

ST JAMES' CATHOLIC HIGH SCHOOL

MANAGING SICKNESS ABSENCE

This document refers to the responsibilities of the Headteacher – in some instances this responsibility may have been delegated to another appropriate senior member of staff.

Policy Statement

1. The procedures relating to the management of sickness absence have been designed to assist employees in their recovery and return to work. The guidelines have been formulated to ensure that a consistent approach is adopted, whilst recognising the need to take individual circumstances into account and acknowledging that employers varied responsibilities for staff e.g. Health & Safety at work issues. It is essential that before any action is considered there has been a thorough investigation of the circumstances surrounding absence. The procedure is not designed to be punitive.
2. Employees are entitled to expect to be treated on a fair and equal basis. Headteachers are equally entitled to be firm when dealing with any abuse of the system. Employees may be accompanied by their professional association or trade union representative during the formal interview stages of the procedure, and will be informed of their right of representation at the formal stages of the procedure. Employees will be given 7 days notice of meeting held within formal stages of the procedure.
3. Headteachers and others who have responsibilities in relation to this policy will be given training and guidance to ensure that the necessary skills are developed and appropriate procedures are properly understood.

Key Points

1. Headteachers will determine the appropriate person to carry out the various stages of the procedure.
2. Headteachers will ensure that records of sickness absence are kept and available to enable individual absence problems to be identified at an early stage. Accurate records of all absences will assist in the development of a fair and consistent approach to work attendance. Staff will have the right to access their absence record.
3. Before any formal action is taken in cases where absence is considered to be a problem, whether short or long term, the Headteacher's concern must be brought to the attention of the employee at informal discussions, which will be conducted sympathetically.
4. At the informal stage, counselling may, in many cases, provide a satisfactory means of resolving the problem and avoid the need for

formal action. The Council's Welfare Officer can assist if the issues are particularly sensitive.

5. Wherever possible the Headteacher will arrange for staff to be interviewed by a different manager where they (the member of staff) prefer.
6. At the time of holding an absence interview or a formal interview with an employee it will be sensible to agree periodic reviews of progress and a timescale for subsequent meetings.
7. The referral of an employee to the Occupational Health Unit is featured in the procedure. All referrals to the OHU must be undertaken in the knowledge of the Headteacher and the employee. All referrals to the OHU must be undertaken by the Education Personnel Section.
8. If at any point in the informal stages of the procedure, the employee is unhappy about the way in which his / her absence is being handled s/he may invoke the school's grievance procedure. The appeal process is available during the formal stage.
9. The School's Disciplinary procedure should only be used where absences are considered misconduct.
10. Action in relation to absence is not automatic; each case should be dealt with and judged on its specific circumstances.

Procedure

The successful management of absence will depend on the following:

- i. Consultation and discussion with the employee
- ii. Proper investigation of all the circumstances taking place.
- iii. The School acting reasonably and taking account of the circumstances of each case.

Formal Interviews

The employee must be given 7 days notice of the meeting and the fact that they have a right of appeal must be pointed out during the meeting.

1. Short Term Absence

It is accepted that employees may have the occasional short-term absence. However, cause for concern can arise where the frequency of such absence is considered to be excessive.

1.1 Monitoring Short Term Absence

- i. It is essential that absence be monitored at an individual level in order to identify absence, which requires further investigation and

discussion. Monitoring also ensures that any action, which is taken, is reasonably consistent.

- ii. Any informal discussion should take place immediately after each absence.
- iii. It is impossible to specify an acceptable level of absence, as this will depend on many factors, including occupation and working environment. To ensure that the Headteacher considers absence issues at broadly similar levels, a level of 10 days absence or 5 separate occasions in any 12 month period would generally prompt an investigation and an absence interview, unless there are clearly understood and acceptable reasons for not doing so.
- iv. This does not mean that any action in relation to absence is automatic. This will depend on the circumstances of the case and will only take place after full discussion with the individual, as outlined below.

1.2 Managing Short Term Absence

a) Informal Discussion (refer to 1.1 (iii) above)

i. The Headteacher will review the employee's absence record and upon return to work after absence, the Headteacher will discuss the absence with the employee at the earliest opportunity. The same process will occur after every absence, with the Headteacher determining the level of concern dependant upon the circumstances, amount and / or frequency of absence. The discussion will allow ample opportunity for the employee to explain their situation. The employee may be accompanied by a trade union or other representative.

ii. Counselling at this stage may provide a satisfactory resolution in certain circumstances. The Council's Welfare Officer may be called upon for assistance.

iii. A brief note of facts emerging from the discussion(s) may be kept by the Headteacher and a copy given to the employee.

b) Absence Interview

The decision to hold an absence interview with an employee is a matter for the Headteacher. An absence interview will not be undertaken unless there has been an informal discussion with the employee. The Headteacher must consider the need for an absence interview when the trigger points are reached. Trigger points have been given for guidance in 1.1 (iii) above.

The employee must be informed of the right of representation. At the meeting it will be necessary to:-

- i. Present to the employee the information relating to the absence(s).

- ii. Explain to the employee the effects that the absences have upon the school and colleagues.
- iii. Explore and discuss the reasons for the absence(s), taking into account the factors, which may affect attendance.
- iv. Agree with the employee that s/he should be referred to the Occupational Health Unit, where absences are due to the same and / or similar medical reasons.
- v. Listen to representations from and on behalf of the employee.
- vi. Agree the need for further monitoring of the sickness record and set a review period, which may be 3 months or longer; there may be more than one review period before further action is considered necessary.
- vii. Ensure the employee fully understands the level of improvement sought and that the consequences (of failing to improve) may be that it will be considered at the second stage of the formal procedure.
- viii. Consider the possibility of alternative employment if the working environment is a contributory factor, seeking the advice of the Occupational Health Unit.

It is not appropriate at this stage to issue a written warning although it would be appropriate to confirm the outcome of the interview in writing to the employee.

If other factors are affecting attendance, the following action may be appropriate.

Personal Circumstances: (e.g. financial problem, relationship breakdown, bereavement, illness of close friend / relative, accommodation problems, childcare difficulties and other work related issues which may cause emotional stress) – liaise with and / or direct individuals to the Personnel Section, Welfare Officer or other specialist agency for advice and counselling. This can be supported by granting time off (with or without pay under the terms of the leave of absence procedure) during working hours or temporarily adjusting working patterns, if appropriate.

Alcohol / Drug Dependency: should be dealt with in accordance with the Council's policy on these issues.

Job related issues: (e.g. changes in working routine, increased workload, conflict with colleagues, change in working environment) – The Headteacher will explore options, which may alleviate the problem identified.

If the working environment is a contributory factor, the Headteachers will consider what improvements could be made before the possibility of alternative employment is explored.

c) Formal Interview(s)

Absence will not be considered at this stage unless the matter has been previously considered at the first stage (discussion(s) and absence interview).

After the agreed review period(s) 1.2 (b) (vi), a formal interview should be arranged to review the absence record during the period and any reports provided by the OHU. It may be that the employer is not going to be fit to resume work and is likely to be retired on the grounds of ill health. If the OHU recommends retirement on the grounds of ill health and the employee agrees, then mutually acceptable arrangements can be sought from the Pensions Agencies.

If there is no such recommendation from the OHU, the following action in relation to this stage should be undertaken by reference to the details contained within the agreed disciplinary procedure. The employee must be informed of the right of representation.

- i. After the agreed review period, a formal interview should be arranged to review the absence record during the period. If the improvement is insufficient or non-existent the employee should be given a written warning requiring a specified improvement and given a review period of not less than 3 months.
- ii. At the end of that review period, the employee should be formally interviewed. If the improvement is insufficient or non-existent the employee should be given a final written warning. This warning will require a specified improvement with a further review period of not less than 3 months. The employee must also be informed that failure to improve may result in dismissal.
- iii. At the end of this further period the employee should be formally interviewed again. If the improvement is insufficient or non-existent, the letter requesting the interview should inform the employee that dismissal will be a possible outcome.
- iv. Before the decision is taken to recommend dismissal to the Local Education Authority, the Headteacher and LEA will consider the possibility of alternative employment. If no suitable alternative employment is available or an offer is refused, the employee should be dismissed with full reference to the rights afforded within the School's Disciplinary Procedure.

2. Long Term Absence (Continuous absence which exceeds six weeks).

The management of the absence will depend on the nature of the condition as long-term absence may result from a long-standing medical condition or be due to a sudden severe illness or disabling injury.

It is the Headteacher's responsibility to maintain contact with the employee and provide general welfare support throughout the period of absence. The

Council's Welfare Officer can assist at any stage if the issues are particularly sensitive.

After six weeks absence, employees should normally be referred to the Occupational Health Unit by the Education Personnel Section in the knowledge of the Headteacher and employee. The referral can be earlier if appropriate.

Employees may be accompanied by a trade union or other representative at any stage.

2.1 Managing Long Term Absence

First stage

- i. Following receipt of the report from the OHU, the Headteacher must assess the likely duration of the absence taking account of the comments of the OHU and the employee.
- ii. verify the employee's previous sickness record and the details of the current absence.
- iii. Assess the implication of the absence on the school, the work group and the budget.
- iv. if appropriate, consider the possibility of suitable alternative employment seeking the advice of the OHU.
- v. In some cases it may be clear at this stage that the employee is not going to be fit to resume work and is likely to be retired on the grounds of ill health. If the OHU recommends retirement on the grounds of ill health and the employee agrees, then mutually acceptable arrangements can be sought from the pensions agencies.

Second stage

This stage may be reached approximately 3-4 months into the absence. The Headteacher will have continued to maintain supportive contact and have provided support to the employee. It may be that the employee is not going to be fit to resume work and is likely to be retired on the grounds of ill health and the employee agrees, then mutually acceptable arrangements can be sought from the Pensions agencies.

If the absence is likely to continue with little or no prospect of the employee being fit to resume work a meeting should be arranged with the employee. The employee must be given 7 days notice of the meeting and the fact that they have a right of appeal must be pointed out during the meeting. The employee will be informed of the right of representation.

The following options will be discussed during the meeting:

- a) review again in a specific period (1,2, 3 months) pending further medical reports.
- b) Discuss ill health retirement giving details of benefits.
- c) Inform the employee that continued absence is likely to result in dismissal on the grounds of incapability due to ill health. Confirm the information in writing.

Third stage

After seeking the advice of the OHU, the possibility of suitable alternative employment must be considered before the decision to dismiss is taken.

If dismissal is considered to be the appropriate outcome, the employee should be dismissed with full reference to the rights afforded within the School's Disciplinary Procedure.

NOTES

1. Any decision to dismiss must be taken by the Chief Education Officer in consultation with the Headteacher and Governors of the school. The decision to dismiss must be based on all the information available, including the advice of the OHU and any medical specialist involved and after considering the possibility of alternative employment.
2. Employees do not have a 'right' to expire their entitlement to occupational sick pay (full and half pay) before their employment is terminated.
3. The Disciplinary Procedure should be used where absences are considered to be misconduct otherwise any dismissal will be on the grounds on incapability due to ill health.

Approved May 2002

To be reviewed March 2007

Addendum to
CATHOLIC EDUCATION SERVICE
MODEL SICKNESS ABSENCE PROCEDURE
FOR SCHOOLS WITH DELEGATED BUDGETS (2004)

Agree trigger points for the investigation of Sickness or Sickness Review with the Governing Body and ensure that all members of staff are aware of them, e.g. three separate absences in any rolling twelve-week period;