, a return to work in the reasonably near future is unlikely, and alternatives have been explored the head teacher in the case who may refer to an attendance hearing.

16 Referral to Attendance Hearing

16.1 The Head teacher (or in the case of a Headteacher, the Chair of Governors) will consider the individual circumstances relating to each particular case to determine when it is appropriate to refer a case to an Attendance Hearing to consider the employee's continuing employment with the School.

17 Attendance Hearing

17.1 The Final Stage of the Attendance Procedure is referral to the Attendance Hearing.

17.2 The purpose of the Attendance Hearing is to decide upon a course of action up to and including dismissal.

17.3 In the situation where the governing body of a school has delegated authority to the head teacher he or she, where not been previously involved, may chair the Attendance Hearing and decide the appropriate course of action.

17.4 Where the head teacher has been previously involved or the authority to give appropriate consideration has not been delegated, any Attendance Hearing should be made up of a panel consisting of three governors. However, in exceptional circumstances, the Attendance Hearing may comprise two governors with sufficient prior notice and agreement by all parties. In circumstances where there are two governors, the decision must be unanimous.

17.5 For any meeting convened to consider the dismissal of an employee in a community or voluntary controlled school under these procedures, the Director of the appropriate department within the Local Authority, or their nominee, is entitled to attend. In the case of voluntary aided or foundation schools, with full delegation, this will apply where advisory rights have been accorded to the Director. Where advisory rights have been accorded to the Diocese or Arch Diocese, a diocesan or arch-diocesan officer may be invited to attend.

17.6 The employee will be instructed to attend an Attendance Hearing and will be given a minimum of ten working days' notice. If the employee is not available a delay of no more than five working days will be allowed in which to arrange another meeting which must then happen within a reasonable period of time, usually within ten working days. This can be reduced with agreement of all parties.

17.7 Failure to attend will result in the Attendance Hearing continuing in their absence.

17.8 The letter of instruction to attend will:

- Contain details of the periods of sickness absence which are to be considered.
- Provide copies of all documentation to be considered at the hearing. Any information or evidence that the employee wishes to be considered should be shared with all parties at least three working days prior to the hearing.
- Inform the employee that a possible outcome of the hearing could be dismissal
- Inform the employee that they are entitled to be accompanied at the hearing by a fellow worker or a trade union representative No third party representatives are allowed and if they wish to be accompanied by a trade union representative they should inform their trade union as early as possible.
- Include the procedure to be followed at the Hearing.

17.9 The outcome of the Attendance Hearing will be notified to the employee, in writing, ideally within five working days.

17.10 In the event of dismissal the employee will have a formal right of appeal.

18. Right of Appeal

18.1 Any appeal must be submitted in writing or by email to the Chair of the Attendance Hearing within five working days of receiving written (or email) notification of the outcome of an Attendance Hearing. If not submitted already the grounds for appeal must be submitted within a further 5 working days.

18.2 All appeals will be heard by a panel of governors who have not previously been involved in the case.

18.3 Appeals will be heard, normally, within 20 working days of receipt of the written appeal. Where this is not possible the Employee will be advised of this in writing or by email. The procedure to be followed at the appeal hearing will be sent to the employee in advance of the meeting.

18.4 The Appeal will be by way of a review, only, of the issues raised in the written appeal. The governors hearing the appeal will consider whether the original decision was reasonable, taking account of any new information not available at the time of the original decision.

18.5 The original decision will be upheld or overturned.

18.6 The employee will be notified in writing of the outcome of the Appeal within five working days of the appeal being heard.

18.7 There is no further internal right of appeal against a decision of the Appeals' Panel under this policy.

18.8 In the event of an appeal being upheld and the person being reinstated, pay will be appropriately backdated.

Appendix 1

SCHOOL NAME

Sickness Absence Notification Procedures

The following is a summary of actions to be taken by all staff and the School, in **all cases** of sickness absence. Further information and guidance is contained in the school's adopted Attendance Policy and Procedure.

Notification of Sickness Absence

The following information will be very school specific. The following is an exemplar.

It is imperative to ensure the smooth running of the school, that you inform the office **as soon as possible** of any absence, in order to make the necessary operational changes to ensure minimal disruption for the pupils.

You should telephone the School Office no later than [insert time] on the first day of absence and either leave a message or speak to a member of staff.

(0151 INSERT NUMBER).

You should not ask someone else to call in to report your absence on your behalf unless in exceptional circumstances, nor ask someone to pass on a message.

(Depending upon the circumstances, you may be in a position to alert the School the day before).

Where possible, the following information should be provided to school during the telephone call:

- That the absence is due to sickness.
- The anticipated length of the absence period
- Any work commitments or arrangements that may need progressing in your absence.
- Whether the reason for the absence is work related and if so, how?
- Any other relevant information pertaining to the sickness/incapacity/work.

It should be noted that the school will offer relevant support and management based on the information available.

When you first notify the school that you are absent, arrangements should be agreed regarding the timing of subsequent notifications. Where a Fit Note is in place, you will not be expected to notify the school of your absence until the Fit Note expires, although contact should still be maintained in line with section 8.4.

After 7 calendar days absence due to sickness, you must provide the school with a medical certificate (known as a FIT note) from your GP to certify your absence.

For welfare reasons, the school will maintain regular contact with the employee (no less than fortnightly). This should be by phone but in particular circumstances may be via other appropriate means agreed between the employee and Headteacher or designated manger.

All contact should be made by you and not by a third party unless there are exceptional circumstances in which case this should be clarified with the Headteacher or designated manager.

Failure to follow these notification procedures could result in an individual's absence being considered unauthorised and could be subject to disciplinary procedures.

Return to work

You are requested to advise of your intention to return to work as soon as possible so cover arrangements can be managed accordingly.

When you return to work you must ensure that you complete the relevant forms obtained from the office.

A return to work interview will take place as soon as practical on your return to ensure your fitness to be in work and put any support in place. In the case of longer term absence, this may involve a conversation to update you on school matters.

If a staff absence is the result of an accident or injury sustained at work, this information must be made known and details of whom the incident was reported to should be noted.

Leave of Absence

The school recognises that staff will occasionally be absent from work for a variety of exceptional reasons. The school refers to 'Leave of Absence Guidance Note' for management of such absences.

All leave of absence requests should be made in writing to the Headteacher on a Leave of Absence Request Form which can be obtained from the School Office.

Medical Appointments

Medical appointments should, whenever possible, be arranged outside of working hours– or with minimum impact on the school day.

Appointment letters / cards should be provided with as much notice as possible (See 'Leave of Absence Guidance Note' for more information).

Appendix 2

Virtual Meetings Protocol

- All parties agree that the meeting can go ahead electronically
- All parties have access to the required technology
- Arrangements for hearings/meetings will be made by the Headteacher/Chair of the Governor panel or HR
- Employees will be issued with notice to attend a meeting or hearing in line with policy
- The usual hearing procedures will apply. These may be adapted for a virtual meeting e.g. attendees to be unmuted to raise questions or speak through the chair
- The Chair/Headteacher will manage the meeting/hearing
- All attendees will maintain confidentiality
- No recording of the meeting will be made by any attendee unless all agree
- Details of adjustments for attendees with a disability should be made prior to the start of the meeting

Appendix 3

UK Organisations Supporting Employees with Health Problems Absent from Work

NHS – Fit for Work (Occupational Health)
Provides advice on health and work-related issues. Some regions offer NHS occupational health services.

Website: https://www.nhs.uk

Access to Work (Department for Work and Pensions - DWP)
Offers grants to help pay for practical support for those with disabilities or health conditions at work.

Website: https://www.gov.uk/access-to-work

Fit Note (via GP)
A GP can issue a 'fit note' to help an employer understand what work someone can do and what support they might need.

Advisory, Conciliation and Arbitration Service (ACAS)
Free advice on rights and responsibilities related to workplace absence and return to work.

Website: https://www.acas.org.uk

Jobcentre Plus / Work Coaches
Support and advice for people on benefits or returning to work after sickness.

Website: https://www.gov.uk/contact-jobcentre-plus

Health and Safety Executive (HSE)
Guidance for employers on managing work-related health issues and safe return-to-work processes.

Website: https://www.hse.gov.uk

Mind (Mental Health Charity)
Offers support for people with mental health problems, including those on sick leave.

Website: https://www.mind.org.uk

Remploy (Now part of Maximus UK)
Specialist employment services for people with disabilities and health conditions.

Website: https://www.maximusuk.co.uk

Disability Rights UK
Information on employment rights, Access to Work, and returning to work with a disability.

Website: https://www.disabilityrightsuk.org

Mental Health at Work
Resources and toolkits for supporting mental health in the workplace.

Website: https://www.mentalhealthatwork.org.uk

Working With Cancer
Coaching and advice for people returning to work after cancer diagnosis/treatment.

Website: https://www.workingwithcancer.co.uk

📞 Helplines & Other Services

Citizens Advice
Advice on rights while off sick, benefits, and employment disputes.

Website: https://www.citizensadvice.org.uk

Thrive (Mental Health App and Service)
Offers workplace mental wellbeing solutions and personal mental health support.

Website: https://www.thrive.uk.com

The National Autistic Society
Resources for people with autism navigating work absence and employer education.

Website: https://www.autism.org.uk