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# Staff Attendance Policy

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Chase View  
Community Primary  
School

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Adopted Nov 2017  
Review Nov 2019

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The governing body have agreed to adopt the Staffordshire County Council Managing Attendance at Work Policy and the policy outlined below reflects this. In addition, where relevant, employees should consult the council policies on Parental Leave, Time off for Public Duties, Maternity Leave, Paternity Leave and Compassionate Leave.

### **Reporting Sick**

Employees are required to personally contact The Headteacher between 7.30am and 8.00am on the first day of absence. It is not sufficient to send a message via a third party or to send a text or email without a telephone call.

**On Day 4** - Employee is required to contact the office staff to update on their absence.

**On Day 7** - Employee is required to contact the office staff again, and produce a Doctor's fit note within 5 working days.

**From Day 8 onwards the employee is required to:**

- Produce ongoing Doctor's fit notes until they return to work or employment ceases.
- Update The Headteacher at least every two weeks with their progress.
- Engage with Occupational Health and Human Resources regarding referral appointments and absence visits.

### **Failure to Produce a Fit Note**

Failure to produce a fit note within 5 working days of it being due may result (except in exceptional circumstances) in the withdrawal of occupational sick pay from day 13.

### **Maintaining Contact during the Absence**

#### **Short term absence**

The school has a duty of care and the HT will ask find out why their employee is not well; the nature of their illness and what steps they are taking to deal with it.

#### **Long term - absences of more than 20 days**

At the point it becomes known that the absence will be of more than 20 days the Headteacher should arrange to meet with the employee and arrange a referral to Occupational Health if one has not already been made.

### **Return to Work Discussions on Return from Sickness Absence**

All staff must attend a Return to Work discussion (RTWD) with their line manager, which enables the manager to identify the cause of the absence, at the end of the working day they return to work as follows:

- Teaching staff with the Headteacher
- SLT, the Office Manager and the Site Manager with the Headteacher
- Teaching Assistants with the Headteacher
- lunchtime staff with the Headteacher
- Cleaning, Caretakers and Janitorial Staff with the Headteacher

All must complete the relevant RTW paperwork and pass to the office staff to update the SAP on-line system for schools to show that a RTW discussion has taken place, and keep a local record of the discussion taking place. Return to Work discussions must take place following every absence to ensure that an employee will never unknowingly find him or herself under consideration of the formal Attendance Procedure.

### **Disability**

The implementation of the Equality Act 2010 places certain obligations on employers.

- It is unlawful to discriminate against a disabled person for reasons related to their disability.
- A further obligation is that of reasonable adjustments.

### **Phased Returns (following long term sickness absence)**

A phased return may follow a prolonged period of absence where the employee is not fully fit to resume normal duties. The Headteacher and employee will together agree a plan of action that could include obtaining medical reports to identify whether there are any reasonable adjustments that might be required to enable them to return to work.

The Headteacher is responsible for:

- agreeing a phased return for up to 4 weeks, where appropriate
- ensuring full pay is reinstated during a return and
- monitoring the return period and documenting the meetings to ensure progress is made.

There should be regular and documented review meetings between the employee and the Headteacher about how effective the phased return is. This will enable managers to review the progress of the employee to make a successful return to their full job.

If the employee is not able to take on the full extent of their duties by the end of the 4 week phased return the manager must agree with the employee how to take it forward. This can be by using:

- accrued flexi leave
- annual leave where relevant or
- a temporary reduction in hours when medical evidence suggests that it would be appropriate due to the person's incapacity to fulfil their contract.

### **Termination of Contract**

May be appropriate where an employee is unable to fulfil the terms of contract on the grounds of continuing sickness absence.

### **The Bradford Factor**

The Bradford Factor is used to calculate the Bradford Score in a rolling 12-month period, which in turn is used to measure levels of employee sickness absence.

### **Discountable Absences**

Sickness related to disability (Equality Act 2010); critical illness; accidents on duty (where the accident has occurred on duty); maternity and pregnancy are normally discounted from the Bradford score when considering formal action.

### **Formal Attendance Procedure**

Consists of three formal stages leading up to (and including) consideration of dismissal.

### **The Right to be Accompanied**

Employees have the right to be accompanied by a companion at any meeting that forms part of the formal attendance management procedure. A companion may be a trade union representative, a fellow worker, or an official employed by the trade union.

## **Non Attendance at Formal Meetings**

At any stage of the formal process if an employee declines to attend the meeting or is prevented from attending, the meeting may still proceed in their absence, at the discretion of the person or those conducting the meeting. The person conducting the meeting may request that the employee be offered a further opportunity no later than two weeks from the original date. If non-attendance is due to sickness the employee must produce a fit note, which clearly states that they cannot physically attend the meeting.

## **The Formal Stages**

**Note:** During any stage of the formal process, where **two same stage** warnings (i.e. two Stage 1's) have been issued within the preceding **two years** the formal procedure may be escalated automatically to the next stage if the sickness absence standards are breached.

### **Stage 1**

Bradford Score is at least 150. The manager must review their attendance record and consider the actions appropriate at this stage. These considerations must be well documented by the manager and retained on file against the absence record.

Where formal process is to take place the manager should:

- Arrange a formal meeting with the employee (usually within 14 calendar days of the employee returning to work, but in all circumstances as soon as is reasonably practical).
- Give a minimum of 14 calendar days' notice of the meeting in writing, clearly stating that it is being convened under the formal attendance procedure.

Some absences may be disability related and so managers may need to determine these with assistance from HR and/or OHU, and decide if reasonable adjustments are possible for the employee to be able to complete the tasks demanded by the job.

### **Stage 2**

Bradford score of at least 150 points and where two further absences or one absence of 10 days or more, has occurred during the 'life' of the previous Stage

1 warning. In such cases the manager will call the employee to a Stage 2 meeting with a *Deputy* Headteacher.

A meeting is held to advise the employee that their attendance is unsatisfactory and Stage 2 issued. Should they incur a further two absences, or one absence of 10 days or more they will be facing Stage 3 of the Attendance Procedure at which point their dismissal will be considered.

### **Stage 3**

Bradford score is at least 150 points and where two further absences or one absence of 10 days or more, has occurred during the 'life' of the previous Stage 2 warning.

Headteacher to invite the employee to a formal meeting allowing 14 calendar days' notice of the meeting.

Where the decision is to dismiss the employee will be advised accordingly in writing and informed of the last day of service, setting out their appeal rights. The expiry or otherwise of an employee's payments under the sickness absence scheme will not affect the decision.

Where a decision is taken not to dismiss at Stage 3 the employee will return to Stage 2 of the procedure, the attendance standards appropriate to that stage will apply, and any other measures and/or reasonable adjustments will be considered.

Where an employee fails to co-operate with efforts by the Headteacher to establish the true medical position (for example – fails to attend OHU) a decision concerning future employment will be made based on the information currently available.

### **Right of Appeal**

Where their senior manager chooses to issue a formal warning, the employee will have a right of appeal at all stages to a more senior manager (usually within 14 calendar days of the warning being issued, but this may be reasonably extended to provide opportunity for union representation).

### **Expired Attendance Warnings**

**Stage 1:** A copy of the first stage written warning should be kept on file, but will lapse after 6 months, subject to satisfactory attendance standards being maintained.

**Stage 2:** A copy of this written warning should be kept on file but will lapse after 9 months, subject to satisfactory attendance standards being maintained.

**Stage 3:** Where a decision not to dismiss is made, this decision should be documented and retained on file. The employee will then return to their original stage 2 warning and its applicable expiry date.

### **Authorised Absences with Pay**

Staff are entitled to up to one-day leave with pay for each occasion of:

- The funeral of an immediate family member, i.e. mother, father, spouse, partner, sibling
- The Graduation of their child or partner
- Their own antenatal appointments
- Their own hospital appointments with a consultant which cannot be arranged outside of school hours
- Their own appointment for emergency dental treatment

Requests for leave should be made in writing to the Headteacher well in advance of the day requested and teaching staff are expected to leave appropriate cover work for their classes.

### ***Other Authorised Absences***

The governing body have allowed the Headteacher to authorise leave for staff whose contracts do not allow them to request holiday time or use flexi time or who do not have holiday or flexi time left to use. The Headteacher can authorise leave for staff *with or without pay* for:

- A doctor or dentist appointment which cannot be arranged for outside working hours
- An emergency at home, such as central heating repairs or flooding
- A funeral of a close friend or relative
- A wedding of a close friend or relative

- Emergency child care
- Emergency care for an elderly relative
- Accompanying their partner to a medical appointment
- Moving house on the day of the move
- Attending an event at their child's school
- Dealing with an unexpected event involving their child at school

Requests for leave should be made to the Headteacher well in advance of the day requested (except for emergencies) and teaching staff are expected to leave appropriate cover work for their classes.