



Carlton Academy Trust Attendance Management Policy

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| Ratified Date | Sept 2020 |
| Signed on behalf of trustees | R Butterfield |
| Signed on behalf of the CEO | A Kneeshaw |
| Review Date | Sept 2023 |

Attendance Management Policy Statement and Aims

Carlton Academy Trust is committed to maintaining the health, safety and welfare of its staff, provide a positive and healthy working environment and recognises the value of the employee's work/life balance. Regular attendance at work is part of every employee's contract of employment. However, it is recognised that employees will on occasion have genuine and acceptable health reasons to be absent from work and on those occasions the school will aim to do everything reasonably possible to support an employee during the period of absence, with the aim of assisting their return to work at the earliest opportunity.

The overall aim of this policy is to minimise absence levels across the school, and to provide information on how the school may support those employees who are unable to attend work due to ill health. It aims to provide a fair and consistent framework for managing attendance and should inform all employees of their responsibilities regarding attendance at work.

In accordance with its obligations under the Equality Act (2010), the trust will make reasonable efforts to allow employees with a disability to continue their employment.

The Trusts' Responsibilities

- To inform employees of attendance management procedures including the conditions of the sick pay scheme.
- To record, monitor and manage absence.
- Support staff during periods of absence.

Employee Responsibilities

- To attend work when fit to do so.
- To comply with the trusts' absence procedures.
- To maintain appropriate contact with the trust and to attend meetings when required during periods of extended absence.
- To attend occupational health appointments or similar when requested.

Reporting Sickness Absence

These procedures ensure the trust has the necessary arrangements to efficiently and effectively cover absence.

Failure to follow procedure may result in sick pay being withheld and/or the absence being treated as an unauthorised absence in accordance with the school's disciplinary policy.

On each day of absence, staff must contact the relevant person/s at the school by no later than 7 am for teaching staff and 7:30 am for non-teaching staff, detailing the reason for their absence. If the absence persists, then this reporting procedure should be followed each day until the requirement to be covered by a Doctor's fit note for absence's greater than one week.

Sick Pay

Sick pay entitlement is made on the basis indicated in terms and conditions of employment.

If the trust is concerned that the reason(s) given for the employee's absences are not genuine, they may commence an investigation to address these concerns. The trust reserves the right to withhold sick pay in specific circumstances when it has reason to believe absence is not genuine.

Absent employees must not participate in any other form of work (paid or unpaid) during their normal working hours without the prior authorisation of the trust.

Statutory Sick Pay (SSP)

In order to qualify for SSP an employee must:

- Be sick for at least four or more consecutive days (including weekends and bank holidays); and
- Earn an average of not less than the Lower Earnings Limit for National Insurance Contributions (NIC).

SSP is paid by the school for up to a maximum of 28 weeks.

Elective/Non-Essential Surgery

There is no entitlement to time off for elective/non-essential surgery. All requests will be forwarded to the central trust HR team, with a decision made according to prevailing business need. Where granted, this leave will be unpaid.

Returning to Work

All staff absent for more than 5 working days should provide a 'Fit Note'. The Fit Note may prescribe certain conditions which would allow a member of staff to return to work which could include:

- A phased return to work
- Flexible working
- Amended duties
- Workplace adaptations

These conditions should be discussed with the trust as soon as reasonably possible, who will consider these requests in the context of maintaining operational efficiency and education standards.

Occupational Health

The trust may refer the employee to occupational health who will help advise:

- The employees' ability to carry out their role, perform alternative duties, and when they may be able to return to work.
- Whether they come under the provisions of the Equality Act (2010), and if any adjustments or modifications could be made to assist them in carrying out their role

The trust has a duty of care to its employees to consider all appropriate support options including reasonable adjustments or phased returns to work.

Return to work interview

All staff will be asked to attend a return to work interview.

The interview aims to:

- Welcome the employee back to work.
- Informs them of any changes during their absence.
- Provide reassurance that the employee is completely fit for work or needs extra support.
- Demonstrate the trusts' commitment to monitoring the health and well-being of its employees.
- Identify any requirement for an occupational health referral.
- Inform staff when they have breached or close to breaching absence trigger points and the potential consequences of this.

Attendance Review

The trust has pre-determined review points which informs when employee's attendance has reached a point where there may be cause for concern. The following review points are in place to monitor employee attendance:

- Five consecutive days' absence.
- Three or more separate absences in a rolling six-month period.
- Five days total absence in a rolling six-month period.
- Seven or more day's sickness absence in any 12-month period.
- Four weeks' continuous sickness absence.
- When operational need dictates or patterns of absence causes concern.

Stage 1 Absence Meeting

Staff will be provided with at least three day's written notification of this meeting, which is designed to investigate the reasons for absence. Any evidence or documentation that the employee wishes to be considered should be submitted prior to the meeting.

Employees have the right to be accompanied by a trade union representative or work colleague not involved in the case.

Potential outcomes:

- Stage 1 Warning issued and explanation that a continued failure to meet attendance targets will result in a Stage 2 Absence Meeting.
- Extension of informal monitoring
- No further action is required at this stage

The meeting will be formally recorded, with details forwarded to the employee.

Stage 2 Absence Meeting

Employees will be provided with at least three working days' written notice of this meeting. They have the right to be accompanied by a trade union representative or work colleague not involved in the case.

Potential outcomes:

- Stage 2 warning issued and explanation that a continued failure to meet attendance targets will lead to a Stage 3 Absence Hearing.
- Extension of monitoring and support within Stage 1 of the formal process
- No further action is required at this stage

The meeting will be formally recorded, with details forwarded to the employee.

Stage 3: Absence Hearing

This meeting considers whether the employee should continue to be employed by the trust. Employees will be provided with at least five days' notice in writing of this meeting, outlining the following:

- The stage reached in the process.
- Nature of concern/s.
- When, where and who will be attending the meeting.
- The right to be accompanied by a trade union or work colleague not involved in the case
- The requirement for any medical evidence or documentation to be provided at least two working days prior to the hearing.

Potential Outcomes

- An extension of monitoring and support within Stage 2 of the formal process
- Termination of employment.

If employment is terminated, this will be confirmed in writing. This letter will also inform the employee of their rights of appeal.

Appeals

Any appeal arising as a result of a warning or dismissal must be made in writing within five working days of receipt of the outcome letter. There is no further right of appeal if the original decision is upheld at the appeal hearing.

Long Term Sickness Absence Management

This relates to employees who are, or reasonably expected to be, absent from work for four or more weeks (including any period of holiday), or where the employee has been unable to sustain regular and sustained attendance due to a long-term condition.

The trust will maintain appropriate contact with the employee, which may include regular review meetings to discuss their continuing absence and any reasonable adjustments to assist the employee in returning to work. It is a contractual requirement that the employee co-operate with the school during such periods of absence.

Medical Suspension

It may be necessary to medically suspend an employee to protect their health or that of other staff and/or students.

In such cases:

- The suspension will be for no longer than necessary and the trust will confirm the arrangements in writing.
- The decision to suspend may only be taken by a CEO, Head of School, or Deputy Headteacher nominated by either Head of School or CEO. Only the CEO has the power to suspend a Head of School, with the Chair of Trustees responsible for suspension of the CEO and informing other trustees of this decision.
- While the employee is suspended, they should not visit the site or contact any of its students, parents, trustees or members of Local Governing Bodies (LGB's) unless authorised to do so by HR, Head of School or CEO.
- Every effort will be made to avoid lengthy periods of suspension. The decision to suspend and the conditions of suspension will be reviewed at appropriate intervals and the employee will be updated as and when necessary.

Medical Capability

Medical capability may be considered when an employee will not be able to return their role within a reasonable period

Prior to a medical capability hearing, the following will have been discussed in an Absence Meeting:

- The details of their absence and if the employee may be able to return to work
- Any reasonable adjustments made or considered.
- Any redeployment options that have been considered within the trust.
- Professional medical advice

The employee has the right to be accompanied at this meeting by a trade union representative or work colleague.

If, following the preliminary meeting, the trust deems that the employee is not able to return to work within a reasonable period of time and provide services in accordance with their contract of employment, they will be invited to a Medical Capability Hearing.

Medical Capability Hearing

Employees must be provided with at least five working days' written notice of this meeting. The meeting will consider if the employee is unfit to meet their contractual obligations, return to work, or reasonably determine when an employee can return to work.

The hearing may still go ahead if the employee fails to attend the meeting. If there is no medical evidence to consider due to an employee's failure to attend occupational health, a decision will be made based upon the information presented at the Hearing. Any documentation the employee wishes to be considered should be submitted with at least 2 working days prior notice to the hearing.

The employee has the right to be accompanied by a colleague or trade union representative.

There may be situations where medical evidence provided from a member of staff conflicts with the medical evidence obtained by the trust from Occupational Health or similar. In these circumstances, the trust has the discretion to either follow the evidence provided from either source as they deem appropriate, or to obtain another opinion from a suitably qualified medical professional.

If the decision is made to dismiss, the employee will be informed of this in writing and their rights of appeal.

Appeals

Any appeal arising as a result of a Medical Capability Dismissal must be made in writing within five working days of receipt of the outcome letter. Additional medical evidence may be presented at this meeting. Decisions will be confirmed in writing and there is no further level of appeal beyond this stage.

Redeployment and Ill-Health Retirement

It may be appropriate to redeploy an employee to an alternative role within their individual school or across the trust.

When an employee is permanently unable to continue their current or comparable role, they may be considered for ill-health retirement. Appropriate professional advice will be sought to inform these decisions, and where relevant, the trust will follow established procedures to achieve this objective.