



## Attendance Management Policy

This policy is to provide a supportive framework to assist employees to improve and maintain the required level of attendance expected, where a shortfall in attendance has been identified

<b>Version number</b>	V1.0
<b>Consultation groups</b>	HR Committee, JCG, Trust Leadership Team and Headteacher Network groups
<b>Approved by</b>	HR Committee
<b>Approval date</b>	19 November 2020
<b>Adopted by</b>	n/a
<b>Adopted date</b>	n/a
<b>Implementation date</b>	19 November 2020
<b>Policy/document owner</b>	Director of Operations
<b>Status</b>	Trust Mandatory
<b>Frequency of review</b>	Every three years
<b>Next review date</b>	November 2023
<b>Applicable to</b>	All employees

## Document History

Version	Version Date	Author	Summary of Changes
V0.1	June 2020	Director of Operations	Full review of policy (2015). Updated using LTS template policy 2019
V1.0	October 2020	Director of Operations	JCG consultation completed at meeting held 7.10.20 Approved by HR Committee

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For the purposes of this policy, Head teachers/Designated Leader will be referred to as Head teacher and School/Corporate Team will be referred to as workplace. This policy should be read in conjunction with the associated Probation guidance document (currently in development).

## 1. Purpose

- 1.1 The purpose of this policy is to provide a supportive framework to assist employees to improve and maintain the required level of attendance expected, where a shortfall in attendance has been identified. Where satisfactory levels of attendance are not achieved this document outlines the process that should be followed to ensure that employees continue to be supported to make the necessary improvements before dismissal is considered.
- 1.2 The Trust recognises the importance of managing attendance in a fair and consistent manner.
- 1.3 All absences must be consistently reported, recorded, monitored and analysed on an ongoing basis across the Trust in order to identify problems, review individual cases and decide upon any appropriate action.

## 2. Application of the Policy

- 2.1 The attendance of teaching and support staff will be managed by either the Head Teacher or another manager.
- 2.2 If the Head Teacher's attendance is being managed in line with this policy, then the Director of Primary Education will be responsible for overseeing the application of this policy.
- 2.3 If the Director of Primary Education's attendance is being managed in line with this policy, then the Trust Leader will be responsible for overseeing the application of this policy.
- 2.4 If the Trust Leader's attendance is being managed in line with this policy, then the Chair of Trustees or other Trust Leadership Team member will be responsible for overseeing the application of this policy.

## 3. Reporting Sickness Absence

- 3.1 It is essential that employees follow the Trust own internal arrangements for reporting absences.

*Local School arrangements for reporting absences to be added here*

- 3.2 Once an employee has notified the workplace of their absence, arrangements to ensure regular contact is maintained between the employee and Head Teacher/manager should be put in place.
- 3.3 Employees who are absent for:
  - Less than 7 calendar days must complete a self-certification for their absence.
  - 7 calendar days or more must provide a valid Fit Note from their GP / Consultant.

## 4. Employees with a Disability

- 4.1 Consideration must be given as to whether an employee's level of attendance is due to a disability, and if so, what reasonable adjustments may be needed to assist the employee to reach the required level of attendance. If an underlying disability is suspected, an Occupational Health referral is usually required, and advice sought regarding reasonable adjustments. Further advice should be sought from the HR Manager.
- 4.2 Absences relating to pregnancy will also be kept separate from sickness absence records. For further advice regarding such absences please contact the HR Manager.

## **5. Day to Day Management**

- 5.1 An effective absence management strategy requires consistent day to day line management and support of employees who are absent from work or whose attendance levels fall below the expectations of the workplace.
- 5.2 Where there are continuing concerns regarding an employee's attendance, it is essential that the Head Teacher attempts to resolve these via day to day management / welfare meeting(s) to:
  - Raise their concerns with the employee.
  - Agree a course of action and a reasonable period of review with the employee (suggest between 4 to 8 weeks).
  - Ensure regular contact is maintained with the employee to address any issues that arise and ensure that any agreed actions remain relevant and up to date.
  - Retain a record of all discussions held and support offered.
  - Advise the employee that failure to achieve the necessary levels in attendance by the end of the review period may lead to formal processes being adopted.
  - Encourage the employee to see advice and guidance from their Union Representative.
- 5.3 At the end of the review period the Head teacher should discuss with the employee whether the targets for improvement have been achieved. Where progress is made, no further action will be required, however, employees must be informed that failure to maintain the level of attendance may result in the employee being managed under the formal stages of this policy.
- 5.4 Where an employee does not make sufficient improvement in their attendance, progression to a Formal Attendance Meeting will be considered. For further information refer to the HR Manager.

## **6. Support Mechanisms**

- 6.1 At any appropriate time when attendance issues have been identified, it may be appropriate to explore some or all of the below (non-exhaustive) support options with the employee:
  - a) Referral to Occupational Health to seek medical advice and opinion.
  - b) Fit for Work, providing resources and information for employees & employers.
  - c) Therapeutic Return to Work to assist the employee to return back to work on a planned and phased basis, usually following a medical recommendation. (See Therapeutic Return to Work Policy).
  - d) Reduction in Hours to assist the employee to return back to work on a temporary or permanent basis, which must be mutually accommodated and agreed. The employee's contract of employment will then be changed accordingly.
  - e) Ill Health Retirement may be an option but in the first instance requires an Occupational Health referral.

## 7. Fast Track to Attendance Hearing – Long term Absence

- 7.1 There will be occasions in cases, for example, where medical reports indicate that a return to work is not possible within a reasonable time period or where an employee has a long term health condition or terminal illness. In these circumstances the school will ensure that all avenues of support, including ill health retirement and redeployment, have been exhausted. If this can be demonstrated, the formal procedures will commence at the Attendance Hearing stage.

## 8. Formal Attendance Management Meeting

- 8.1 Where there are continuing concerns regarding an employee's attendance, a Formal Attendance Management Meeting will be arranged. At least 5 working days' notice will be given for this meeting.
- 8.2 The employee has the right to be accompanied by a work colleague or trade union representative.
- 8.3 At this meeting, the Head Teacher, Employee and their representative will:
- Discuss the employees on going absence and reasons for this.
  - Discuss what support has been put in place to date and whether additional support is required.
  - Agree a formal improvement plan outlining the level of improvement required and a reasonable timescale for achievement (this is the review period).
  - The Head teacher will advise that failure to improve their level of attendance within the agreed timescale could result in a final warning being issued at the end of the review period.
- 8.4 The employee will receive written confirmation of the outcome of the meeting.

## 9. Formal Review Meeting

- 9.1 At the end of the review period the employee will be invited to a Review Meeting. 5 working days' notice will be given for this meeting. The employee will have the right to be accompanied by a work colleague or trade union representative. Both the person conducting the meeting and the employee will have an opportunity to present evidence to support their position.
- 9.2 The potential outcomes of the meeting are:
- The employee has made sufficient improvement; the attendance procedure may cease and day to day management/monitoring will recommence. Employees should be informed that if the improvement is not sustained within 12 months the process may recommence at the Formal Review Meeting stage of this policy.
  - If some progress has been made and more is required, it may be appropriate to extend the review period. In the majority of cases, it will be appropriate to extend the review period just once;
  - If no, or insufficient, improvement has been made, the employee will:
    - Receive a **final written warning** which will remain on their file for 12 months
    - Be informed in writing of the details of the Final Written Warning
    - Be advised of their right to appeal against the warning
    - Be informed that failure to achieve the required level of attendance by the next review may lead to an attendance hearing where the employee may be dismissed
    - Receive the revised formal improvement plan with the outcome letter, detailing the level of improvement required, timescale for improvement and additional support mechanisms identified to assist the employee to return to work

## 10. Final Review Meeting

10.1 At the end of the review period, the employee will be invited to a Final Review Meeting. 5 working days' notice will be given for this meeting and the employee will be informed of their right to be accompanied. Both the person conducting the meeting and the employee will have an opportunity to present evidence to support their position.

10.2 The potential outcomes of the meeting are:

- a) The employee has made sufficient improvement and the attendance procedure may cease and the day to day management of their attendance will recommence. However, if the improvement is not sustained within 12 months the process may recommence at the Final Review Meeting stage of this policy.
- b) If some progress has been made and more is likely, it may be appropriate to extend the review period. In the majority of cases, it will be appropriate to extend the review period just once;
- c) If no, or insufficient, improvement has been made, the employee will be advised that a hearing will be convened to consider the case and that a potential outcome is dismissal. This will be confirmed in writing to the employee.

## 11. Attendance Hearing

11.1 A minimum of 5 working days' written notice will be given to attend a formal hearing in which the employee will be informed of the reasons for the hearing and their right to be accompanied by a work colleague or trade union representative. The letter must state that a potential outcome of the hearing is dismissal and enclose copies of relevant documentation intended to be referred to at the hearing. The employee will also be given an opportunity to present their case and provide evidence.

11.2 The potential outcomes of the hearing are:

- a) No further action is required.
- b) There is insufficient information available on which to base a decision or it is considered that all the support available has not been explored fully. Therefore an extension will be agreed to the final formal review stage, with a further improvement plan being implemented.
- c) If no, or insufficient, improvement has been made, the employee will be dismissed.

## 12. Delegation of Authority

12.1 The person or panel responsible for hearing the case will depend on who has been given delegated authority in line with the Trust's Scheme of Delegation, to make decisions about potential dismissal. This will be either be:

- Trustee or Advisory Board member
- Trust leadership Team
- Head teacher

Note: It would not be appropriate for the Head Teacher to make the decision if they have managed the case.

## 13. Dismissal

13.1 Dismissal will be with notice. The employee will be notified in writing of the outcome of the hearing, including the reason for the dismissal and date of termination of their employment. The letter will also include details of their right of appeal.

## 14. Appeal

14.1 All Appeals will be held in line with the Trust's Appeal Policy.