



THE ENQUIRE LEARNING TRUST
MANAGING ATTENDANCE PROCEDURE

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1. SCOPE

1.1 This procedure applies to all employees of the Enquire Learning Trust (the Trust) including those employees in each academy that sits within the Trust.

2. PRINCIPLES

2.1 The Trust aims to encourage all its employees to maximise their attendance at work while recognising that employees may, from time to time, require time off due to sickness. The first part of this procedure relates to short-term sickness absences from work, which are defined as those lasting up to two working weeks, and the second part of this procedure relates to long-term sickness. Other policies are in place dealing with time off work for personal, family or compassionate leave.

3. RESPONSIBILITIES AND EXPECTATIONS

3.1 Employees are entitled to expect fair and reasonable treatment if they are absent from work and procedures for managing absence must be applied equitably and justifiably and with due regard for equality issues.

3.2 Managers are equally entitled to effectively manage absence which is becoming a concern, is detrimental to the academy or any potential abuse of the sick pay system. Managers should be aware of and pay due consideration to any issues that may be covered by Equalities Act with particular regard to disabilities and/or other protected characters.

3.3 Employees shall expect absence to be closely monitored and must be aware that short-term frequent absence and recurrent patterns of absence will be managed appropriately.

Employee Responsibility

3.4 All employees have an obligation to attend work during the hours agreed in the terms of their contract. All employees should take reasonable steps to keep themselves in a good standard of general health and achieve the highest possible levels of attendance. It is important that employees seek help and support whenever they need it. The employees line manager, HR, occupational health and trade unions representatives are all available to provide help and advice.

3.5 When an employee is unable to attend work due to ill health they are required to comply with the academies local sickness reporting arrangements. These may differ slightly between academies but generally all employees need to follow the below steps:

- Report the absence to the line manager, wherever possible prior to the normal start time or within one hour of the normal start time.
- Provide the following information:
 - reason for absence
 - likely length of absence (if possible to estimate)

- ability to attend work on amended/reduced duties/hours
- details of any work commitments that may need addressing
- telephone number so that the line manager can maintain regular contact
- For periods of sickness exceeding 7 days, a medical certificate signed by a GP is required.
- Return to work will not be allowed before the date on the medical certificate unless the consent of a GP has been obtained.
- Employees must contact their manager to provide at least one day notice of their return to work (or as much notice as possible) to ensure the necessary arrangements are in place to support the employee on their return.
- Employees must not undertake any other paid or unpaid activities which might delay the return to work or be detrimental to their health and recovery.
- Prior to returning to work an employee may be requested to provide a medical certificate to prove fitness for work, or visit occupational health, depending primarily on the nature of the job or sickness or length of absence. Employees are contractually obliged to attend such appointments where reasonably requested.
- Employees may be requested to provide their consent in order for a medical report to be obtained from their GP (usually by occupational health in order to ensure they have a full picture of medical background before making recommendations).
- On returning to work, employees must as soon as reasonably possible report to their line manager in order that the return to work discussion can take place.
- The non-availability of the employees line manager is not a sufficient reason for failing to follow this procedure and the employee must speak to another appropriate person to report their sickness.

Failure by an employee to abide by this procedure may result in action being taken under the disciplinary procedure.

Line Manager Responsibility

3.6 Line managers are responsible for ensuring that every effort is made to achieve the highest levels of attendance. They are required to effectively monitor absence and ensure the application of the procedure is fair and consistent and that ill health absences are managed with discretion, confidentiality and compassion.

3.7 Line managements have an important role to play, either directly or indirectly, in the interventions to reduce absence levels. Managers need good communication skills to encourage employees to discuss any problems they may have at an early stage so that employees can be given support or advice before matters escalate.

3.8 Line managers should recognise good attendance and can formally acknowledge this during supervision and performance review discussions.

3.9 Line managers should, as part of their day to day responsibilities:

- Operate an open door policy in order to promote good working relations, facilitate an environment of trust and recognise where early intervention/support may be offered
- Complete the appropriate HR documentation giving details of absence
- Maintain regular contact with the employee to demonstrate concern for their welfare, promote employee feeling of inclusion, offer reasonable support and seek to discuss alternative options which may facilitate an earlier return to work
- Monitor absence patterns and trends, which would indicate whether any further action is required
- On return to work, conduct and record an informal discussion with the employee
- Refer employees to occupational health if appropriate - ensuring the employee is advised of the referral
- Conduct formal interviews where necessary (e.g. attendance review meeting).

4. MANAGING SHORT TERM AND FREQUENT ABSENCE

4.1 Potential causes for concern include:

- Three or more episodes of sickness in a rolling 12 month period
- Where the number of absences in a short period warrants immediate action
- A pattern of absence which is causing concern (e.g. Monday/Friday absences)
- Absence before or following a leave period or when leave was denied
- Absence on a day of a known personal priority

Line managers must use their discretion when managing short term and frequent absence and dependent on the individual situation, may not feel it is appropriate to automatically invoke this procedure once a trigger has been met.

4.2 The process for managing short term and frequent absence is as follows:

- **Stage One - Informal Attendance Review Meeting**
 - Invite employee to meeting and suggest that they seek professional advice
 - Provide and discuss details of employee absences, explore the causes/ reasons for absence levels
 - Refer employee to occupational health (if appropriate) to determine whether there is an underlying medical condition or any support the academy can put in place
 - Advise employee where appropriate that high levels of absence are unacceptable and that they must improve within an appropriate timescale
 - Provide employee with formal written documentation of the outcome of the meeting including their attendance improvement plan (setting of targets if applicable) and remind that further concerns could lead to further action through this procedure.

Failure to provide an immediate or sustained improvement will result in progressing to stage two.

- **Stage Two - Formal Attendance Review Meeting**
 - Formally invite employee to meeting in writing. The meeting should be conducted by the line manager and HR and a trade union representative can be present.
 - Prior to the meeting, provide the employee with a list of their absences, advice from occupational health (if applicable) and information on any support that has already been implemented
 - Seek an explanation from the employee as to why there hasn't been an improvement
 - Line manager sets a timescale for further improvement of between 1-3 months and if applicable can issue a first written warning.
 - Provide employee with formal written documentation of the outcome of the meeting and their attendance improvement plan and remind that failure to achieve improved attendance will lead to dismissal.

Failure to provide an immediate or sustained improvement during the 1-3 month period will result in a formal hearing.

- **Stage Three - Formal Hearing**
 - Formally invite employee to a hearing confirmed in writing. Attendees include: line manager, Principal/Head Teacher, HR, employee and trade union representative.
 - Prior to the meeting provide employee with an update list of absences, occupational health advice and support that has been implemented.
 - Seek an explanation from the employee as to why there hasn't been an improvement.
 - Decision to be taken by the Principal/Head Teacher and could include:
 - Further period of review
 - Further advice from occupational health/medical professionals
 - Dismissal on the grounds of medical incapability or SOSR (some other substantial reason)
 - Provide employee with formal written documentation of the outcome of the hearing.

- **Stage Four - Appeal Hearing**
 - Employees have the right of appeal against any formal action taken against him/her and this would follow the standard appeal procedure. Appeals must be submitted in writing and will be heard by the most relevant person/s which will usually be a panel of three members of the governing body. Please note that the Trust may call upon assistance from the governing bodies of different schools within the Trust if availability is likely to cause delays.
 - Any appeal against a decision imposed must be submitted by the employee in writing within ten working days of the sanction being issued. An appeal hearing will then be arranged to take place as soon as possible but where possible within ten working days of the receipt of the appeal.

5. MANAGING LONG TERM ABSENCE

5.1 Long term absence is classified as any absence lasting 28 days or over (4 weeks of an employees normal working pattern).

5.2 Action of the kind described below can and should be taken prior to this trigger if it is known that the absence will extend beyond 28 days.

5.3 Welfare visits should be undertaken during any long-term absence. The visit should take place in a mutually agreed venue (that does not have to be the academy). The purpose of welfare visits will be to discuss the nature of the employee's ill health, a referral to occupational health, a likely return to work date, any support which is available to the employee, consideration of returning to work in a different capability until fully fit to resume normal duties (including options available under reasonable adjustments, pay status) and to agree contact details etc. Employees are expected to make every reasonable effort to attend welfare visits. Alternatively, the line manager and employee could arrange for this to take place on the telephone or through a trade union representative.

During the welfare visits conversations should take place regarding any reasonable adjustments that could be made to support the employee and the employee should be given the opportunity to put forward any suggestions or requests that they may have to improve their chances of a successful and sustained return to work.

5.4 The process for managing long term absence is as follows:

- **Stage One - Informal Attendance Review Meeting**

- As per stage one under the short term/frequent absence above.

If the employee is still absent at the end of the review period they will be invited to attend a formal attendance review meeting.

- **Stage Two - Formal Attendance Review Meeting**

- As per stage two under the short term/frequent absence above.

If the employee is still absent at the end of the review period they will be invited to attend a formal attendance review hearing where dismissal is a possible outcome.

- **Stage Three - Formal Hearing**

- Invite the employee to the hearing confirmed in writing. Attendees include; line manager, Principal/Head Teacher, HR, employee and their trade union representative
- Prior to the meeting provide the employee with a list of their absences, advice from occupational health and any support that has been offered or implemented
- Seek an explanation from the employee as to why their attendance has not improved and any mitigating circumstances
- If the Principal/Head Teacher is satisfied that the absences are attributable to long term sickness only and everything has been reasonably undertaken by management, he/she will have the option of dismissing the employee with notice on the grounds of medical incapability where an underlying medical condition is identified, or SOSR where an underlying medical condition isn't identified.

- If the Principal/Head Teacher is not satisfied that the absences are attributable to long term sickness and/or that the management have not taken satisfactory action he/she can consider the following options: the need for further involvement of occupational health, extend the review period and agree to meet again etc.
- Formal written documentation of the outcome should be provided to the employee.

- Stage Four - Appeal Hearing

- As per stage two under the short term/frequent absence above.

Please Note:

If an employee's absence is of concern (whether long or short term) and they are subject to this procedure, but subsequently meet their targets and are removed, a record of this will be held. If in the next 12 month period the employee shows further concerning absence, they will enter the procedure at the point that they were taken out. For example, if an employee was previously at stage 2, they would reenter the procedure at stage 2 - unless the more recent absences are significantly different from the prior absences and justification can be met to start at the beginning of the procedure.

6. NOTICE OF CONCERN LETTERS

6.1 If a manager is becoming concerned regarding the frequency or any potential pattern of absence then this should be noted in the employees return to work discussion. In addition the manager should consider issuing a notice of concern letter in order to remind the employee of their responsibility and expectations within this procedure and advise of the support mechanisms available.

7. FAILING TO FOLLOW THE PROCEDURE

7.1 If an employee is failing to comply with their responsibilities under this procedure (i.e. failing to report sick, failing to provide a sickness certificate etc) then this should be explored with the employee, a notice of concern issued and action being taken under the disciplinary procedure for non-compliance of procedure.

8. SICKNESS ABSENCE DURING ANNUAL LEAVE

8.1 If an employee falls ill during annual leave they should contact their manager to notify of the sickness, in the same manner as when they are absent during working days. In order to receive back any taken annual leave for this period, a medical certificate must be provided.

8.2 Employees on long term sickness will continue to accrue annual leave entitlement.

9. SICKNESS DURING A DISCIPLINARY INVESTIGATION

9.1 If an employee falls ill during an investigation they should follow the standard sickness reporting procedure.

9.2 In most cases it is reasonable to expect efforts to be made to continue the formal process whilst the employee is absent, taking into account the employers duty of care.

10. MEDICAL SUSPENSION

10.1 If an academy under their duty of care to their employees believes that there is a need for a medical suspension then they should seek advice from HR immediately.

10.2 Medical suspension should be used as a last resort only and following completion of a risk assessment. Other solutions (such as redeployment) should be considered first.

10.3 Medical suspension will be reviewed at least every two weeks. The manager is responsible for maintaining contact with the employee or appointing a welfare contact.

11. ACCIDENTS AT WORK

11.1 Accidents can occur whilst at work and performing the employee's normal duties. Records should be filled in as soon as practicably possible after the incident occurs. The employee should complete an accident report form and the line manager should investigate the circumstances of the incident. Any accidents at work should follow the relevant health and safety requirements such as reporting major incidents to the Health and Safety Executive.

12. BRADFORD FACTOR

12.1 The Bradford Factor is a formula developed in the early 1980's that acknowledges the principal that repeat absences have a greater operational impact than long term sick. It provides a useful benchmarking tool enabling managers to assess individual absences.

12.2 The Bradford Factor is a simple formula and for that reason, doesn't take in to account the circumstances of an employees sickness (such as disabilities, pregnancy etc.) Therefore, this information is provided as a **guide** to managers to allow benchmarking between absences in academies and to alert managers to the point that potential action may need to be taken.

12.3 The formula for calculating an employees Bradford Factor (BF) is:

S = total number of separate absences by an individual

D = total number of days of absence by that individual

B = Bradford Factor score

Calculation: $S^2 \times D = B$

As a general guidance to benchmark against, we would advise managers to use the following table.

No Concern	0
Action Required	45
Formal Action	100
Serious Concern	900

No Concern = No action

Action required = Managers should speak to the employee to advise of the trigger and to explore any issues. Dependent on the individual circumstances, a Bradford Factor score higher than 45 may alert you of the need to begin Stage One of this procedure.

Formal action = If no formal action has yet been taken under this procedure, this should be considered and discussed when an employee reaches a Bradford Factor of 100.

Serious concern = It is expected that any employee reaching a Bradford Factor of 900 will already have been triggered through this procedure but the trigger serves as a reminder that the factor level is of severe concern.

If managers have any queries about utilising this tool, please contact HR for guidance. The Bradford Factor should not be a tool used alone to decide on taking formal action against an employee, rather, a warning system to alert of any potential issues.