

ACTION>HR

HR EXPERTISE & SERVICES

Delivered by Kingston and Sutton Shared Services

Services for Schools

**MANAGING HEALTH AND
ATTENDANCE POLICY FOR
SCHOOLS**

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1. Introduction

1.1 Aims of Policy

This policy sets out the procedures to be used where a staff member is suffering from ill health which affects their ability to carry out their duties, or is absent from work due to ill health. The London Borough of Richmond upon Thames (LBRuT) and Royal Borough of Kingston upon Thames are committed to supporting staff suffering from ill-health to regain their health and return to work. They are also committed to ensuring that absence from work due to sickness is managed fairly and consistently, in order to minimise the effect on the organisation's ability to provide quality services to its schools. The Policy therefore aims to:

- Support staff who are experiencing ill health and may also be absent from school due to ill health.
- Provide a procedure to enable Headteachers and Line Managers to address problems of ill health or sickness absence, including long and short term absence.
- Provide Governing bodies with procedural steps if the Headteacher is experiencing ill health.

1.2 Responsibilities

The Governing Body is responsible for setting the overall standards of attendance expected by employees within the school. The Headteacher and line managers have a responsibility to ensure that the standards of attendance are clearly defined, that employees are aware of the standards required, and that standards are met.

Employees have a responsibility to follow the procedures laid out in this policy.

1.3 Delegation of Authority

Delegation for Authority for action under the school's Managing Health and Attendance Policy.

Action	Authority
Ill Health Review meetings; Return to work meetings; One to one meetings related to ill health	Line Manager (including Headteacher where they are the line manager)
Stage 1 Sickness Management Meeting	Line Manager or Headteacher (a member of the governing body in the case of Headteacher sickness)
Ill health review following Stage 1 meeting	Line Manager (including Headteacher where they are the line manager)

Stage 2 Sickness Management Meeting	Line Manager or Headteacher (a member of the governing body in the case of Headteacher sickness)
Ill health review meeting following Stage 2 meeting	Line Manager (including Headteacher where they are the line manager)
Stage 3 meeting	<p>Line Manager (including Headteacher where they are the line manager) to produce Management Statement for the meeting.</p> <p>Headteacher or Governing Body to provide a panel to chair the meeting and be the decision makers. A panel should consist of the Headteacher or 2 Governors but can be made up of 1 Governor if necessary. It is recommended that the Governing Body panel/ Headteacher seek HR advice prior to and at the meeting.</p>
Appeal against dismissal	Appeal panel of the Governing Body, with HR advice. An appeal panel must have the same number of Governors, or more than were present at the Stage 3 meeting.

1.4 Data Protection

The school will treat personal data collected during the managing health and attendance procedure in accordance with its data protection policy and/or policy on processing special categories of personal data. Information about how an employee's data is used and the basis for processing his or her data will be provided in the school's employee privacy notice. Where the organisation is relying on its legitimate interests as the legal ground for processing an employee's data, he/she can object to the processing.

2. Sickness Absence of Employees

2.1 SICK PAY

Entitlement to sick pay is set out in the individual employee's contract of employment and /or as per the Burgundy book for teaching staff.

2.2 Confidentiality

Employees have the right to confidentiality regarding their health. The utmost care must be taken to maintain the security of information whether written or verbal. Those responsible for maintaining sickness absence records must ensure that they are held in a secure place and only made available to authorised staff on a 'need to know' basis. Sickness records held in schools must be kept securely. Employees are permitted to see a copy of their own sickness absence record on request. Health information provided to the Occupational Health Unit (OHU) by the employee will remain confidential.

2.3 Recruitment of New Staff

All employees, once they have accepted an offer of employment will be required to complete, a pre-placement Work Health Questionnaire which will be assessed by Occupational Health, to determine their fitness for employment in the relevant role. This includes advice regarding any reasonable adjustments that may be relevant for employees with a disability.

2.4 Probationary Procedure

Support staff are subject to a probationary period of six months. Headteachers and line managers are required to follow the school's Probationary Procedure and this includes monitoring of the employee's health and attendance at work. Long or short term sickness absence during the probationary period requires action by the manager in accordance with the Probationary Procedure, available on the extranet. The induction period for NQT's is extended prior to completion when an NQT's absences during the period total 30 days or more (with the exception of statutory maternity leave).

2.5 Sickness Absence Reporting

Sickness absence should be reported as follows: **NB** Sickness absence always includes weekends and non-working days.

- **Absence day 1:** Employees are required to notify the Headteacher or line manager personally as soon as possible on the first day of sickness absence. This should ideally be in advance or, at the latest, within one hour of their usual start time.

The employee should follow any locally agreed arrangements for contacting the Headteacher or line manager. The employee should not leave messages on answer phones or with colleagues, send text or email messages or have someone else telephone on their behalf unless they are unable to do so (e.g. in hospital). NB: this does not apply to employees whose disability requires them to rely on one of the above means to advise their manager of their absence.

The employee should advise the Headteacher or line manager as to the reason for the absence; it's likely duration and discusses any issues about work responsibilities which may need to be dealt with.

- **Absence day 3:** The employee should keep the Headteacher or line manager informed throughout the period of absence and should, as a minimum, make contact again on the third consecutive day of absence to update the Headteacher or line manager on the likely length of the absence, if it is continuing.

- **By absence day 7:** If the absence exceeds 7 consecutive days the employee must submit a doctor's 'Fit Note' to be sent to the Headteacher or line manager as soon as possible. Employees must continue to submit GP certificates to cover the whole period of absence.

The Headteacher or line manager should maintain regular contact with the employee throughout a period of absence. This includes telephone contact on a regular basis. If contact with the Headteacher or line manager is not appropriate then contact must be maintained with an alternative named individual as agreed with both the employee and manager.

- **Return to Work:** Employees are required to let their Headteacher or line manager know when they will be returning to work. As soon as possible after their return to work they are required to attend a return to work meeting with their line manager or Head Teacher as outlined in section 2.6.

Failure to report sickness absence in accordance with the agreed procedures, to complete the required forms or to co-operate with Occupational Health enquiries, may mean that sickness absence is considered 'unauthorised absence' and may therefore result in deduction of salary and/or could be liable to action under the school's Disciplinary Procedure.

2.6 Return to Work Meeting

The Headteacher or line managers are required to hold a meeting with their staff as soon as possible upon their return from all periods of sickness absence. The purpose of this meeting is:

- To welcome the employee back to work.
- To confirm the employee's reason for absence.
- To ensure the correct information about sickness absence is recorded and to collect any GP certificates.
- To check with the employee that she/he is fully recovered and fit to work.
- To identify any support the employee may need.
- To consider whether the employee may have a disability which might require reasonable adjustment in the workplace (advice from OHU will be sought).
- To advise the employee if their absence has met a trigger which could lead to a meeting under the Managing Health and Attendance Procedure.
- To update the employee on any work issues or changes which have occurred in their absence.

3. Managing Absence

3.1 Managing Short Term Sickness

Short term sickness absence is defined as intermittent or occasional days of absence.

Short term absences (as defined above) totalling 7 working days or more in any year (rolling year for non-teaching staff) will trigger action by the employee's manager. An informal review meeting will normally be held to discuss the employee's attendance record.

Headteachers and line managers should also identify any patterns and trends of short-term absence of less than 7 working days, as detailed below, and action may also be taken in these cases:

- Sickness days before and/or after booked annual leave and school holiday periods
- Sickness days before or after weekends/bank holidays.
- Unauthorised/unreported leave.
- Sickness before or after study leave.

Headteachers and managers can take advice on managing such instances at any time from HR.

Short term absences totalling 10 days or more in any year (rolling year for non-teaching staff) will automatically trigger action under Stage 1 of the Managing Health and Attendance Procedure.

3.2 Managing Long term Sickness Absence

For the purposes of this policy, long term sickness is usually defined as absence that lasts for more than 6 weeks continuously.

Employees may be absent on a long-term sickness basis for a variety of reasons, e.g. recovery from illness, injury, surgery or because of a terminal illness. The impact of the sickness on the employee's ability to work will vary and will need to be considered according to the individual situation. Headteachers and line managers should be particularly sensitive to the circumstances of individual cases when dealing with long term sickness.

In every case of long-term sickness absence, a number of factors need to be considered by the manager, with specialist advice and support from HR and Occupational Health (OH), when coming to a decision on how to proceed. These include:

- The impact on the service and other employees of the school caused by the employee's continued absence.
- The nature and duration of the illness and the prospects for recovery.

It is essential that the Headteacher or line manager maintains contact with employees on long term sickness absence. Regular meetings should take place with the employee and advice obtained from the OH on the employee's fitness to undertake their duties. Where the employee is not well enough to meet the manager at the workplace, the meeting may be held at an agreed alternate venue, with their consent.

If an employee has been absent through sickness for six consecutive weeks the Headteacher or line manager should arrange a Stage 1 meeting under the Managing Health and Attendance Procedure (see section 4).

In exceptional cases where the employee is not well enough to attend any meeting, the matter may be dealt with through correspondence or through the employee's representative.

In exceptional cases involving problems arising from long term ill health, this process may be abbreviated if it is clear from medical advice that there is no possibility of a return to work in a reasonable time period and retirement or redeployment is not a possibility. In such cases the immediate implementation of Stage 3 of this procedure may be appropriate.

4. Health and Attendance Procedure

The following applies to meetings at all stages of the Managing Health and Attendance Procedure:

- **Written notification:** The employee should be advised in writing, by the Headteacher or line manager, that they are required to attend a meeting under the Managing Health and Attendance Procedure. In the case of an employee with a disability, it may be necessary to provide related documents in other formats.
- **Meeting organisers:** Meetings at Stages 1 and 2 are held by the Headteacher or line manager, whilst Stage 3 meetings are held by the Headteacher (if they have not been involved in Stages 1 or 2) or a panel of Governors, with advice from HR at all stages.
- **Representation:** The employee is encouraged to be accompanied/represented at all meetings under stages 1 and 2 of the Managing Health and Attendance Procedure by a work colleague within the school or trade union representative. At stage 3 of the procedure employees have a right to be accompanied by a work colleague within the school or trade union representative. In exceptional cases an employee's disability may require attendance of a support worker or relative to assist during such meetings. Requests must be made to the Headteacher or line manager in advance in all cases.
- **Meeting record:** A record of all meetings must be kept. A template form is available below under section 5, page 28, Form 5.5.
- **Access issues:** The manager organising the meeting should ensure that access issues have been considered and that reasonable adjustments have been made for all parties.
- **Non attendance:** Should the employee not attend the meeting, without advising the meeting organiser or sending a representative or written representation, the Headteacher or line manager is entitled to reach conclusions on the basis of the information and evidence at his/her disposal at the time.
- **Review periods:** When setting review periods at meetings account should be taken of any reasonable adjustments agreed for employees with a disability.

The procedure set out below applies to all school employees and when it is used in respect of teaching staff it is designed to facilitate action deemed necessary to satisfy requirements of Regulation 7 of the Education (Teachers Qualifications and Health Standards) (England) Regulations 1999 and does not in any event preclude action being taken on the instructions of the Secretary of State in accordance with Regulation 9 of the Education (Restriction of Employment) Regulations 2000.

4.1 Trigger Points for Sickness Absence Meetings

The following table details the trigger points for Stage 1, 2 and 3 Sickness Absence Meetings:

Stage	Trigger point	Action
1	<p><u>Short term absence:</u></p> <p>A total of 10 days intermittent absence over a 12 month period.</p> <p><u>Long term absence:</u></p> <p>A total of 6 consecutive weeks of absence.</p>	<p>Set up a Stage 1 meeting*</p> <p>Line Manager/Headteacher</p>
2	<p><u>Short term absence:</u></p> <p>Failure to meet targets set at Stage 1 meeting.</p> <p><u>Long term absence:</u></p> <p>If employee does not have a date to return to work at the end of the review period.</p>	<p>Set up Stage 2 meeting*</p> <p>Line Manager/Headteacher</p>
3	<p><u>Short term absence:</u></p> <p>Failure to meet targets set at Stage 2 meeting.</p> <p><u>Long term absence:</u></p> <p>If employee does not have a date to return to work at the end of the review period.</p>	<p>Set up formal Stage 3 meeting*</p> <p>Headteacher (if not already involved at Stages 1 or 2) or Panel of Governors (2 person panel)</p>

4.2 Stage 1 Sickness Absence Meeting

Aims of the Meeting

At the Stage 1 meeting, some or all of the following may be discussed:

- The frequency and reason for the absences along with any medical evidence, provided by the employee.
- The level of concern over the employee's absence record and illness.
- Review of any support and any existing reasonable adjustments the employee may be receiving.
- The likelihood and timescale for the employee's sustained return to work.
- Explore any work-related problems, e.g. working relationships, job content and assessing what can be done to improve such problems.

- The potential for new or further reasonable adjustments, including job modifications or work changes to support the employee's effective return to work or improved attendance, where reasonable/feasible for the school.
- Consideration of a referral to the OHU, for advice as to the fitness of the employee to carry out their duties and/or any reasonable adjustments.
- Agreeing a time scale for a further review period.

Outcome of the Meeting

At the end of the meeting the Headteacher or line manager and employee will agree a date for review and, in the case of short term sickness absence, the manager and employee will also agree targets for improvement.

Advice should be sought from HR regarding the above as necessary. The outcome of the meeting, including any action to be taken, will then be confirmed in writing by the Headteacher or line manager, as soon as possible and in enough time before the review meeting. The outcome letter is available on the Extranet. A copy of the letter should also be sent to HR.

Review Meeting

At the end of the review period the Headteacher/line manager should arrange to meet the employee informally to discuss the current situation. The purpose of this meeting is to reach a decision whether it is necessary to progress to Stage 2 of the procedure, or whether a further period of review would be appropriate in the circumstances. This will depend on the level of improvement in attendance achieved and the likely sustainability of any improvement.

If at the review meeting the targets have been met or, for long term absence, a return to work date has been obtained, this should be confirmed in writing. Alternatively a Stage 2 meeting should be arranged.

4.3 Stage 2 Sickness Absence Meeting

Aims of the Meeting

The Headteacher or line manager should review the current situation and seek an update from OH where appropriate. Advice should be sought from HR prior to arranging any further reviews with OH.

The meeting should include a discussion on the factors previously covered (see 4.2) and further targets for attendance should be set.

The employee should be informed that if the absence level continues, and targets are not met a Stage 3 meeting will be held. The Stage 3 meeting will explore the situation and the likelihood of improved and sustained attendance, including the employee's capability to meet the requirements of their job. It should also be emphasised that this could potentially lead to their dismissal on the grounds of incapability.

Outcome of the Meeting

At the end of the meeting the Headteacher or line manager and employee will agree a date for review and in the case of short term absence further targets for improvement will also be set.

Advice should be sought from HR regarding the above as necessary. The outcome of the meeting, including any action to be taken, will then be confirmed in writing by the Headteacher or line manager as soon as possible and in enough time before the review meeting. A copy of the letter should also be sent to HR.

Review Meeting

At the end of the review period the Headteacher/line manager should arrange to meet the employee informally to discuss the current situation. The purpose of this meeting is to reach a decision whether it is necessary to progress to Stage 3 of the procedure, or whether a further period of review would be appropriate in the circumstances. This will depend on the level of improvement in attendance achieved and the likely sustainability of any improvement. If there has been no improvement, consideration should be given to the possibility of redeploying the employee.

Redeployment needs to be considered where there is no likely return to work (to the existing post), in the foreseeable future; or in circumstances where the attendance at work continues to be unsatisfactory. This decision should take account of both Occupational Health advice and whether there is an available vacant post, where the employee can undertake the full range of duties. Consideration should include provision of reasonable training and/or appropriate reasonable adjustments.

If at the review meeting the targets have been met or, for long term absence, a return to work date has been obtained, this should be confirmed in writing. Alternatively a Stage 3 meeting should be arranged.

4.4 Stage 3 Formal Sickness Absence Meeting

NB During this stage 3 formal meeting and any appeal, the employee has the right of representation by a colleague from within the school or a Union representative.

Before the Meeting

The Headteacher or line manager is required to produce a Management Statement for the meeting. This should include up-to-date written advice from Occupational Health. The employee is entitled to receive a copy of the Management Statement, 7 working days in advance of the meeting and may submit written information to the meeting a minimum of 5 working days in advance.

A maximum of 2 Governors will act as the panel of decision makers for the Stage 3 Meeting, but a panel can be made up of one Governor if necessary. At this meeting a representative of HR will be present to provide advice to the Governors.

Aims of the Meeting

The meeting will consider the Management Statement and any evidence submitted by the employee. Any decision regarding termination of employment will take into account the following factors:

- The overall attendance record.
- The report from the OH.
- The likelihood of an improved attendance record being achieved by the employee in the future (in the case of short term sickness absence).
- The likelihood of a return to work in the foreseeable future (in the case of long term sickness absence).
- The needs of the service and the effect of the employee's ill health or absence on the service, taking account of both operational and financial impact on the school.
- Consideration of sustainability of existing adjustments to the work and/or working environment.
- Consideration of any further reasonable adjustments that may be appropriate.
- Consideration of redeployment within the school if available and suitable.

At the meeting, there will be an opportunity for full exploration of all the issues contained within the management and employees statement.

The outcomes available to the Governors, when deciding on action to be taken at this stage, are as follows:

- To keep the matter under review for a further period, at the end of which a further meeting will take place where appropriate.
- Consideration for the employee to be redeployed to a suitable alternative role (if available with the school) following consultation and with appropriate Occupational Health advice .
- To terminate the employment contract on the grounds of incapability. This will be in cases where
- A return to work or sustained improvement in attendance is unlikely in the foreseeable future and the effects of the absence on the service can no longer be maintained;
- The prospect of suitable alternative work/redeployment has been fully explored but is not feasible, or the employee refuses a reasonable offer of suitable redeployment.

Procedure for the Formal Stage 3 Meeting

- The Governing Body panel will elect a chair for the meeting, or the Headteacher will chair the meeting.
- Management will present the case detailing the employee's circumstances (Headteacher/Line Manager).
- Management may call witnesses to support their case.
- All parties may question any witnesses.
- There will be an opportunity for questions to be asked of management by the employee and the Panel.
- The employee and/or representative will present his/her case.
- The employee may call witnesses to support his/her case.
- All parties may question any witnesses.
- There will be an opportunity for questions to be asked of the employee by management and the Panel.
- Closing statements will be made by management and the employee.

- All present, other than the Panel and adviser, shall withdraw. The Panel shall then reach its decision.

Outcome of the Meeting

After hearing all the evidence at the meeting, the panel will make a decision which will be one of the options listed above. Wherever possible the employee will be told of the Panel's decision at the end of the meeting. If this is not possible, the chair of the panel must write to the employee *within 5 working days* to inform them of their decision.

If the decision is to have a further period of review, this must be included in the outcome letter including the timing of the review period and the standards of attendance/ability to perform the full duties, which the employee is required to achieve during this period.

If the decision is to redeploy the employee to an alternative position within the school, this decision will be confirmed in the outcome letter. However, a further letter will be sent to the employee confirming the variation of employment from the original post, to the new position. This letter will be sent by the Headteacher.

If a decision to dismiss on the grounds of incapacity due to ill health is made, written notice of termination shall be given in accordance with statutory provisions and with the individual's contract of employment. The employee will have the right of appeal.

Dismissals – Community Schools

The Governing Body panel will produce the decision outcome letter which should state the following:

- The date on which the employment contract will be terminated, including an appropriate period of notice.
- The employee's right of appeal.
- A written statement of the reasons for dismissal.

This letter will be copied to the local authority. The Local Authority as the employer will then issue the official notice of dismissal.

Dismissals – Voluntary Aided Schools

The Governing Body, as the employer, must give notice of dismissal. The outcome letter should state the following:

- The date, on which the employment contract will be terminated, including an appropriate period of notice.
- The employee's right of appeal.
- A written statement of the reasons for dismissal.

The dismissal letter should be copied to Human Resources.

4.5 Appeal Rights

The employee has a right of appeal against a dismissal decision taken at the Stage 3 meeting. The decision of the Appeal Panel is final.

Written notification of the employee's reasons for appeal must be received no later than 5 working days after the date of the receipt of the dismissal letter.

If the employee does give notice of intention to exercise his/her right of appeal, the matter will be referred to a meeting of an Appeal Panel comprising 2 members of the Governing Body.

The Appeal Panel shall meet as soon as possible after notice of appeal is given by the employee concerned. The employee shall then be given at least ten working days' notice in writing of the date of the meeting. The Stage 3 meeting panel (Governing Body/Headteacher) will produce a written response to the grounds for appeal including a summary of the case and procedures followed prior to the Stage 3 meeting. This will be circulated prior to the appeal hearing.

The employee has the right to be accompanied at the appeal panel meeting by a work colleague within the school or trade union representative.

A representative of HR will be present to provide advice to the Governors. The Panel will have the written response to the grounds for appeal including a summary of the case and procedures followed prior to the Stage 3 meeting and the employee's grounds for appeal.

The Agenda for the Appeal Meeting

- The employee and/or representative will present his/her case.
- There will be an opportunity for questions to be asked of the employee by management and the Appeal Panel.
- A representative of the Stage 3 panel will present the response to the employee's grounds for appeal
- There will be an opportunity for questions to be asked of the Stage 3 panel representatives by the employee and the Appeal Panel.
- Closing statements will be made by the Stage 3 panel representatives and the employee.
- All present, other than the Appeal Panel shall withdraw. The Appeal Panel shall then reach its decision.
- The Appeal Panel shall then advise the employee of the decision reached.
- Formal notes of the meeting will be taken.

The Appeal Panel decision shall be communicated in writing to the employee by the chair of the panel no later than 5 working days after the decision is made.

There is no further right of appeal.

5. Template Letters

MODEL LETTER 5.1

INVITE TO ATTEND STAGE 1 MEETING

MANAGING HEALTH & ATTENDANCE PROCEDURE

STAGE 1 SICKNESS ABSENCE MEETING

STRICTLY CONFIDENTIAL

Dear x

MANAGING HEALTH AND ATTENDANCE PROCEDURE INVITE TO STAGE 1 SICKNESS ABSENCE MEETING

Following our recent discussions about your absence, and as you have now been absent from work due to sickness for a total of *10 days/6 consecutive weeks* within this rolling year, I am writing to request your attendance at the above meeting to discuss the situation.

The meeting will be held in accordance with the Managing Health and Attendance Policy for Schools, a copy of which is attached for your information. Please refer to section 4.2 for further details of the Stage 1 meeting.

The meeting will take place at (*time*) on (*date*) in (*place*). If you require any reasonable adjustments to enable you to attend the meeting, please let me know and I will make the necessary arrangements.

You are encouraged to bring a work colleague or trade union representative to the meeting. However, if you are unable to attend, you can ask your representative to attend on your behalf. Alternatively you may submit a written statement for consideration at the meeting.

However if you or your representative do not attend and you do not send a written statement to reach me before the meeting date, your case will be considered and conclusions may be reached on the information available.

At the meeting we will be looking at the reasons for your absence and what support or assistance we can provide to help your return to work. If the reasons for your absence are related to a disability or a health condition covered by the Equality Act, we can look at what types of adjustments may be considered in the work environment to address any difficulties you may be experiencing.

Should you feel the need for additional support, may I remind you that the Council has a Support and Counselling Adviser who can be contacted by telephone, in confidence on xxxxxxxxxxxxxxxxx.

Please contact me directly should you have any queries in relation to the above.

Yours sincerely,

Line Manager

Copy to: HR Consultant

STRICTLY CONFIDENTIAL

Dear x

MANAGING HEALTH AND ATTENDANCE PROCEDURE
OUTCOME OF STAGE 1 SICKNESS ABSENCE MEETING

Thank you for attending the meeting held on (date) to discuss the situation regarding your *short term/long term sickness absence(s)*.

I am writing to confirm the outcome of the meeting, as we agreed. At the meeting we discussed (*include summary of discussion*).

We agreed the following actions:

These may include:

- *Review period*
- *Targets for improvement*
- *Occupational health referral*
- *Date for employees return to work*
- *Reasonable adjustments*

A further meeting to review your absence will take place at (time) on (date) in (venue).

Please note that if *there is no improvement in your level of sickness absence within the review period/you do not have a date to return to work at the end of the review period* a Stage 2 meeting in accordance with section 4.3 of the Managing Health and Attendance Policy for Schools will be held.

Should you feel the need for additional support, may I remind you that the Council has a Support and Counselling Adviser who can be contacted by telephone, in confidence on xxxxxxxxxxxxxxxxxxxxxxxx

Please contact me directly should you have any queries in relation to the above.

Yours sincerely

Line Manager

Copy to: HR Consultant

MODEL LETTER 5.1.2

OUTCOME OF STAGE 1 REVIEW MEETING

MANAGING HEALTH & ATTENDANCE PROCEDURE

STAGE 1 SICKNESS ABSENCE MEETING

STRICTLY CONFIDENTIAL

Dear x

**MANAGING HEALTH AND ATTENDANCE PROCEDURE
OUTCOME OF STAGE 1 SICKNESS ABSENCE REVIEW MEETING**

Thank you for attending the review meeting held on (date) to review your standard of absence.

Improvement and Targets Met (Short Term Absence)

We discussed the improvement you have made in your attendance at work and that you have met the targets set. I can therefore confirm that no further action will be taken at this stage. Your absences will continue to be monitored and should there be more concerns, further action in accordance with the above procedure may be taken.

OR

Return to Work Date Obtained (Long Term Absence)

We discussed your situation and you informed me that you will be fit to return to work on (date). You will be attending the Occupational Health Unit on (date) to confirm your fitness to return.

I can therefore confirm that no further action will be taken at this stage. Your absences will continue to be monitored and should there be more concerns further action may be taken.

I am pleased that your health is improving and look forward to your return to work.

Yours sincerely

Line Manager

Copy to: HR Consultant

MODEL LETTER 5.2

**OUTCOME OF REVIEW MEETING/
INVITE TO STAGE 2 SICKNESS
ABSENCE MEETING**

MANAGING HEALTH AND ATTENDANCE PROCEDURE

STAGE 2 SICKNESS ABSENCE MEETING

STRICTLY CONFIDENTIAL

Dear x

**MANAGING HEALTH AND ATTENDANCE PROCEDURE
OUTCOME OF STAGE 1 REVIEW MEETING
INVITE TO STAGE 2 SICKNESS ABSENCE MEETING**

Thank you for attending the review meeting held on (date) to review your level of sickness absence.

We discussed the situation that unfortunately *there has been no improvements in your level of absence/the targets set have not been met/you do not have a date to return to work.*

I am therefore writing to request your attendance at the above meeting to discuss the situation.

This meeting is being held in accordance with section 4.3 of the Managing Health and Attendance Policy for Schools, a copy of which is attached for your information.

The meeting will be held at (time) on (date) in (place). If you require any reasonable adjustments to enable you to attend the meeting please let me know and I will make the necessary arrangements.

You are encouraged to bring a work colleague or trade union representative to the meeting. If you are unable to attend you can ask your representative to attend on your behalf. Alternatively you may submit a written statement for consideration at the meeting.

Please note that if you (or your representative) do not attend or do not send written representation your case will be considered and conclusions may be reached on the information available.

Should you feel the need for additional support, may I remind you that the Council has a Support and Counselling Service who can be contacted by telephone, in confidence on xxxxxxxxxxxxxx

Please contact me directly should you have any queries in relation to the above.

Yours sincerely

Line Manager

Copy to: HR Consultant

STRICTLY CONFIDENTIAL

Dear x

MANAGING HEALTH AND ATTENDANCE PROCEDURE
OUTCOME OF STAGE 2 SICKNESS ABSENCE MEETING

Thank you for attending the above meeting held on (date) to discuss further the situation regarding your *short term/long term sickness absence(s)*.

I am writing to confirm the outcome of the meeting. At the meeting we discussed (*include summary of discussion*).

We agreed the following actions:

These may include:

- *Further review period*
- *Further targets for improvement*
- *Occupational health referral*
- *Date for employees return to work*
- *Reasonable adjustments*

The meeting to review your level of absence will take place at (time) on (date) in (venue).

Please note that if *there is no improvement in your level of absence within the review period/you do not have a date to return to work at the end of the review period* a Stage 3 sickness absence meeting in accordance with section 4.4 of the Managing Health and Attendance Policy for Schools will be held.

The Stage 3 meeting will be to determine the likelihood of your improved and sustained attendance and your capability to meet the requirements of the job. I must inform you that this could potentially lead to your dismissal on the grounds of incapability.

Should you feel the need for additional support, may I remind you that the Council has a Support and Counselling service who can be contacted by telephone, in confidence on xxxxxxxxxxxxxxxx

Please contact me directly should you have any queries in relation to the above.

Yours sincerely

Line Manager
Copy to: HR Consultant

STRICTLY CONFIDENTIAL

Dear x

**MANAGING HEALTH AND ATTENDANCE PROCEDURE
OUTCOME OF STAGE 2 SICKNESS ABSENCE REVIEW MEETING**

Thank you for attending the review meeting held on (date) to further review your level of sickness absence.

Improvement and Targets Met (Short Term Absence)

We discussed the improvement you have made in your attendance at work and that you have met the targets set. I can therefore confirm that no further action will be taken at this stage. Your absences will continue to be monitored and should there be more concerns further action may be taken.

OR

Return to Work Date Obtained (Long Term Absence)

We discussed your situation and you informed me that you will be fit to return to work on (date). You will be attending the Occupational Health Unit on (date) to confirm your fitness to return.

I can therefore confirm that no further action will be taken at this stage. Your absences will continue to be monitored and should there be more concerns further action in accordance with the above procedure may be taken.

I am pleased that your health is improving and look forward to your return to work.

Yours sincerely

Line Manager

Copy to: HR Consultant

MODEL LETTER 5.3

**OUTCOME OF REVIEW MEETING/
INVITE TO STAGE 3 SICKNESS
ABSENCE MEETING**

MANAGING HEALTH AND ATTENDANCE PROCEDURE

STAGE 3 SICKNESS ABSENCE MEETING

STRICTLY CONFIDENTIAL

Dear x

**MANAGING HEALTH AND ATTENDANCE PROCEDURE
OUTCOME OF STAGE 2 REVIEW MEETING/INVITE TO FORMAL STAGE 3 SICKNESS
ABSENCE MEETING**

Thank you for attending the review meeting held on (date) to review your level of sickness absence.

We discussed the situation that unfortunately *you have still failed to meet the required attendance level/you still do not have a date to return to work.*

I am therefore writing to request your attendance at the above meeting to discuss the situation.

This meeting is being held in accordance with section 4.4 of the Managing Health and Attendance Policy for Schools, a copy of which is attached for your information.

The meeting will be held at (time) on (date) in (place). The meeting will be conducted by (Headteacher/Governor(s)) and a representative from Human Resources will be present as an adviser.

You are entitled to bring a work colleague or trade union representative to the meeting. If you are unable to attend you can ask your representative to attend on your behalf.

If you require any reasonable adjustments to enable you to attend the meeting please let me know and I will make the necessary arrangements.

The options available to the Panel, when deciding on action to be taken at this stage are as follows:

- To keep the matter under review for a further period, at the end of which a further review will take place;
- Redeployment to alternative work;
- To terminate your employment contract on the grounds of incapability
- You have the right to bring a work colleague or trade union representative to the meeting. If you are unable to attend you can ask your representative to attend on your behalf. Alternatively you may submit a written statement for consideration at the meeting.

Please note that if you (or your representative) do not attend or do not send written representation your case will be considered and conclusions may be reached on the information available.

I enclose a management statement and supporting documents for consideration at the meeting. Should you wish to submit written information to the meeting please send this to me no later than 5 working days in advance.

Should you feel the need for additional support, may I remind you that the Council has a Support and Counselling Service who can be contacted by telephone, in confidence on xxxxxxxxxxxx

Please contact me directly should you have any queries in relation to the above.

Yours sincerely

Line Manager

Copy to: HR Consultant

STRICTLY CONFIDENTIAL

Dear X

**MANAGING HEALTH AND ATTENDANCE PROCEDURE
OUTCOME OF STAGE 3 ABSENCE MEETING**

Thank you for attending the above meeting held on (date) to discuss further the situation regarding your *short term/long term sickness absence(s)*.

I am writing to confirm the outcome of the meeting. At the meeting we discussed (*include summary of discussion*).

We also heard from your representative (name) (*include summary of comments*)

The panel considered all the facts presented which included:-

- The detail of your role
- Absence record
- Financial/operational costs/impact of your absence on the school
- Occupational Health information (*up to date*)
- Reasonable adjustments (*if applicable*)
- Consideration of redeployment (*if applicable*)
- Return to work date (*if applicable*)
- Ill Health Retirement (*if applicable*)

The Panel came to the decision to dismiss you from the *School/Council's* service on the grounds of your lack of capability due to ill health. You will receive *xx months/ xx weeks'* notice on full pay and your last day of service will be (*date*) (*confirm date as per notice period on contract*). You will be paid for any outstanding annual leave. (*if applicable*)

You have the right of appeal against this decision. If you wish to appeal you must do so in writing detailing the grounds for the appeal and send this to me, within 5 working days after the date of the receipt of the dismissal letter.

Yours sincerely

.....(*Title*)
(*Chair of the meeting*)

Copy to HR Consultant

STRICTLY CONFIDENTIAL

Dear x

MANAGING HEALTH AND ATTENDANCE PROCEDURE
OUTCOME OF STAGE 3 ABSENCE MEETING

Thank you for attending the above meeting held on (date) to discuss further the situation regarding your *short term/long term sickness absence(s)*.

I am writing to confirm the outcome of the meeting. At the meeting we discussed (*include summary of discussion*).

We also heard from your representative (name) (*include summary of comments*)

The panel considered all the facts presented which included:-

- The details of your role
- Absence record
- Financial/operational costs/impact of your absence on the school
- Occupational Health/Medical information (*up to date*)
- Reasonable adjustments (*if applicable*)
- Consideration of redeployment (*if applicable*)
- Return to work date (*if applicable*)
- Ill Health Retirement (*if applicable*)

* The Panel came to the decision to keep the matter under review for a further period (*date to be confirmed*), at the end of which a further meeting will take place.

*The Panel gave consideration to your redeployment to a suitable alternative role (*if available within the school*) following consultation and with advice from Occupational Health (* *please delete as appropriate*)

Yours sincerely

.....(*Title*)
(*Chair of the meeting*)

Copy to HR Consultant

STRICTLY CONFIDENTIAL

Dear x

MANAGING HEALTH AND ATTENDANCE PROCEDURE
INVITE TO APPEAL MEETING

Further to your request to appeal against your termination of employment, I am writing to inform you that your appeal will be heard on *(insert date, which should give 10 working days' notice)* at *(insert time)* in *(insert venue)*. This meeting will be conducted by *(insert names of Appeal Panel members)* (2 members of the Governing body) and a representative from Human Resources will be present as an adviser.

The procedure for this meeting is outlined in Section 4.5 of the Managing Health and Attendance Policy for Schools, a copy of which is attached for your information.

You have a right to be accompanied to the meeting by one person who may be a work colleague within the School or a trade union official.

Should you or your representative have a disability and require any reasonable adjustments for the meeting, please advise me as soon as possible, so that I can make arrangements accordingly.

Should you not attend this meeting, send a representative to attend on your behalf or make a written submission, the Appeal Panel may conclude that you have decided not to proceed with your appeal.

I enclose a written response to your grounds for appeal and supporting documents for consideration at the meeting. Should you wish to submit written information to the meeting please send this to me no later than 5 working days in advance.

The decision of this appeal meeting will be final and there will be no further right of review. You will be notified of the outcome of the appeal meeting in writing no later than 5 working days after the decision has been made.

Should you have any queries in relation to the above, please contact me on the above telephone number.

Yours sincerely

Chair of Appeal Panel

Copy: HR Consultant

STRICTLY CONFIDENTIAL

Dear x,

MANAGING HEALTH AND ATTENDANCE PROCEDURE
OUTCOME OF APPEAL MEETING

I am writing to confirm the decision taken by the Panel who conducted your appeal meeting on (date). At the meeting you appealed against the decision of the *Stage 3 Sickness Absence* meeting to dismiss you (terminate your contract of employment). You were represented at the meeting by (name) from (provide details).

You presented your grounds of appeal and management explained the reasons for their decision to dismiss you and also their response to your grounds of appeal. (*insert summary*)

The Appeals Panel considered your grounds of appeal. (*insert summary*)

Having considered your representation the Appeal's Panel adjourned to consider all the information presented.

On reconvening the meeting we informed you that the decision to dismiss you stands. The Appeal's Panel's rationale for this is (*insert rationale*)

You have now exercised your right of appeal under the Schools Managing Health and Attendance Policy and this decision is final.

Yours sincerely

Chair of Appeal Panel

Copy to HR Consultant

STRICTLY CONFIDENTIAL

Dear x,

MANAGING HEALTH AND ATTENDANCE PROCEDURE
OUTCOME OF APPEAL MEETING

I am writing to confirm the decision taken by the Panel who conducted your appeal meeting on (date). At the meeting you appealed against the decision of the *Stage 3 Sickness Absence* meeting to dismiss you (terminate your contract of employment). You were represented at the meeting by (name) from (provide details).

You presented your grounds of appeal and management explained the reasons for their decision to dismiss you and also their response to your grounds of appeal. (*insert summary*)

The Appeal's Panel considered your grounds of appeal. (*insert summary*)

Having considered your representation the Appeal's Panel adjourned to consider all the information presented.

On reconvening the meeting we informed you that the decision was reached to uphold your appeal against dismissal. The Appeals Panel rationale for this is (*insert rationale*)

You are reinstated back to work with immediate effect.

You have now exercised your right of appeal under the Schools Managing Health and Attendance Policy and this decision is final.

If there are any questions or support you require please contact your line manager in the first instance.

Yours sincerely

Chair of Appeal Panel

Copy to HR Consultant

NOTES OF ABSENCE MEETING

Name	
Representatives Name	
Managers Name	
Date	
Meeting	
Venue	

Points Discussed (e.g. frequency and reason for absence; advice from Occupational Health evidence; level of concern; review of support and reasonable adjustments; likelihood and timescale for sustained return to work; any work related problems; new/further reasonable adjustments; referral to OH)

Action Plan Agreed

Targets for Improvement Agreed/Date for Return to Work

Agreed Review Period

Date of Review Meeting

Signed (Employee)

Signed (Manager)

