

Trust Policy

Health and Attendance

Policy type	Trust wide
Review	Three yearly
Author/Responsible Officer	Deputy CEO Operations
To be ratified by	Finance, People and Operations Committee
Approved by	Mike Bailey
Date of ratification	August 2021
Date of next review	Autumn 2024

This policy is a mandatory policy for all DSAMAT Academies and must be implemented without any amendments

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Our mission, vision and values

The Trust has a clear **mission** at its core, ensuring that all pupils are enabled to flourish, rooted in God's Love - academically, socially, spiritually, physically and mentally. This is central to our work, and rooted in our Christian foundation (John 10 v 10). Our commitment to mutual flourishing within the school community is built upon our shared belief in Church of England principles. In our Trust, just as in the wider Church of England community, 'flourish' refers to prospering, thriving and growing – not shrinking out and dying. It means prayerfully encouraging all within our schools so that they might prove fruitful, successful and contented in the longer term. We seek to provide space generously for all to flourish in life and all of its structures. Equitable treatment for all pupils, staff and the wider community is a core part of enabling this long term, holistic flourishing.

We have a clear **vision** about creating successful schools for the benefit of their communities. We expect any school in the Trust to continuously improve, and those graded by OFSTED as RI/Serious Weaknesses/Special Measures to make rapid progress and be able to secure an OFSTED grading of at least "Good" within 3 years post-conversion. All schools provide rich and diverse curricula which evolve to meet the needs of their children and local communities, as well as delivering educational excellence to enable them to continue to flourish in later life.

The way we work and deliver against our mission is critical to our Trust. We have shared, agreed **values** of:

Hope; Nurture; Equality; Respect; Collaboration

The Trust's vision is underpinned by a Christian values framework which is adopted by all schools. It provides clear expectations for all Trust employees on how we wish our values to impact on all areas of school life. It draws on, and is informed by, the National Church of England Vision for Education and the Diocesan Board of Education Vision.

Each school within the Trust has a personalised vision for education, developed locally to reflect the individual character and needs of the school community. This vision is underpinned by the Trust's wider vision, and agreed with the Trust, but it is owned and driven by the headteacher and their LGB.

Our community

The Trust are dedicated to delivering education that serves local communities. Our schools are inclusive, welcoming those from all and no faiths, from all abilities and backgrounds. We believe in providing a high-quality education, underpinned by Christian values, which enables every child to flourish.

Underpinning all of the Trust's work is a belief in educational excellence. The Trust serves all stakeholders by providing schools with the highest levels of academic rigour and pastoral care.

Our schools are places where children and young people develop and thrive intellectually, socially, culturally and spiritually. All of the Trust's schools teach a broad and balanced curriculum within

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national guidelines focusing on core skills. This is designed to ensure that all pupils reach their academic potential and seek to enrich their experience along the way. Pupils will be enabled to succeed in an atmosphere of high expectation, aspiring to educational excellence with a firm foundation of values.

This policy forms part of our Trust governance and ensures that we are held to the highest standards as we carry out our duties.

Statement of Intent

This is the Diocese of St Albans Multi-Academy Trust (DSAMAT) Health and Attendance policy and must be implemented and adhered to in each of the academies within the Diocese of St Albans Multi Academy Trust along with those working within the central team.

This policy will also be implemented and adhered to from the first day of any other academy joining the Trust. For the remainder of this document, the Diocese of St Albans Multi Academy Trust will be referred to as DSAMAT.

Please read the DSAMAT Staffing Policy Statement in conjunction with this policy.

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1. Introduction

- 1.1. DSAMAT recognises its responsibility for the health, safety and welfare of its employees. This Health and Attendance Policy sets out the process for reporting sickness absence and for the management of sickness absence in a fair and consistent way. This policy places emphasis on proactive support for staff in the event of ill health difficulties.
- 1.2. Sickness absence can vary from short intermittent periods of ill-health to a continuous period of long-term absence and have a number of different causes (for example, injuries, recurring conditions, or a serious illness requiring lengthy treatment).
- 1.3. Sickness absence may result from a disability defined in the Equality Act 2010. Reasonable adjustments to this procedure may be considered in appropriate cases, depending on the specific circumstances. HR advice should be obtained where the line manager considers the employee is likely to have a disability.
- 1.4. DSAMAT has standards for attendance for employees, as it does for pupils, and measures will be taken to monitor and respond to actual and potential problems.

2. Management Responsibilities

- 2.1. It is the responsibility of the Chief Executive Officer (CEO) and all levels of management to ensure acceptable levels of attendance are achieved and to raise awareness of the effect of sickness absence levels on the quality and continuity of teaching and learning and other aspects of the effectiveness of the work of the DSAMAT.
- 2.2. Leaders and line managers have a clear obligation placed on them to identify and address problems in the work environment and/or job factors that may be contributing to staff absence.
- 2.3. In normal circumstances, managers with authority to conduct sickness absence related meetings are as follows:

Return to work interviews	Line Manager/Headteacher
Informal sickness absence meetings	Line Manager/Headteacher
Stage 1 meeting (and stage 1 appeals)	Headteacher for school-based staff and HR Team for central team staff
Stage 2 meeting	DCEO for school-based staff and for central team staff

3. Employee Responsibilities

- 3.1. Employees must attend work when fit to do so.
- 3.2. All employees, including those who are in a probationary period, must follow the DSAMAT notification of Sickness Absence procedures.

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- 3.3. An employee who is prevented by illness or injury from reporting for duty shall personally notify their Line Manager as soon as possible by telephone as early as possible on the first day of absence and in conjunction with school specific procedures. The following details should be provided:
- a) The nature of the employee's illness/injury
 - b) The expected length of absence from work
 - c) Current contact details
 - d) Any outstanding or urgent work that requires attention / Cover work as appropriate
- 3.4. If an employee does not report for work, and has not explained the reason for absence, then the employee should expect to be contacted by telephone, email, letter or text during the period of absence by the employee's line manager, who will want to enquire after the employee's health and be advised, if possible, as to the employee's expected return date. This must not be treated as a substitute for reporting sickness absence. Absence that has not been notified in accordance with the sickness absence reporting procedure will be treated as unauthorised absence.
- 3.5. All employees must complete a self-certification form detailing the reason for absence for any period of sickness absence up to seven days. The self-certification form can be obtained from the HR resources area within your site and must be completed immediately on return to duty and returned to their Line Manager.
- 3.6. A medical certificate (a 'Statement of Fitness for Work' hereinafter called a 'Fit Note') must be provided from the eighth day of absence (including Saturdays and Sundays). This should be provided to the line manager as soon as possible and, if absence continues further, Fit Notes should be provided to cover the whole period of absence. Failure to do so may result in non-payment of sick pay (where applicable) and/or disciplinary action if appropriate.

Employees must continue to submit Fit Notes during school closure periods. The Line Manager may take a copy of the Fit Note for their records and return the original copy to the employee.

- 3.7. We may recommend attendance for Occupational Health (OH) or other medical appointment/examination by a registered medical practitioner nominated by the Trust. We would suggest and encourage this where we feel it would support our employees.

3.7.1. Where an employee repeatedly fails to attend a recommended appointment, appropriate action may be taken accordingly.

4. Sickness Absence Monitoring

- 4.1. Levels of sickness absence will be monitored. The average number of working days lost due to sickness per full time equivalent employee will be recorded and areas where the work, in particular the continuity of teaching and learning, is being affected by absence levels will be

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identified. This will include a breakdown of total absence into long-term and short-term absence (normally more than 28 consecutive days) and reasons for absence. The information will be reported to the Board of Trustees on an anonymised basis.

5. Reimbursement of Cost of Doctors' Statements.

- 5.1. Where the DSAMAT requires a medical certificate ('Fit Note') from an employee, the DSAMAT will, on provision of a receipt, reimburse the employee if a charge is made for the Fit Note.

6. Illness or Injury Arising from Work

- 6.1. Any accident arising out of, or in the course of, employment with the DSAMAT must be reported and recorded in accordance with the required procedures. The accident may be subject to investigation and reported by an employee authorised for this purpose by the Trust.
- 6.2. Where an employee seeks medical advice about an illness which is suspected or alleged to result from the nature of his or her employment, the employee must report relevant information to their Line Manager at the first opportunity.
- 6.3. In the case of the first, and any subsequent, absence due to industrial disease or accident an employee shall agree, at any time during such absence, if so required by the employer, to a medical examination by a registered medical practitioner nominated by the Trust.

7. General Return to Work Arrangements

- 7.1. If the employee returns to work with a Fit Note which states 'may be fit for work', the employee should notify their line manager immediately. The advice on the note will be discussed together with any additional measures that may be needed to facilitate the employee's return to work, taking into account the doctor's advice and the nature of the employee's duties.
- 7.2. Consideration will be given as to how the advice impacts the employee, the job, the workplace, service delivery, pupils and colleagues. Each situation will be considered on a case by case basis. The doctor's comments, any of the return to work tick boxes and any other action that could facilitate a return to work will be considered with due regard to the Equality Act 2010. Options may include:
- Phased return to work
 - Altered hours
 - Amended duties
 - Consideration of redeployment
 - Workplace adaptations

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– Other reasonable adjustments

- 7.3. If a return to work is possible, the agreed action plan will be documented and implemented. If it is not possible to provide the support suggested by the doctor, the employee will remain on sick leave and will not normally need to return to their doctor to obtain a revised Fit Note unless this is required in the circumstances. A review date will be set.
- 7.4. Consideration will be given as to whether a risk assessment is required to ensure the health and safety of the employee in light of the reason for their ill health, for example a stress, ergonomic or more general risk assessment may be required.
- 7.5. The employee may return to work before the expiry of a Fit Note without going back to see their doctor, even if their GP has indicated that they need to assess them again. This will not breach the DSAMAT's Employer's Liability Compulsory Insurance, providing a suitable risk assessment has taken place if required.
- 7.6. Phased returns

- 7.6.1. Where an employee returns to work on a part time basis, following long-term sickness absence, with the expectation that they will be able to work their full contractual hours (or other such amended contractual hours as agreed) within a reasonable period of time, normally a maximum of four weeks, then, in accordance with medical advice provided by the Occupational Health doctor or the Fit for Work service, the following arrangements will normally be made in relation to pay:
- Where the employee has exhausted their sick pay entitlement, the salary payment made will be based on the number of hours worked during the phased return.
 - Where the employee has not exhausted their sick pay entitlement, the employee will be paid in accordance with the number of hours worked, or the occupational sick pay entitlement that would be payable if the employee remained off work due to sickness absence, whichever is the greater amount.

8. Unauthorised Absence/False Information

- 8.1. Unauthorised absence will be dealt with under the disciplinary procedure and could result in disciplinary action which may include dismissal.
- 8.2. The provision of any false information will be dealt with under our disciplinary procedure and could result in disciplinary action, which may include dismissal.

9. Informal Procedure

- 9.1. Return to Work Discussion

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- 9.1.1. The Line Manager will normally have a discussion with the employee on their return from a period of sickness absence. The purpose of this discussion is to determine the reason for the absence and, where appropriate, offer assistance and support. It is also an opportunity to identify any difficulties that the employee is experiencing in carrying out the duties of the post and gives the employee an opportunity to raise any concerns or questions and bring any matters to the Line Manager's attention. The return to work discussion should be held in private as soon as possible after a period of sickness absence, though it need not be long. When a note of the matters discussed at the meeting is made to record any action points, the employee will be provided with a copy.

9.2. Informal Sickness Absence Meetings

- 9.2.1. Informal sickness absence meetings may be arranged with employees whenever it is considered necessary including, for example, if an employee has had:
- Four periods or 10 or more working days absence within a rolling six-month period
 - all long-term absence, over 28 consecutive days or
 - unacceptable patterns of absence (e.g.: regular Friday and/or Monday absences; repeated absences linked to holidays)
- 9.2.2. In preparation for the meeting the Line Manager may, when appropriate:
- Consider the statistical data on levels and types of sickness absence for all staff to ensure consistency
 - Confirm that an unsatisfactory level of attendance has been reached, depending on the circumstances, or that the record shows a pattern of absence or some other factual data which identifies the cause for concern
 - Consider the job description and the impact of the absences on other employees and the work of the Academy and the Trust
- 9.2.2. The purpose of the meeting is to agree a way forward, any action that will be taken and a timescale for review and/or a further meeting under the sickness absence procedure if this is required.
- 9.2.3. The Line Manager will, in normal circumstances, use the sickness absence meeting proforma at Appendix A as the agenda for the meeting and will record salient points. The employee will be given a completed signed copy after the meeting.

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9.3. There is no entitlement for the employee to be accompanied by a companion at an informal sickness absence meeting. A note taker may be present but that will not normally be necessary.

9.4. Monitoring period following Informal sickness absence meeting

9.4.1. After conducting a sickness absence meeting, the Line Manager will review or monitor the employee's attendance for a further period, normally this will be for a period of not less than one month and no longer than three months. Further meetings may take place during the monitoring period if there are further instances of sickness absence.

9.4.2. The Line Manager will:

- Assess the employee's absence record and its impact
- Attempt to establish reasons for any on-going absence/s
- Offer any assistance to the employee (e.g. Occupational Health, Employee Assistance/Counselling)
- Consider what, if any, measures might improve the employee's health and/or attendance with a view to supporting the employee and improving the employee's attendance record.

9.4.3. During the monitoring period the Line Manager may require that any period of absence is covered by a medical certificate (Fit Note). If the employee has a fit note which states 'may be fit for work', the process in paragraph 7 will also be followed. If the suggested support cannot be reasonably accommodated in order to facilitate the employee's return to work, a decision may be made to move to the formal part of the procedure.

9.4.4. Where the Line Manager is of the view that the employee's attendance has not improved to an acceptable level after the review period, the Line Manager should inform the employee that the issue will:

- Be referred to stage 1 of the formal procedure. A letter requiring attendance at a stage 1 meeting will be sent to the employee; or
- If there are exceptional circumstances and it is appropriate to do so, extend the review period.

10. Formal Procedure

10.1. There are two stages in the formal process. The type of case (i.e. short or long-term absence) will determine the need to move either through the stages (short-term absence), or, in some circumstances, directly to stage 2 (long-term absence). The procedure can end at any point in the process if there is sustained improvement. If further unacceptable periods of absence arise within 12 months of a stage 1 meeting being held, the procedure may resume at stage 2.

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10.2. Stage 1 Meeting

10.2.1. A stage 1 meeting constitutes a formal meeting and should be arranged in accordance with the DSAMAT's Staffing Policy Statement.

10.2.2. At the stage 1 meeting the Headteacher/HR Team will explain the purpose of the meeting. The following points are by way of guidance only:

- Discuss the reasons, including any underlying causes for the employee's absence.
- Explain how the employee's attendance has been assessed as unacceptable and the effect on teaching and learning, service delivery and colleagues.
- Review the results of the informal procedure, including any measures taken to support the employee so far. Include any reasonable adjustments if appropriate, any work-related issues and consider the content of any medical reports and advice received.
- Discuss the likelihood of further absences, if absent on a number of occasions or how long the absence is likely to last, if absent on long-term sickness absence.
- Seek agreement from the employee for a referral to Occupational Health if this is required and/or appropriate in the circumstances.
- Consider the employee's ability to return to/remain in their job in view both of their capabilities and the organisation needs and any adjustments that can reasonably be made, if appropriate, to their job to enable them to do so.
- Consider possible redeployment opportunities and whether any adjustments can reasonably be made, if appropriate, to assist in redeploying the employee.
- Where the employee is able to return from long-term sick leave, whether to their job or a redeployed job if possible and/or appropriate, agreeing a return to work programme.
- Give the employee and/or any companion the opportunity to explain any mitigating circumstances.
- If appropriate, inform the employee that they may wish to consult their pension scheme provider with regard to ill health benefits.
- Discuss the way forward and determine an action plan that clearly identifies:
 - The improvements necessary to achieve satisfactory levels of attendance

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- The timescale for improvement
- How attendance will be measured/monitored
- Any additional support/training to be provided
- The review period, (normally one month and no more than three months)

10.2.3. When confirming the outcome of the stage 1 meeting, the Headteacher/HR Team will include:

- a) The action plan
- b) The improvements required and the likely consequences of further absence during the review period (stage 2 meeting)
- c) Right of appeal

10.3. Stage 1 Review Period

10.3.1. The Headteacher/HR Team will ensure that during the review period the employee's attendance is closely and objectively monitored. Normally, if practicably possible, weekly supervision meetings will be held between the employee and the Headteacher/HR Team to ensure:

- Effective monitoring
- Appropriate support is given to the employee
- Positive feedback is given where possible
- If further periods of non-attendance are identified, the reasons are discussed

10.3.2. Notes of the monitoring process will normally be kept in the employee's file and a copy provided to the employee. The notes may be referred to during stage 2 of the procedure.

10.4. Stage 1 Review Period Evaluation

10.4.1. If, at the end of the review period, the employee's level of attendance has improved to acceptable standards, no further action will be taken under this procedure, unless an acceptable level of attendance is not sustained during the next 12 months.

10.4.2. The decision to take no further action will be confirmed by the Headteacher/HR Team in writing, normally within 5 working days of the end of the review period. This letter will also confirm that the improved attendance must be sustained consistently during the next 12 months and explain that if there are further unacceptable periods of absence the sickness absence procedure may be invoked at stage 2. A copy of this letter will be kept on the employee's personnel file for 12 months.

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- 10.4.3. If, at the end of the review period, the employee's attendance has not improved to acceptable standards then:
- The issue will be referred to the Trust People Manager and / or Deputy CEO under stage 2 of the procedure; or
 - In exceptional circumstances, if appropriate, the review period will be extended.
- 10.4.4. Where the employee is in a Pension Scheme it may be appropriate to explore eligibility for an ill health pension award prior to convening a stage 2 meeting.

10.5. Stage 2 Meeting

- 10.5.1. A stage 2 meeting constitutes a formal meeting and should be arranged in accordance with the DSAMAT's Staffing Policy Statement.
- 10.5.2. The Trust People Manager and / or Deputy CEO will conduct the meeting (with advice from the HR Team where necessary) and may, by way of guidance only:
- Explain the purpose of the stage 2 meeting
 - Ask the manager, who has been responsible for managing stage 1, to outline:
 - The ways in which the employee has been assessed as not meeting the expected levels of attendance due to ill-health
 - The process so far under the Sickness Absence Procedure
 - Any opportunities for return or redeployment that have been identified and where identified, the outcome of discussions with the employee
 - Review, as appropriate:
 - Levels of attendance expected
 - Notes of the formal sickness absence meetings, records of home visits or other meetings plus any other information relating to the informal action taken
 - The previous monitoring of attendance and steps taken under any appropriate action plans
 - Medical advice received from Occupational Health or other medical specialists
 - Measures taken by management to support the employee, e.g. reasonable adjustments, if applicable

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- Discuss with the employee and their companion whether the employee has been assessed as achieving the required improvements in attendance
- Review the effect of the unsatisfactory level of attendance on teaching and learning, service delivery and work colleagues
- Explore, as appropriate, the potential for the employee to achieve a sustained improvement in attendance
- Give the employee and/or their companion opportunity to answer the points made and to give an explanation or put forward any mitigating circumstances.

10.6. Stage 2 Decision

10.6.1. Following the discussions the Trust People Manager and / or Deputy CEO will adjourn the meeting to consider the options available including, without limit, and for guidance only:

- To take no further action under the procedure.
- To set a further/final review period to allow for additional monitoring and/or additional management support. A further formal stage 2 meeting may be held at the end of this review period. If attendance is not satisfactory by that time then the employee may be dismissed.
- To dismiss the employee for lack of capability due to ill-health, ensuring that alternative work options have already been explored or will be explored during the employee's notice period, that there is no prospect of their return within a reasonable timeframe, or that they will be able to achieve or sustain their attendance.

11. Right of Appeal

11.1. The employee has the right to appeal against decisions reached at stage 1 and stage 2, in accordance with the DSAMAT's Staffing Policy Statement.

11.1.1. Stage 1 Appeals

11.1.1.1. Appeals against stage 1 decisions should be submitted to the Headteacher/HR Team

11.1.1.2. Appeals against stage 1 decisions will be heard by the DCEO/CEO. The outcome may be to:

- Dismiss the appeal, i.e. the decision to progress to stage 2 remains in force
- Refer to a lower stage in the formal process; and/or

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- Reduce standards of attendance or targets set in the action plan; drop the formal process

11.1.2. Stage 2 Appeals

11.1.2.1. Appeals against stage 2 decisions should be submitted to the Clerk of Trustees

11.1.2.2. Appeals against stage 2 decisions will be heard by the Board of Trustees. The outcome may be to:

- Uphold the appeal (i.e. to reinstate the employee); and/or
- Issue a lesser level of management action, e.g. to:
 - Drop the formal process
 - Refer to a lower stage in the formal process; and/or
 - Reduce standards of attendance or targets set in the action plan; or
 - Dismiss the appeal, i.e. the decision to dismiss remains in force.

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Appendix A

Sickness Absence Meeting Record

This is the management record of a meeting held under paragraph 9 of the Health and Attendance policy. It is strictly confidential and will be held on the employee's personnel file until such time as the employee's attendance is wholly satisfactory and for 12 months thereafter. The record may be accessed and referred to by those with authority to manage the informal and formal stages of the sickness absence procedure. A sickness absence meeting is not part of the formal procedure and there is no entitlement for the employee to be accompanied or represented. The meeting will be held in private.

Employee name:			
Length of service:		Date of meeting:	
Details of Sickness Absence			
Period of absence:		No. of days absent:	
Reason/s for absence (including underlying medical condition):			
Is absence related to a known or possible disability under the Equality Act? Has there been consideration of whether the 'trigger point' relating to days absence should be extended, or if the sickness absence policy should otherwise be modified?			
Yes: <input type="checkbox"/> No: <input type="checkbox"/> (If yes – details of medical evidence must be attached)			
Details of meeting and key points discussed:			
Welcome and update, if necessary, on work events and changes 			

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The value of your contribution? The impact of absence on teaching and learning, service delivery and colleagues. How your work has been covered in your absence.

Are you fully recovered and able to resume full duties?

Yes: No:

If your view is yes, then please move to the Review section of this form:

If your view is **no**, then please complete an action plan as the final stage of this form which should consider:

- Referral to Occupational Health (OH)
- Temporary adjustments which can reasonably be accommodated?

Review

Attendance will be reviewed in: 1 Month: 2 Months: 3 Months:

Date of Review:

Please note that further absence during this period may, depending on the circumstances, mean that the review is held under Stage 1 of the formal procedure if appropriate.

Copy of the Health and Attendance Policy has been provided and the process explained (this must take place prior to any formal meeting)

Yes: No:

Date:

Signature of employee:

Date:

Signature of manager

Date:

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Action Plan

The objective is that attendance will be satisfactory to the employer. Is there anything we can do to improve your attendance, e.g. OH referral, counselling, a review of risk assessment, temporary or permanent reasonable adjustments to the workplace, working practices or working hours or training?

Is your absence in any way related to work?

Are you doing all you can to improve your attendance?

e.g. Act on medical advice, lifestyle choices, attention to work life balance, non-medical support
e.g. counselling.

Fit note required for any period of absence during the monitoring period?
(see paras 3 and 10.3)

Yes:

No:

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