

Schools Attendance Management Policy and Procedure



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Where printing is necessary, please ensure that it is printed double sided and in greyscale.

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1 Introduction

1.1 What is the policy and procedure about?

The Attendance Management Policy and Procedure is intended to set out a procedural framework and standards of practice which enables the school to consistently manage attendance, taking account of business needs, and ensuring support for employees during absence and their return to work.

This policy and procedure should be read in conjunction with the Attendance Management Guidance for Headteachers.

1.2 Who does the policy and procedure apply to?

This policy and procedure covers all employees at the school.

Employee absence through industrial injury or disease is covered by this policy and procedure.

1.3 Core principles

The following principles apply to the school's policy and procedure for dealing with attendance management:

- Sickness absence will be dealt with in a way that is non-discriminatory and in accordance with the Equalities Act 2010;
- Good attendance is valued and all opportunities should be taken to acknowledge and recognise such attendance e.g. through performance appraisals, 1-2-1's;
- Attendance will be managed consistently and the policy and procedure will be fairly applied across the school;
- Confidentiality will be respected at all times;
- Open communication between headteachers and employees will be encouraged and promoted.

The policy and procedure will be subject to ongoing review to ensure that it continues to meet the school's aims and complies with these principles. Employees and trade union representatives will be encouraged to be involved in this process.

1.4 Responsibilities

1.4.1 Headteacher responsibilities

Headteachers are responsible for managing attendance, with appropriate guidance from Human Resources (HR) School's Advice and Support Team.

Headteachers are expected to:

- Regularly monitor sickness absence so that appropriate action can be undertaken promptly, in line with the policy and procedure;

- Ensure that employees are familiar with the policy and procedure and are aware of and understand their responsibilities in relation to sickness absence;
- Record details of sickness absence on the HR system (MyView)
- Maintain regular contact with absent employees;
- Undertake a return to work interview after every period of sickness absence and attendance management interviews where an employee hits a trigger;
- Identify support where appropriate to facilitate an employee's attendance;
- Ensure employees understand the importance of good attendance and the impact of sickness absence;
- Have regard for and ensure compliance with Health and Safety at Work legislation;
- Take appropriate action in cases of work-related stress in line with this policy and procedure and the Stress Management Policy;
- Facilitate early, local interventions to support a return to and/or ongoing attendance at work;
- Utilise specialist support services where appropriate e.g. Occupational Health Service (OHS);
- Ensure the fair application of this policy and procedure.

1.4.2 Employee responsibilities

Employees have a duty under their terms and conditions of employment to attend work. When they are unable to do so because of ill-health, they must ensure they adhere to their responsibilities which specifically include:

- Notifying their headteacher of sickness absence by telephone (not email or text unless previously agreed with the headteacher) before their usual start time/prior to the start of their shift (see section 2);
- Notifying their headteacher if they become sick during the working day and prior to leaving work;
- Maintaining frequent contact, as agreed with their headteacher, during their sickness absence;
- Participating in return to work and attendance management interviews;
- Attending appointments with the OHS when required;
- Complying with their responsibilities in relation to health and safety at work, including those under Health and Safety Codes of Practice;
- Ensuring that they seek and receive medical advice and treatment in order to maintain attendance/facilitate a return to work;
- Advising their headteacher of the potential effect any medication they are using may have on their capability in the workplace;
- Not undertaking any activities outside of work which may be incompatible with their illness or that may delay their recovery;
- Contacting their headteacher if they wish to request any annual leave during a period of sickness absence, if appropriate. Medical evidence will be required to support any such request;
- Providing a General Practitioner (GP) 'fit note' for absences where required to do so;
- Informing the headteacher if they consider workplace practices are causing or exacerbating sickness levels;
- Notifying their headteacher if they consider they are affected by a disability or any medical condition which affects their ability to undertake their work;

- Complying with the Attendance Management Policy and Procedure as failure to do so could result in the withholding of pay and potential disciplinary action.

2 Notification of absence

All employees who are absent must notify their headteacher, by telephone (not email or text unless previously agreed by the headteacher) as soon as possible prior to their scheduled start time. The employee should explain the nature of their illness, the likely duration of their absence and highlight any work that requires urgent attention.

If their headteacher is not available they should contact the next senior level of management within their school.

In exceptional circumstances where an employee is genuinely unable to telephone personally, for example hospitalisation, they should arrange for someone to contact their headteacher on their behalf as soon as possible.

2.1 Self-certification

Employees who have been absent for 7 consecutive calendar days or less must, as part of the return to work interview, complete the return to work declaration form with their headteacher in order to certify their absence.

2.2 Fit notes

Where an employee is absent for more than 7 consecutive calendar days (regardless of whether or not these are working days), they must provide a 'fit note' from their GP to certify the absence as soon as possible. A 'Return to Work Plan', issued by the Fit for Work Service, can be used in place of a fit note (see section 2.3).

GP's are able to advise if a patient is either 'not fit for work' or 'may be fit for work':

- 'Not fit for work' means that the GP's assessment of the employee is that they have a health condition that prevents them from working for the stated period of time and the employee should refrain from work;
- 'May be fit for work taking account of the following advice' means the GP's assessment of the employee is that their condition does not necessarily stop them from returning to work. The GP will give a 'may be fit for work' statement if they think that an employee's health condition may allow them to work if they receive suitable support/adjustments from their employer.

The headteacher has a duty to consider any recommendations made on the fit note to determine if they are operationally feasible. The employee and employer can agree the arrangements for a return to work, including an earlier return date, with no requirement for the employee to return to the GP for an opinion unless the GP has indicated on the fit note that they will need to assess the employee's fitness for work again at the end of the period. In such circumstances advice must be sought from the Schools HR Advice and Support Team.

If no return to work can be facilitated, the fit note should be used as if the GP had advised 'not fit for work'.

Further guidance on fit notes can be found at: [Getting the most out of the fit note](#).

2.3 Fit for Work Service

The Fit for Work Service is a government scheme that offers free health assessments for employees who have been absent for 4 weeks or more due to ill-health and aims to support a return to work as soon as possible. It is expected that the majority of referrals to the assessment service will be made by an employee's GP, although employers may also make referrals. Referral to the Fit for Work Service is on a voluntary basis and can only be made with the employee's explicit, informed consent.

The employee will receive an assessment by a health professional, usually over the telephone. The assessment will seek to identify all potential barriers preventing the employee from returning to work and involves agreeing a plan to support a return to work via a Return to Work Plan. The decision about whether to implement any recommendations made in a Return to Work Plan rests with the employer and employee.

The Fit for Work Service will complement and not replace existing occupational health services provided by the council.

Fit for Work guidance is available at: [Fit for Work guidance](#).

3 Managing attendance

3.1 Return to work interview

The headteacher must conduct a return to work (RTW) interview with the employee after every period of sickness absence, irrespective of the length of the absence. Ideally, this meeting should take place on the first day the employee returns to work, but where this is not possible, within 3 days of the return. The Return to Work (RTW) declaration form must be completed at this meeting.

The meeting should take place in a confidential setting and should be face-to-face. Headteachers must not conduct RTW interviews via telephone or email unless there are exceptional circumstances.

The purpose of the meeting is to welcome the employee back to work, update them on any work issues that have arisen during their absence, identify the reasons for the sickness absence, explain how their absence has impacted on the school, discuss any support that may be required upon their return and give the employee an opportunity to raise any concerns. If an employee has hit a trigger point the headteacher should inform the employee of this and arrange the appropriate attendance management interview (see section 3.2).

Employees do not have the right to be accompanied at a RTW interview.

3.2 Trigger points

Where an employee's level of absence is of concern it is essential that it is managed appropriately in line with this policy and procedure. The headteacher must convene an attendance management interview when any of the following trigger points are hit:

- 2 incidences of absence in 3 months;
- 10 working days in a rolling year (pro-rata for part-time employees working less than 5 days per week e.g. 8 working days for 4 days per week, 6 working days for 3 days per week, 4 working days for 2 days per week and 2 working days for 1 day per week);
- Where the pattern or nature of absence is giving rise for concern.

3.3 Attendance management interview (AMI)

Where it is identified that an employee's level of absence has hit a trigger point, an attendance management interview (AMI) must be convened.

In exceptional circumstances an employee may not be well enough to attend an AMI and in these cases the meeting can be held in the employee's absence. In this situation the employee must be advised by the headteacher in writing that:

- The meeting will be held in their absence;
- They may choose to nominate a trade union representative or work colleague to represent them at the meeting (and this should be confirmed with the headteacher);
- They may wish to make a written submission and/or to submit medical evidence for consideration at the meeting;
- Possible outcomes of the meeting.
- The meeting may be deferred and rearranged

Advice may be sought from the OHS on an employee's fitness to attend an interview when they are absent from work.

3.4 Approaches to managing attendance

For the purpose of this policy and procedure, there are two approaches to managing attendance:

- Short-term absence - where there are recurrent absences that are intermittent and have no principal underlying or on-going medical cause;
- Long-term absence - where the absence has exceeded 4 continuous working weeks or where there is a principal underlying medical cause to intermittent short-term absence.

Headteachers may identify that an employee's sickness absence involves both periods of long-term and short-term absence and in such cases, action can be taken with regard to both types of absence during the AMI. Advice regarding this must be sought from the Schools HR Advice and Support Team.

4 Short-term absence procedure

4.1 First stage interview

Where trigger points have been hit, the headteacher must write to the employee requiring them to attend a first stage interview. They should give at least 5 school days' notice of the meeting, unless a shorter timescale has been agreed by both parties. Employees are entitled to be accompanied by a trade union representative or work colleague.

The purpose of the meeting is to discuss issues in relation to the absence, consider support to improve attendance and to set an attendance target. The target set will usually be to achieve and maintain a much improved level of attendance consistently below school trigger points. Individual targets can be set, where appropriate and in such circumstances advice must be sought from the Schools HR Advice and Support Team. It should also be made clear to the employee that their sickness absence will be closely monitored.

The details of the meeting will be recorded on the Attendance Management Interview (AMI) Form. The employee will be required to sign the form as a record of the interview (this should be completed within 3 days of the interview). The headteacher must provide a copy to the employee.

Where it is identified that there may be an underlying medical condition contributing to the absence, a referral should be made to the OHS who will provide appropriate advice to the headteacher. In cases where the OHS confirm there is an underlying medical condition further advice on adjustments will be provided.

Where the employee makes their headteacher aware at this meeting that they consider themselves to have a disability, the headteacher must contact the Schools HR Advice and Support Team for further advice. Absences directly related to a disability should be identified separately to other absences. Disability related absences should not be considered for the purposes of target setting but the AMI process should be followed. Disability related absences will be dealt with under the long-term absence procedure.

If the employee's attendance does not improve to the required target set, the employee should to be invited to a subsequent stage interview.

If the target is achieved, but further absence occurs the AMI can be arranged at the subsequent stage.

Further information on AMIs can be found in the Attendance Management Guidance for Headteachers.

4.2 Subsequent stage interview

The headteacher must write to the employee, giving at least 5 school days' notice of the meeting, unless a shorter timescale has been agreed. Employees are entitled to be accompanied by a trade union representative or work colleague.

The headteacher must discuss options to support the employee, discuss the reason and impact of the absences and set a further attendance target. At this stage, it should be made clear to the

employee the potential implications of continued absence(s) on their employment. The employee will be informed that should they fail to meet this attendance target a first short-term attendance management hearing will be convened at which a sanction up to and including a final written warning may be issued.

The details of the meeting will be recorded on the Attendance Management Interview Form. The employee will be required to sign the form as a record of the interview (this should be completed within 3 days of the interview). The headteacher must provide a copy to the employee.

If at this stage it is identified that there may be an underlying medical condition contributing to the absence, a referral should be made to the OHS who will provide appropriate advice to the headteacher.

If the target is achieved, but further absence occurs, the AMI can be arranged at the subsequent stage.

If the employee's attendance does meet the target set, the employee will be invited to a first short-term attendance management hearing. The Schools HR Advice and Support Team will provide support to the headteacher on completion of the headteacher's report which will be considered at the hearing. Further information is available in the Attendance Management Guidance for Headteachers.

4.3 First short-term attendance management hearing

Employees are entitled to be accompanied by a trade union representative or work colleague.

The headteacher will write to the employee giving at least 7 school days' notice of the date and time of the hearing to allow them sufficient time to prepare and arrange representation if required. A copy of the headteacher's report will be sent to the employee with the invitation to the hearing. A representative from the Schools HR Advice and Support Team must also be present at the hearing.

The Headteacher will consider all of the information and make a decision regarding the outcome of the hearing including what, if any, formal action will be taken.

Managing attendance is a standalone process, live warnings for conduct or capability cannot be included at an attendance management hearing.

The process to be followed is in accordance with the schools Disciplinary Policy and is outlined in the Attendance Management Guidance for Headteachers.

4.3.1 Outcomes

The range of outcomes at a first short-term attendance management hearing could be:

- No sanction issued;
- Letter of management advice;
- Written warning (remains live for 12 months);
- Final written warning (remains live for 18 months).

In all cases, a target must be set, including where no sanction has been issued. The employee has the right of appeal against any formal sanction issued. Appeals should be lodged within 10 school days of the receipt of the letter confirming the outcome of the hearing. Appeals will be heard by the Appeals Committee of the Governing Body. No witnesses can be called for appeals under this policy and procedure.

If the target is achieved, but further absence occurs, the AMI can be arranged at the subsequent stage.

If the attendance does not improve to the required target set at the hearing, the employee will be invited to a subsequent short-term attendance management hearing.

4.4 Subsequent short-term attendance management hearing

The hearing will be arranged by the School & Governor Support Service. A representative from the Schools HR Advice and Support Team must be present at the hearing. Employees are entitled to be accompanied by a trade union representative or work colleague.

The employee will be given at least 7 school days' notice of the date and time of the hearing to allow them sufficient time to prepare and arrange representation. A copy of the headteacher's report will be sent to the employee with the invitation to the hearing.

The First Committee will hear evidence from both parties and make a decision regarding the outcome of the hearing including what, if any, formal action will be taken.

Managing attendance is a standalone process, live warnings for conduct or capability cannot be included at an attendance management hearing.

The process to be followed is in accordance with the schools Disciplinary Policy and is outlined in the Attendance Management Guidance for Headteachers.

4.4.1 Outcomes

The range of outcomes at a subsequent short-term attendance management hearing could be:

- No sanction issued;
- Letter of management advice;
- Written warning (remains live for 12 months);
- Final written warning (remains live for 18 months);
- Dismissal.

In all cases, except for dismissal, a target must be set, including where no sanction has been issued.

The employee has the right of appeal against any formal sanction issued. Appeals should be lodged within 10 school days of the receipt of the letter confirming the outcome of the hearing. Appeals will be heard by the Appeals Committee of the Governing Body. No witnesses can be called for appeals under this policy and procedure.

If the target is achieved, but further absence occurs the AMI can be arranged at subsequent stage.

If the attendance does not improve to the required target set, the employee will be invited to a further subsequent short-term attendance management hearing.

5 Long-term absence procedure

5.1 First stage interview

Where the employee has been absent due to ill-health for 2 consecutive weeks and there is indication from the employee or through a fit note that the absence is likely to last 4 consecutive weeks or more, the headteacher must write to the employee requiring them to attend a first stage interview. The interview must take place prior to 4 consecutive weeks' absence in order that a timely referral can be made to the OHS.

The headteacher will give at least 5 school days' notice of the meeting, unless a shorter timescale has been agreed by both parties. Employees are entitled to be accompanied by a trade union representative or work colleague. In exceptional circumstances where an employee is genuinely unable to attend a first stage interview, for example hospitalisation, further guidance should be sought from the Schools HR Advice and Support Team.

At the meeting, the headteacher will discuss the employee's health situation. The meeting should also explore the extent to which barriers preventing a return to work may be overcome by a short period of rehabilitative duties. Further guidance on rehabilitation is available in the Attendance Management Guidance for Headteachers. Where there is no reliable indication of the duration of absence, even after consideration of rehabilitative duties, or an agreed return to work date, the headteacher must refer to the OHS at the first stage interview. The headteacher must also ensure that contact arrangements are agreed with the employee during their period of sickness absence.

Arrangements should be made at this first stage interview to hold a subsequent stage interview in 4-6 weeks' time.

The details of the meeting will be recorded on the Attendance Management Interview Form. The employee will be required to sign the form as a record of the interview (this should be completed within 3 days of the interview), and the employee will receive a copy. The headteacher must provide a copy to the employee.

Further information on AMIs can be found in the Attendance Management Guidance for Headteachers.

5.2 Subsequent stage interview

A subsequent stage interview should be convened 4 - 6 weeks after the first stage interview to consider the current position and OHS advice received. The headteacher will give at least 5 school days' notice of the meeting, unless a shorter timescale has been agreed by both parties. Employees are entitled to be accompanied by a trade union representative or work colleague.

The subsequent stage interview will be used to consider the continuing absence or any ongoing issues following a return to work, provide an update on the employee's current state of health and to consider advice from the GP fit note, the OHS and/or any other appropriate sources. The headteacher and employee will discuss ways in which the school can support attendance/discuss a return to work, including reasonable adjustments such as a period of rehabilitation.

The potential implications of their continued absence should also be discussed and further subsequent stage interviews should be scheduled every 4 - 6 weeks thereafter if the absence continues.

The details of the meeting will be recorded on the Attendance Management Interview Form. The employee will be required to sign the form as a record of the interview (this should be completed within 3 days of the interview), and the employee will receive a copy.

Before the employee reaches 6 months of long-term absence, or short-term absence with a principal underlying medical condition within the rolling year, the headteacher must consider whether the absence can be sustained. At that point, the employee will be advised that any further assessment of their position will be made via a final stage interview. The headteacher must re-refer the employee to the OHS and have received their report prior to the final stage interview.

If the employee indicates that they are able to return to work, the headteacher must discuss any adjustments that can be accommodated, taking into account advice from the GP and the OHS. It is important to remember that whilst the OHS and/or other agencies can make recommendations regarding reasonable adjustments, the headteacher must decide whether an adjustment is reasonable, given operational feasibility. A headteacher's decision must take into account advice from the Schools HR Advice and Support Team and the OHS.

5.3 Final stage interview

The purpose of the final stage interview is to discuss the employee's current state of health and the likelihood of a return to work. A representative from the Schools HR Advice and Support Team must be present at the meeting. The headteacher will give at least 5 school days' notice of the meeting, unless a shorter timescale has been agreed by both parties. Employees are entitled to be accompanied by a trade union representative or work colleague.

Up to date medical advice from the OHS must be received prior to the final stage interview which must always include advice on whether an employee may be covered under the Equality Act 2010. This should include whether consideration of redeployment would be appropriate for the employee. The operational feasibility of adjustments must be considered prior to referral to a long-term attendance management hearing.

The school will work supportively and sensitively with employees who are absent for a continuous period of time, or have short-term absences with a principal underlying medical condition, however the ability to sustain the absence in the long-term needs to be determined at this stage in the process.

The headteacher must discuss the situation with the employee and consider current advice from the GP fit note, the OHS and other appropriate sources, as necessary. If appropriate, following consideration of all the available information, the headteacher may decide as an outcome of the meeting to refer the matter to a Long Term Attendance Management Hearing. If this decision is made then it will be explained to the employee within the meeting and recorded on the Attendance Management Interview Form.

The details of the meeting will be recorded on the Attendance Management Interview Form. The employee will be required to sign the form as a record of the interview (this should be completed within 3 days of the interview), and the employee will receive a copy.

5.3.1 Redeployment

Supporting employees to achieve better attendance and health involves considering what they are able to do, which may be facilitated in appropriate cases by doing a different job. Redeployment gives employees the opportunity to be considered for suitable vacancies before they are formally advertised.

Redeployment can be discussed throughout the attendance management process however should always be considered before referral to an attendance management hearing in cases of long-term sickness absence and exceptionally in cases of short-term absence (where there is a principal underlying medical condition), which may be considered under the Equality Act 2010.

Further details can be found in the Redeployment Policy available via the Extranet. The redeployment policy is only applicable where Durham County Council is the employer.

5.4 Long-term attendance management hearing

Where it has been decided to progress to an attendance management hearing, this will be arranged by the School & Governor Support Service. A representative from the Schools HR Advice and Support Team must be present at the hearing. The employee will be given at least 7 school days' notice of the date and time to allow sufficient time to prepare and arrange representation.

The Schools HR Advice and Support Team will support the headteacher with the next steps including advising on the completion of their management report. The date of the last OHS report must not exceed 3 months at the date of the hearing.

The First Committee of the Governing Body will hear evidence from both parties and make a decision regarding the employees continued employment.

5.4.1 Outcomes

A long-term attendance management hearing will consider an employee's continued employment and whether a return to work is likely with appropriate support.

Where a return to work is not possible and the employee's employment is terminated they will be entitled to contractual or statutory notice (whichever is the longer) on termination of employment at the equivalent of full pay. Employees are expected to serve their notice, although they will not be required to report to work if they are covered by a fit note.

The employee will be informed of the decision as soon as possible after the hearing by the First Committee. The decision will then be confirmed in writing by the Clerk to the Governing Body within 2 school days of the hearing taking place.

Should a dismissal take place, the employee has a right to appeal to the Appeals Committee of the Governing Body. Appeals should be lodged within 10 working days of the receipt of the letter confirming the outcome of the hearing. Appeals will be heard by the Appeals Committee of the Governing Body. No witnesses can be called for appeals under this policy and procedure.

5.5 Ill-health retirement

An employee may qualify for early release of pension benefits on the grounds of permanent ill-health if certified by the Independent Registered Medical Practitioner (IRMP) and approved by the employer.

Employees cannot be referred to the IRMP for consideration of early release of pension benefits until such time as the employer has issued notice to terminate the employment contract. However, in exceptional circumstances, for example life-limiting or terminal illnesses, it may be possible for a headteacher in consultation with the employee and with advice from the Schools HR Advice and Support Team to refer to the IRMP prior to issuing notice to terminate employment.

6 Support

6.1 Right to be accompanied

Employees have a statutory right to be accompanied by a work colleague, a recognised trade union representative or an official employed by the trade union at any AMI or hearing and any subsequent appeal. A trade union representative who is not an employed official must have been reasonably certified by their union as being competent to accompany the employee.

An employee may ask an official from any trade union to accompany them regardless of whether the trade union is recognised. The individual accompanying the employee must not be someone whose presence would prejudice the hearing or who might have a conflict of interest. If an employee makes any request to be accompanied by a legal representative at an attendance management hearing, advice should be sought from the Schools HR Advice and Support Team before any decision is made regarding their request.

The employee's recognised representative may play a full part in any meeting or hearing, including addressing the meeting to present and sum up the employee's case, responding on behalf of the employee to any view expressed, asking questions of witnesses, summing up the employee's case and conferring with the employee. They should not, however, answer questions that are put to the employee.

6.2 Occupational Health Service (OHS)

Headteachers must seek advice from the OHS in relation to an employee's long-term absence, or for short-term absences where the employee declares, or the headteacher reasonably suspects, a single or principal underlying medical cause is contributing to absence. The purpose of seeking OHS advice is to obtain advice on adjustments which may remove barriers to the employee's future regular attendance.

Referral to the OHS can also be made by the headteacher where they have concerns that work may be affecting an employee's health or where an employee's health may be affecting their workplace performance.

At the appointment, the OHS clinician will seek signed consent from the employee for the consultation to take place and the subsequent production of a management report.

If the employee provides consent they have further options:

- to agree to the report being released to the headteacher and employee at the same time; or
- to have prior sight of the report and the opportunity to withdraw consent for release to the headteacher.

In choosing not to disclose information, employees must understand that, when considering appropriate action, management can only take into account the information available to them. Where the employee declines consent to the consultation and/or the release of the report, the headteacher will be informed in writing.

Where an employee feels that they have good reason not to attend an appointment, they must notify their headteacher in advance and in good time in order that this can be considered.

Where a fit note identifies absence due to work related stress, the Stress Toolkit, Questionnaire and Action Plan should be completed as soon as possible in order that an early referral can be made to the OHS. The Stress Toolkit, Questionnaire and Action Plan can be found on the Extranet.

6.3 Rehabilitation (including phased return to work)

Headteachers should discuss short-term workplace modifications with employees at an early stage of ill-health (including before any absence occurs).

Where appropriate rehabilitation should:

- Support employees on long-term sickness absence to return to work earlier than may otherwise have proven possible;
- Facilitate early, local interventions to support a return to and ongoing attendance at work, agreed between employees and the headteacher as appropriate;
- Enable employees who may otherwise take sickness absence to remain at work.

Advice should be sought from the OHS when considered appropriate.

Further information on rehabilitation in the workplace can be found in the Attendance Management Guidance for Headteachers.

6.3.1 Temporary modified duties

The issues of rehabilitation typically arise in the management of long-term sickness absence. The aim of temporary modified duties is to facilitate, by the end of the period of rehabilitation a return to normal working by the employee. If the employee requires long-term workplace adjustments, for instance where they may fall within the provisions of the Equality Act 2010, advice on the nature and duration of these should be sought from the OHS. This will enable the headteacher to determine the operational feasibility of such adjustments before a return to work or to retain the employee at work.

6.3.2 Phased return

After long-term periods of sickness absence the employee may benefit from rehabilitation back into the workplace on a phased return basis which could include a gradual increase in the intensity of their work duties and/or their working hours. A phased return should be developed for no longer than a 4 week period except in exceptional circumstances. The headteacher must complete an Attendance Management Phased Return Form which is to be returned to the HR Operations and Data Team prior to commencement. The phased return must be monitored by the headteacher throughout the period of adjustments.

During a period of reduced hours, an employee's pay will reflect either the hours worked during the phased return or that which would have been due through sick pay, whichever is the greater. The use of annual leave should only be when it is in the interests of the employee to do so e.g. an employee on half pay or where they have exhausted their sickness pay can choose to use annual leave to prevent them from being financially disadvantaged.

Once a phased return has commenced, the headteacher must complete a return to work interview and update MyView. The employee will have returned to work and therefore will no longer be recorded as being absent during the phased return.

6.3.3 Time off for medical appointments (including hospital appointments)

In the case of employees who are covered by the Equality Act 2010 and have supporting medical evidence then time will be allowable out of work for personal hospital appointments.

Employees should try to arrange medical appointments outside of working hours. If this is not possible, paid time off should be granted, with an agreement needed to make up the lost hours. The appointment should be arranged wherever possible at the beginning or end of the working day/shift to minimise disruption.

In normal circumstances an employee will not be able to receive paid time off (or receive sick pay for subsequent sickness absence) for medical appointments related to cosmetic surgery where there is no medical evidence to suggest that the surgery would alleviate significant psychological or physical problems. An indication of this may be the willingness of the employee's GP to

propose that such treatment is given on the NHS. Headteachers should reasonably consider requests for unpaid time off.

In all of the above circumstances, the employee should approach the headteacher to request time off, giving as much notice as possible. The headteacher may request confirmation of the appointment, by way of an appointment card, or a statement from the employee to confirm the nature and period of absence.

Headteachers are advised to contact the Schools HR Advice and Support Team and/or the OHS for further guidance or advice.

7 Mental wellbeing

Where an employee feels they are suffering from stress advice from the Schools HR Advice and Support Team should be sought. The Stress Management Questionnaire and Mental Health and Action Plan should be completed as soon as possible in order that an early referral can be made to the OHS.

Where work-related ill-health, such as 'physical' or 'psychological' stress, is communicated to headteachers as being the cause of an employee's sickness absence, the headteacher must complete an accident/incident report form on the extranet (available via the health and safety page). Where stress is considered the cause of an employee's sickness absence, but is not considered work-related, this sickness absence should not be recorded on the accident/incident report form, but noted in the normal manner for sickness absence.

8 Special considerations

8.1 Maternity related sickness absence

Pregnancy is one of the protected characteristics within the Equality Act 2010. Absences directly related to a women's pregnancy should be identified separately to other absences for recording purposes. However AMIs should still be held and the absence should continue to be monitored and the headteacher must contact the Schools HR Advice and Support Team to discuss individual circumstances. Pregnancy related absences should not be included for the purposes of target setting.

If an employee has not started their maternity leave, it can be automatically triggered by a pregnancy related absence during the 4 weeks before the Expected Week of Childbirth (EWC), however, before this time, a pregnancy related absence would not automatically trigger maternity leave to start. Occupational Sick Pay or Statutory Sick pay (SSP) may still be allowable during the 4 weeks before the EWC if the absence is due to anything other than a pregnancy related condition.

8.2 Disability related sickness absence

Disability is one of the protected characteristics within the Equality Act 2010. A person has a disability if they have a physical or mental impairment, which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. Where a person is suffering from a progressive condition (e.g. cancer, HIV infection, multiple sclerosis, muscular dystrophy), the Equality Act will cover them from the moment that there is a noticeable effect on normal day-to-day activities.

Headteachers must consult with the employee and should seek advice from the Schools HR Advice and Support Team and OHS advice with regard to an employee's absence which is being affected by a disability. The headteacher should consider all adjustments to enable an employee to return to work or to reduce their level of absence to an acceptable level. Where deemed operationally feasible, these adjustments must be made.

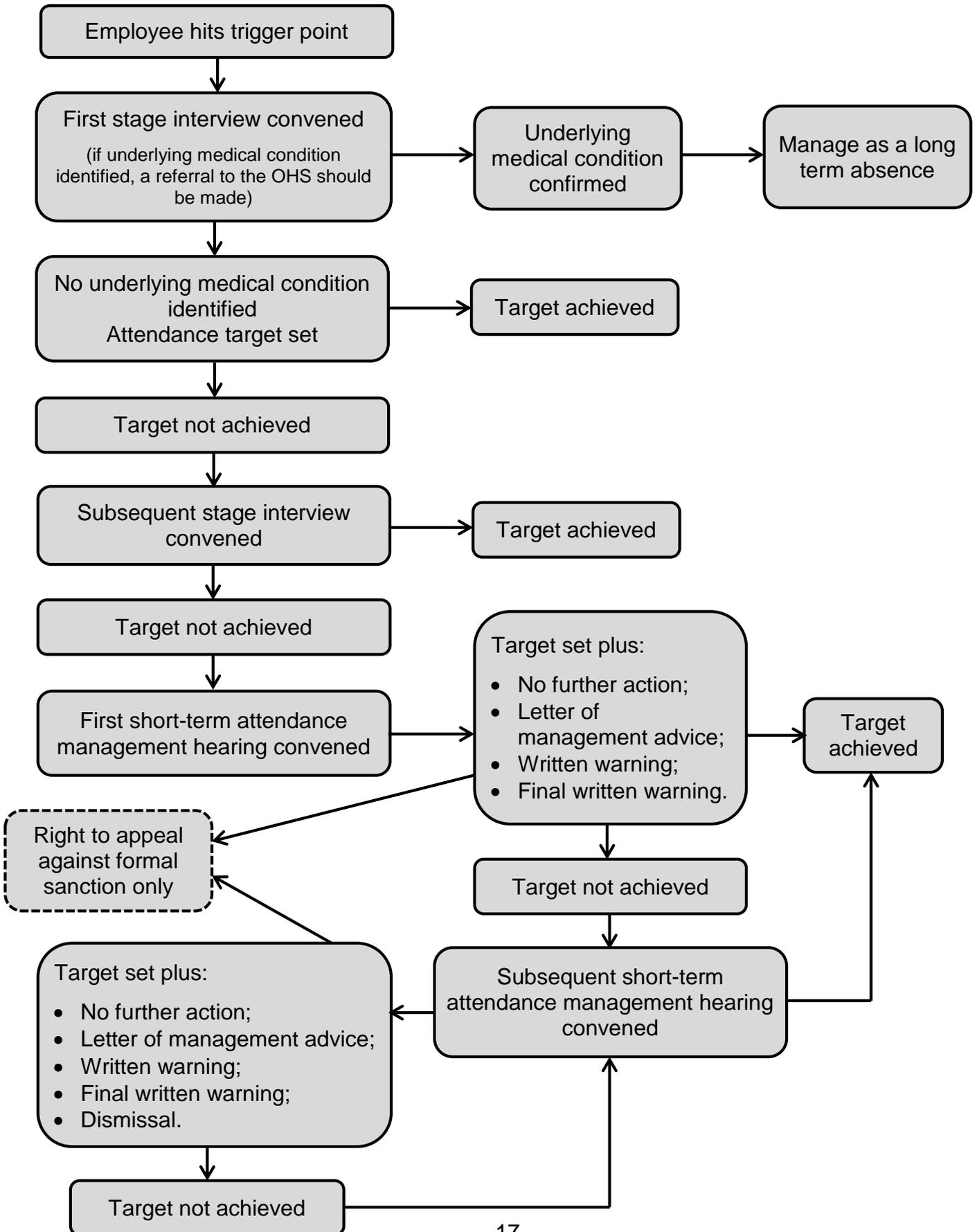
Absences directly related to a disability should be identified separately to other absences for recording purposes however the AMI process still needs to be conducted. Disability related absences should not be included for the purposes of target setting.

8.3 Industrial injury or disease

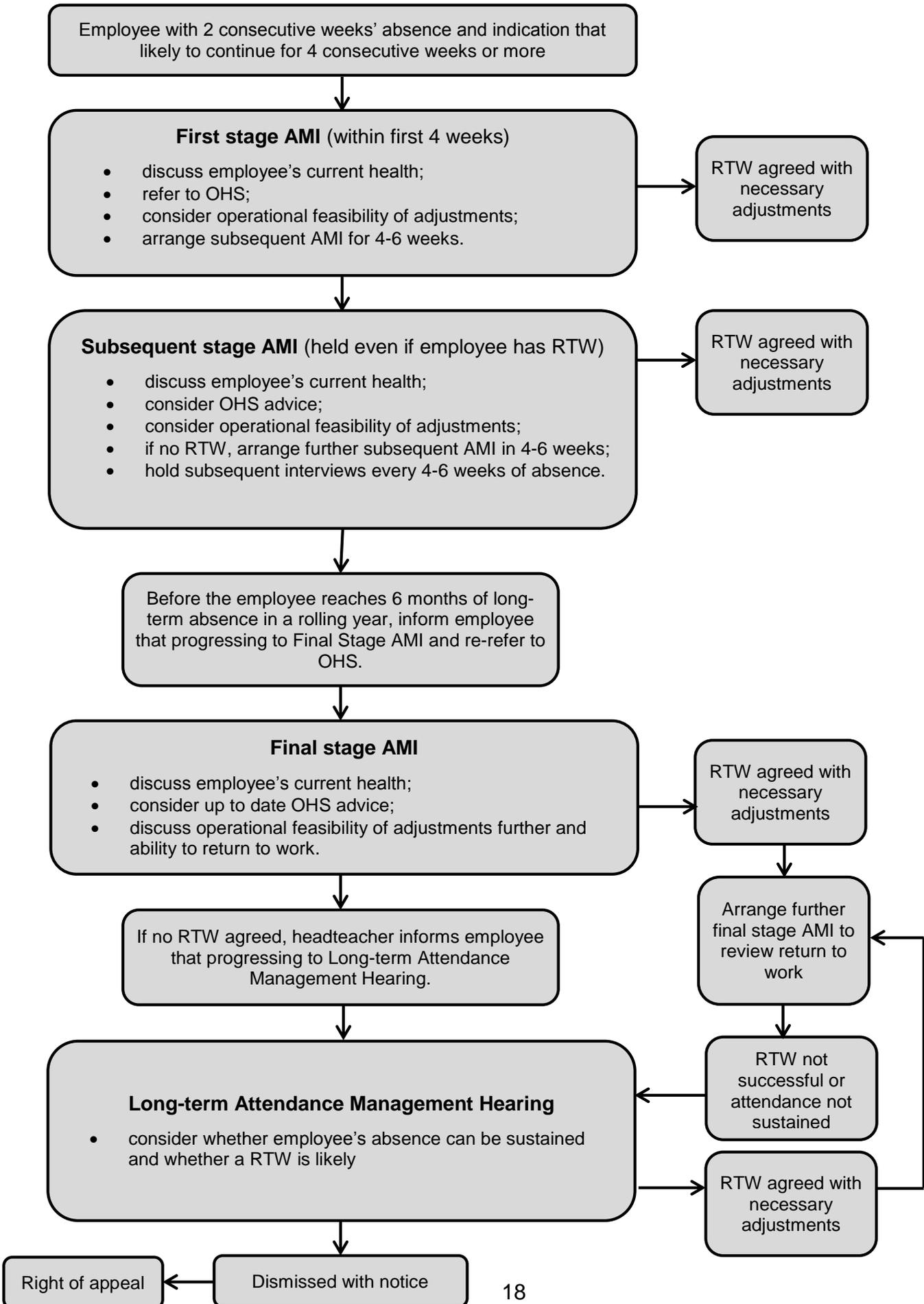
Sickness absence resulting from an accident/incident, illness or disease considered to be work-related is included in considerations of absence under this policy and procedure. It should, however, be identifiable from other sickness absence in absence records, therefore headteachers must ensure they follow the correct procedure to identify and record incidents of this nature. For further information, please see the Health and Safety page on the extranet or contact the Health and Safety Team.

9 Flowchart

9.1 Short-term absence



9.2 Long-term absence



10 Supporting documents

The following documents, which support this policy and procedure, can be downloaded from the extranet:

A	Return to Work Declaration Form
B	Letter requesting attendance at an Attendance Management Interview
C	Attendance Management Interview Form
D	Phased Return Form

The following documents associated with this policy and procedure can be downloaded from the extranet:

Attendance Management Guidance for Headteachers
Management Referrals to the Occupational Health Service
Stress Management Questionnaire and Toolkit
Redeployment Policy

11 Further information

11.1 Confidentiality

All information will be handled sensitively and used only for its proper purpose.

Under the Data Protection Act 1998 individuals have the right to see their own personal data held subject to the rights of confidentiality of any third parties involved in that information.

11.2 Dealing with abuses of the policy and procedure

Employees must comply with the Attendance Management Policy and Procedure, including notifying their headteacher when they are absent, submitting fit notes by the 8th calendar day of absence and when previous fit notes expire to cover on-going absence, attending attendance management interviews and OHS appointments when required.

Failure to comply with the policy and procedure can result in pay being withheld and potential disciplinary action.

11.3 Equality and diversity

The School is committed to promoting equality of opportunity, valuing diversity and ensuring discrimination, harassment or victimisation is not tolerated.

Our policy is to treat people fairly, with respect and dignity. We also comply with legal requirements in relation to age, disability, gender, pregnancy and maternity, marriage and civil partnership, gender reassignment, race, religion or belief and sexual orientation.

11.4 Contact details

The Schools Human Resources (HR) Advice and Support Team:

Email: schoolshradviceandsupportteam@durham.gov.uk

Tel: 03000 266 688

Human Resources (HR) Operations and Data Team:

Email: schoolsabsences@durham.gov.uk

Tel: 03000 267 233

The Occupational Health Service (OHS):

Email: occhealthadmin@durham.gov.uk

Tel: 03000 268 999

The Health and Safety Team:

Email: hsteam@durham.gov.uk

Tel: 03000 263 430

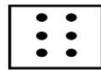
If you would like any further advice or would like the document in an alternative format, please contact the Schools HR Advice and Support Team using the contact details below:

Please ask us if you would like this document summarised in another language or format.

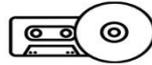
العربية (Arabic) (中文 (繁體字)) (Chinese) اردو (Urdu)
polski (Polish) ਪੰਜਾਬੀ (Punjabi) Español (Spanish)
বাংলা (Bengali) हिन्दी (Hindi) Deutsch (German)
Français (French) Türkçe (Turkish) Melayu (Malay)

Schoolshradviceandsupportteam@durham.gov.uk

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