



*Burscough Priory
Science College*

***SICKNESS ABSENCE
MANAGING POLICY***

LANCASHIRE COUNTY COUNCIL

GUIDELINES FOR MANAGING SICKNESS ABSENCE IN DELEGATED SCHOOLS (REVISED AUGUST 2016)

1. INTRODUCTION

- 1.1 Good attendance enhances the service delivered by schools, minimises staffing difficulties and ensures best value to the school. Headteachers have an essential responsibility to monitor attendance, to control absence levels, to encourage good attendance and to support employees with difficulties. Employees have a responsibility to keep any absence to a minimum. These guidelines are intended to create an understanding amongst all employees at the school of the importance of good attendance to the operation, performance and image of the school and to show a commitment to achieving and maintaining a high level of attendance by the application of procedures which can be seen to be fair, consistent and open and within which the Trade Unions/Professional Associations are encouraged to participate.
- 1.2 These guidelines address the following areas in order to achieve significant improvement to levels of attendance.
- Appointments/Induction
 - Monitoring
 - Notification Procedures
 - Management Action
- 1.3 The procedures relating to repeated short-term sickness absence and long term sickness absence are set out in separate documents.
- 1.4 A commitment to high attendance can be reinforced in a variety of ways through:-
- The setting of a school policy in relation to attendance and a commitment to pursue action to achieve this from the School Leadership Team.
 - Introduction of monitoring and management procedures
 - Positive promotion of good health
 - Genuine concern and interest in the health and well being of employees (For further advice and guidance, please refer to the Model Stress Policy, the Wellbeing programme and the Health and Safety Executive website (www.hse.gov.uk))
- 1.5 These guidelines have been written on the understanding that the day to day management of attendance is undertaken by the Headteacher, and dismissal decisions are taken by the Attendance and Dismissal Committee of the Governing Body. However, in accordance with the provisions of the Education Act 2002 and its associated School Staffing (England) Regulations 2003 & 2009, the Governing Body may elect to delegate the power to make initial dismissal decisions to the

Headteacher. If this is the case, there will be no Attendance and Dismissal Committee. Instead the initial dismissal decision will be taken by the Headteacher, and the appeal referred to the full Governing Body.

- 1.6 If this is the case, to preserve the integrity of the managing attendance process, the Governing Body should delegate the responsibility for the day to day management of attendance to another member of the School Leadership Team, thereby leaving the Headteacher available to consider what action should be taken at the end of the formal procedures, including dismissal.
- 1.7 In these cases, any reference to the role of the Headteacher within these guidelines should be taken to mean the member of the school Leadership team responsible for the day to day management of attendance (identified with an asterisk (*) throughout these guidelines).
- 1.8 Nothing in these guidelines shall prevent an employee from exercising their statutory rights under employment law to register a claim with an employment tribunal.

2. POLICY STATEMENT

- 2.1 *"This school is committed to achieving and maintaining a high level of attendance from all employees through the application of good management practice. The School Leadership Team will monitor overall levels of sickness absences regularly, will support employees during periods of sickness and will arrange for confidential reports to be submitted to Governors. Action will be taken in accordance with the guidelines and procedures adopted by the school to deal with unacceptable levels and frequency of sickness. All employees must understand the importance of good attendance and ensure that any sickness absence is kept to a minimum and that during any such absence they do not undertake any activity which is incompatible with the illness or which may delay recovery."*

3. CONFIDENTIALITY

- 3.1 Management of sickness absence is a sensitive issue and everybody involved in managing absence must maintain the appropriate level of confidentiality. This means that discussions about an employee's sickness absence levels and reasons and any discussions with or reports from the Occupational Health Unit or the employee's GP should be treated in the strictest confidence and only disclosed to those that need to be aware of such information (e.g. the employee's line manager, the nominated person, the Headteacher, members of any Governors Committee convened to consider cases of repeated short term or long term absence). In addition, records relating to absence management should be stored in the appropriate place, usually the employee's personal file for paper-based records or the appropriate folder for electronic records.

4. REASONS FOR ABSENCE

- 4.1 Most of the reasons given for absence will relate to illness, but there may be other reasons for absence. In these instances, the School Leadership Team needs to establish the reasons, which may make people unable to attend. Some causes of absence may be a symptom of a problem within the school or a domestic difficulty for

the employee. Managers should know their employees and be mindful of this when tackling attendance issues and deal with problems sympathetically.

- 4.2 These guidelines and the associated long term and short-term sickness absence procedures are designed to deal solely with sickness absence of the employee. Any absence in relation to the relevant Leave of Absence procedures (e.g. special leave, time off for dependents etc) should be dealt with in accordance with either the procedure for teaching staff or support staff as appropriate.

5. APPOINTMENT PROCESS

- 5.1 Headteachers and managers should be aware of the previous attendance history of candidates for roles in School. Any information should be dealt with sensitively and obtained in a fair and open way through:

Recruitment

- All applicants for posts should be informed of the school policy statement on attendance.

Following appointment

- When a provisional offer of appointment has been made, contact any employment referees for information in relation to the candidate's attendance history over the previous 2 years and ask for details of any live disciplinary warnings for punctuality or absence. **NB In accordance with the Equality Act 2010, this information should not be sought prior to a provisional offer of employment being made**

- In considering the information provided by the referees, have particular regard to any absence relating to a disability in light of the employer's responsibilities under the Equality Act.

- You may need to arrange a further discussion with the candidate to ask specific questions on the reasons for their absences.

Induction

- A copy of the school policy statement on attendance and the absence notification procedure should be made available to all existing employees and new appointments to posts at the school.

- During the induction period, reinforce the notification procedure and the consequences that follow if that procedure is not adhered to and reinforce good attendance as a positive aim of the school.

- For support staff subject to probationary periods, prior to confirmation of appointment, carefully review any periods of absence (extending the probationary period where necessary) or, in extreme cases, take steps not to confirm the appointment.

6. EQUALITY ACT (2010)

6.1 The Equality Act has superseded the Disability Discrimination Act. It describes a disability as “*A physical or mental impairment which has a substantial and long-term adverse effect on the person’s ability to carry out normal day to day activities*”. Examples of ‘day to day activities’ include mobility, speech, memory, ability to concentrate, learn or understand.

6.2 Disability discrimination can occur in any of the following situations:-

- When a person with a disability is treated less favourably than someone else on the grounds of their disability
- When the difference in treatment cannot be justified
- When there is a failure to make a reasonable adjustment for the employee – and this failure cannot be justified

6.3 Headteachers and nominated persons must be mindful of the Equality Act when dealing with sickness absence matters. Further advice and guidance can be obtained by contacting a member of the Schools HR Team.

7. “NOMINATED PERSON”

7.1 The school should identify a "nominated person(s)" who may be the Headteacher, Deputy Headteacher, or other senior person(s) from the School Leadership Team according to the size/organisational arrangements of the school. There must be clarity amongst all employees as to the nominated persons and the employees they are responsible for. It may be appropriate, in a large school, for a male and female member of the Leadership Team to be nominated or one nominated person for teaching staff and another for support staff. Any "nominated person" will need to be sensitive to the difficulties employees face in relation to sickness absence, and will need to access confidential attendance and sickness records to carry out their role. The "nominated person" may carry out the following functions for all employees for whom they have responsibility:-

- be aware of the absence record of each employee – a Manager’s Monitoring form for recording absence levels is contained at Appendix A
- be the contact point for monitoring/notification procedure
- ensure that employees are aware of and comply with the absence reporting arrangements
- conduct return to work discussions with employees in respect of all absences (See Section 12)
- seek to assist employees in need of support
- refer to the Headteacher* cases which are a potential cause for concern in accordance with "trigger points" adopted by the school.

8. TRIGGER LEVELS

8.1 It is recommended that the school sets "trigger levels" for sickness absence. The following trigger levels are commended to schools:

10 working days sickness absence and/or 4 periods of sickness absence in a rolling period of 12 months

8.2 The trigger levels are the point within an employee's sickness absence record at which management action may be taken to improve attendance levels. All employees should be made aware of the trigger levels and the consequences of their sickness absence levels reaching the trigger levels.

8.3 For employees working fewer than 5 days per week, the trigger level for the 10 working days should be applied on a pro-rata basis. The 10 working days represent the equivalent of an employee's working pattern for two weeks. For the purposes of the trigger levels, a working day would be any day that the employee is due to work, whether that be a full day or part of a day.

8.4 The trigger level for the number of periods of sickness absence will remain as 4 periods within a rolling 12 month period for all employees regardless of part time or full time status.

8.5 For example, the trigger level for a 0.5fte employee working 2.5 days per week (Monday, Tuesday and Wednesday morning) would be 5 working days or 4 periods of sickness absence in a rolling period of 12 months.

8.6 However, if the 0.5fte employee worked every day of the week (Monday to Friday) for example all mornings or all afternoons, the trigger level would be 10 working days or 4 periods of sickness absence in a rolling period of 12 months. This is due to the employee's normal working pattern being 10 working days over two weeks.

8.7 If a Headteacher wishes to amend the trigger levels, then they must ensure that they consult with staff and professional associations prior to taking a decision to do that.

8.8 The purpose of setting trigger levels is to provide a mechanism for managing short term or repeated absence. All sickness absences, including long term absences, count towards the trigger levels. However, it may not be appropriate to take action under the Repeated Short Term Absence Procedure against an employee who has only had one long term absence and no history of other sickness absences.

9. MONITORING AND RECORDING

9.1 Accurate records and meaningful, statistical information are vital to the process of managing attendance. All Headteachers* should be able to answer the following questions:-

- How much absence exists in my school with employees for whom I am responsible?
- What form does it take? - patterns of absence/reasons for absence

9.2 Records will be very useful to establish whether patterns of absenteeism exist. This information can be used to determine trends in sickness absence, (e.g. persistent higher levels of absenteeism at certain times as well as potential problem areas where

the frequency of attendance is unsatisfactory and may require particular attention). Appendix B provides examples of how sickness absence levels can be analysed.

- 9.3 The Leadership Team/Governors should receive regular reports on levels of sickness absence within the school. Such reports can be prepared using the on-line absence recording system.

10. ABSENCE OF THE HEADTEACHER

- 10.1 The Chair of Governors or, where appropriate, the Deputy Headteacher will be the nominated person in respect of the Headteacher's absence and will monitor the absence. If queries or concerns arise in relation to the absence of the Headteacher, these should be directed to a member of the Schools HR Team, who will liaise with the Chair of Governors regarding further action to be pursued under these guidelines and their associated procedures, including any possible referral to the Occupational Health Unit.

11. NOTIFICATION PROCEDURE

- 11.1 The school must make internal arrangements to ensure that absence is recorded correctly and that the appropriate documentation relating to sickness absence, including medical certificates is obtained and maintained. The School must also ensure that instances of sickness absence are recorded using the on-line absence recording system, including the start date and end date for the absence.
- 11.2 The nominated person should ensure that all employees are aware of the procedures to be followed when reporting their absence.

What should happen if an employee does not attend for work?

1st working day

- the employee must contact the nominated person(s)/the school office/other contact approved by the school by 7.30am at the latest, to enable alternative staffing arrangements to be put in place. The school will need to ensure that there are adequate arrangements in place for contact to be made. ***Only in exceptional circumstances is it appropriate for someone other than the employee to contact the school to report a sickness absence.***

- the employee must give brief details of the reason for absence, the date the absence commenced, the likely duration of the absence, whether it is related to an accident or injury at work and whether any medical attention has been sought. This information should be recorded by the nominated person and inputted onto the on-line absence recording system.

After 3 days

- if the absence continues, the employee must make further contact with the nominated person regarding their absence giving, if possible, an indication of likely return date and information relating to any medical advice that has been obtained.

NOTE For all absences beyond three calendar days (including weekends), the employee must complete a Self Certification Form upon their return to work.

- After 7 calendar days** • a medical certificate must be forwarded to the nominated person, who will ensure it is forwarded to the School Office.
- Longer term absence** • During periods of long term absence, employees have a responsibility to keep the school informed of progress through the nominated person. The school should also maintain contact and, if necessary, by agreement, visit the employee. The purpose of such contact is to enquire as to the employee's health and recovery, to ascertain whether a return to work is likely in the near future and to identify any adjustments that could be made to facilitate an earlier return to work. Any contact with the employee should be handled sensitively to avoid the perception that the employee is being pressurised or harassed.

12. RETURN TO WORK DISCUSSION

12.1 Following any period of sickness or unauthorised absence, employees must, immediately before or upon return to work, report to the nominated person, who will arrange a return to work discussion. Employees should have a return to work discussion following each period of sickness absence. This shows:-

- a commitment to the management of attendance;
- that the employee will need to explain their absence to you;
- that you are being consistent.

12.2 The nominated person should

- ensure that this discussion is confidential and conducted in private at a convenient time.
- be aware that the "return to work" discussion should be supportive and informal. Although in some cases it is an opportunity to point out the frequency/pattern of absence which may be leading to concern.
- Ensure that a record of the return to work discussion is taken (an example form to use can be found at Appendix C).

12.3 The purpose of the return to work discussion is to

- discuss the overall sickness absence record of the employee (a copy of this can be obtained from the on-line absence recording system)
- discuss the reason for absence
- seek to establish underlying problems – either work-related or personal
- establish if the employee is seeking the appropriate (medical) treatment/intervention. Bear in mind the need for confidentiality in relation to this.

An employee may not wish to disclose full details of any medical condition. If this is the case, you may wish to consider a referral to the Occupational Health Unit for advice (if appropriate).

- be sensitive to the reasons for absence and be in a position to offer support/advice/practical assistance - this may require referral to other sources e.g. professional associations/trade unions.
- if the absence is disability related, consider any reasonable adjustments that may be appropriate to enable the employee to maintain attendance at work.
- ensure the employee is fit enough to return to full duties. If there is any cause for concern, the nominated person will refer the matter to the Headteacher* who should seek the advice of AskHR or a member of the Schools HR Team.
- If the employee has reached the trigger point, they should be informed that the matter will be referred through to the informal stage of the Repeated Short Term Absence Procedure, known as the 'Headteacher Discussion'
- If the employee is already being monitored under the informal or formal stage of the Repeated Short Term Absence Procedure, they should be informed that further action under that procedure may follow
- brief the employee on any current work issues.

NB. It is not appropriate to discuss other procedures (e.g. disciplinary, capability) with the employee during the return to work discussion.

- 12.4 In the case of absences of the Headteacher there will, where necessary, be liaison between the Chair of Governors, the Schools HR Team and the Deputy Headteacher (if appropriate) regarding the absence.

13. OCCUPATIONAL HEALTH UNIT (OHU)

- 13.1 The role of the OHU is to provide advice and guidance to managers to assist in the management of sickness absence cases. Once a referral to the OHU is made, an assessment of the employee will be made either face to face or over the telephone. A report of the assessment will be provided. OHU can also undertake ergonomic risk assessments within the employee's workplace if appropriate.
- 13.2 An employee may be required to attend an examination by the OHU where it is considered that their illness/injury negatively impacts on their ability to attend work or undertake their duties. Referrals to the OHU can take place in cases involving both long term and short term sickness absence. The OHU is generally able to carry out medical examinations within 14 days of referral.
- 13.3 When referring an individual for an OHU appointment, the arrangements set out in Section 4 of the long term sickness absence procedure should be followed.
- 13.4 Any medical report should be considered when deciding future management action. The contents of the report can be shared with the employee if requested.

14. FURTHER ACTION

14.1 Absence levels/patterns giving cause for concern will usually fall into 3 categories:-

- Repeated short term absence
- Long term absence due to permanent incapacity
- Longer term absence where condition is not of a permanent nature

14.2 These cases will be dealt with under the Repeated Short Term Sickness Absence Procedure or under the separate Long Term Sickness Absence Procedure as appropriate.

14.3 In circumstances where there are reasonable grounds to believe that the employee is abusing the sickness absence scheme, normal disciplinary procedures will be applied. Examples of such circumstances include:

- failure to follow the sickness notification procedure without good reason;
- failure to provide medical certificates when required to do so;
- falsification of self certification or medical certificates;
- undertaking other employment or engaging in any activity incompatible with the illness or which may delay recovery or aggravate the illness
- failure to attend the Occupational Health Unit when required without an acceptable explanation

14.4 Such circumstances may also lead to the cessation of pay under the Occupational Sick Pay Scheme.

ANALYSIS OF SICKNESS ABSENCE

These calculations should be made using periods of sickness absence only and not leave of absence, which should be dealt with under the appropriate Leave of Absence procedure for teachers or support staff.

Sickness absence can be recorded and analysed in a number of ways and the approach taken by an individual school will depend very much on the staff complement.

The most straightforward method of making comparisons is:

Average annual days absence per employee over a period

$$\frac{\text{Total sickness absence days}}{\text{Total number of employees}}$$

- NOTE**
- (i) Include all employees both full-time and part-time.
 - (ii) It can be helpful to break this down by Department/categories of employees/male/female.

There are other methods which can provide more sophisticated analysis. Examples of these include:-

Percentage of total time lost in a specified period (a term/a year) due to sickness (Lost Time Rate).

$$\frac{\text{Total days sickness absence}}{\text{Possible total working days available}} \quad \times 100$$

- NOTE**
- (i) Figures should be calculated in respect of all days' absence/availability for both full-time and part-time employees.
 - (ii) Each employment category will have to be calculated separately - Possible working time available excludes average annual leave, weekends, statutory and extra-statutory holidays
 - (iii) This figure can be broken down by Department/employment category/male/female.
 - (iv) Short term and long term absence percentages can be calculated by viewing all absences of for example three weeks or less as short term

Average number of separate absences per employee irrespective of duration (Frequency Rate)

- this indicates whether absence is due mainly to long term or short term absence

$$\frac{\text{Number of spells of sickness absence in period}}{\text{Total number of Employees}}$$

NOTE (i) This figure can be broken down by Department/employment category/male/female to provide more meaningful comparison

Number of employees who had any period of absence over the period shown as a percentage (Individual Frequency Rate)

- This indicates whether absences are spread or concentrated with a small number of employees.

$$\frac{\text{Number of employees having one or more periods of sickness absence in the period}}{\text{Number of employees}} \times 100$$

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GUIDELINES FOR MANAGING SICKNESS ABSENCE IN SCHOOLS

RECORD OF RETURN TO WORK DISCUSSION

EMPLOYEE'S NAME

ROLE

DATES OF ABSENCE: FROM **TO**

INTERVIEW CONDUCTED BY(name)

.....(designation)

The employee should be invited to express any concerns that he/she may have which might have caused the absence, including any longer term disability issues. Refer to the guidance notes overleaf when conducting the discussion and completing this form.

A) Summary of interview comments: (Please continue on separate sheet if required)

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B) Action discussed with employee:

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I confirm that this is a true and accurate record of the return to work discussion.

Signed: (Line Manager) **Date:**

Signed: (Employee) **Date:**

GUIDANCE NOTES

This form should be completed by the line manager and signed by both parties to confirm that it is a true and accurate record. A copy of the form should be provided to the employee if requested.

Section A

In accordance with the School's Attendance Policy, an employee must report to their line manager (or other nominated contact, who may be the Headteacher) following any period of sickness absence.

At Section A, the manager should:

- ensure that the employee is fit to return to work
- discuss the reason for absence, and whether it is related to previous absences
- discuss whether work was in any way a contributory factor and if so, any measures that can be used to mitigate this in the future (if appropriate)
- discuss any support or assistance that can be provided to the employee to enable them to sustain regular attendance in the future (if appropriate)

tick when completed

Section B

Describe here any action discussed with the employee eg:

- employee to seek medical advice from their own GP to determine why symptoms recur (if appropriate).
- consideration of any reasonable adjustments to the work situation.
- OHU referral (if appropriate).
- Inform the employee if they are approaching the trigger levels and of the consequences of this

Confidentiality

This document should be retained on the employee's personal file. If the document is retained electronically, it should be retained in the appropriate file/folder.