



**Leicestershire Traded Services**

# Bradgate Education Partnership Attendance Management Policy

(Oct 16)

The governing body of The Pochin School adopted this policy on 24/10/16.

This procedure applies to support staff, Teachers and the Head Teacher/Principal based at The Pochin School and should be read in conjunction with the associated Attendance Guidance.

## Purpose

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The purpose of the Attendance Policy and Procedure is to provide a supportive framework where a shortfall in attendance has been identified, in order to assist employees to improve, reach and maintain the standard of attendance expected within their area of work.

### **Application of the Policy**

The attendance of teaching and support staff will be managed by either the Head Teacher / Principal or another manager. If the Head Teacher's / Principal's attendance is being managed in line with this policy, then the Chair of Governors and/or the CEO will be responsible for overseeing this policy.

## Monitoring of Employees' Attendance

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All absences must be reported, recorded, monitored and analysed on an ongoing basis in order to identify problems, review individual cases and decide upon any appropriate action.

Examples of absences which may require further attention

A. Short term / frequent absence: regular periods of absence from work usually on health grounds. This is normally 3 or more absences but will depend on the circumstances.

B. Long term absence: a continuous absence from work for 4 weeks or more which is medically certified and attributable to an underlying medical condition or specific reason.

### **Return to Work Meetings**

The return to work meeting is informal and will be held after every occasion of absence. In many cases the meeting will be as brief as a quick chat to ensure the employee is fit to return to work and to welcome them back.

### **Employees with a Disability**

Consideration must be given as to whether an employee's level of attendance is due to a disability, and if so, what reasonable adjustments may be needed to assist the employee in being able to reach the required level of attendance. If an underlying disability is suspected, an Occupational Health referral is usually required and advice sought on reasonable adjustments. Further advice should be sought from HR Services.

## Informal Action

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If there are concerns regarding an employee's attendance, an informal improvement plan and a reasonable period of review will be agreed.

A meeting will be held with the employee at the end of the review period to determine whether the informal improvement plan has been achieved. If the level of attendance required has not been achieved, progression to a **Formal Attendance Meeting** will be considered.

## Support Mechanisms

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It may be appropriate to explore some or all of the below (non-exhaustive) support options:

- a) Referral to Occupational Health to seek medical advice and opinion.
- b) Fit for Work, a free Government Scheme, to seek medical advice and opinion.
- c) Therapeutic Return to Work to assist the employee to return back to work on a planned and phased basis, usually following a medical recommendation.
- d) Reduction in Hours to assist the employee to return back to work on a temporary or permanent basis, which must be mutually accommodated and agreed. The employee's contract of employment will then be changed accordingly.
- e) Ill Health Retirement may be an option but in the first instance requires an Occupational Health referral.

[Further information can be found in the Attendance Management Guidance.]

## Fast Track to Attendance Hearing – Long term Absence

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There will be occasions in cases of long term absence where medical reports indicate that a return to work is not possible within a reasonable time period. In these circumstances The Pochin School will ensure that all avenues of support, including ill health retirement and redeployment, have been exhausted. If this can be demonstrated, the formal procedures will commence at the Attendance Hearing stage.

## Formal Attendance Management Meeting

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Where there are continuing concerns regarding an employee's attendance, a Formal Attendance Management Meeting will be arranged. Five working days' notice will be given for this meeting, the purpose of which will be to establish the facts, allow the employee to respond to concerns about their attendance and to put any further support mechanisms in place.

The employee has the right to be accompanied by a work colleague or trade union representative. The employee will receive written confirmation of the outcome of the meeting.

The potential outcomes of the meeting are;

- a) There are insufficient grounds for pursuing the attendance issue; the attendance procedure will cease and the informal monitoring will recommence.
- b) There is a need for further investigation or to consider any additional information.
- c) There are attendance issues to be addressed. A formal written improvement plan will be put in place, the level of improvement required will be identified and a reasonable timescale for achievement will be put in place. Failure to

improve the required attendance level, within the agreed timescale, could result in a final warning being issued at the end of the review period.

## Formal Review Meeting

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Five working days' notice will be given for this meeting and the employee will have the right to be accompanied by a work colleague or trade union representative. Both the person conducting the meeting and the employee will have an opportunity to present evidence to support their position.

The employee will receive written confirmation of the outcome of the meeting.

The potential outcomes of the meeting are:

- a) The employee has made sufficient improvement; the attendance procedure may cease and informal monitoring will recommence. However, if the improvement is not sustained within 12 months the process will recommence at the Formal Review Meeting stage of this policy.
- b) If some progress has been made and more is likely, it may be appropriate to extend the review period. In the majority of cases, it will be appropriate to extend the review period just once;
- c) If no, or insufficient, improvement has been made, the employee will receive a final written warning which will remain on their file for 12 months. The employee will be informed in writing of the specific matters covered, the timing and their right to appeal against the warning. They must also be informed that failure to achieve the required level of attendance may lead to dismissal.

## Final Review Meeting

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Five working days' notice will be given for this meeting and the employee has the right to be accompanied by a work colleague or trade union representative. Both the person conducting the meeting and the employee will have an opportunity to present evidence to support their position.

The employee will receive written confirmation of the outcome of the meeting.

The potential outcomes of the meeting are:

- a) If the employee has made sufficient improvement, the attendance procedure may cease and the informal monitoring will restart. However, if the improvement is not sustained within 12 months the process will recommence at the Final Review Meeting stage of this policy.
- b) If no, or insufficient, improvement has been made, the employee will be advised that a hearing will be convened to consider the case and that a potential outcome is dismissal. This will be confirmed in writing to the employee.

## Attendance Hearing

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A minimum of 5 days' written notice will be given to attend a formal hearing in which the employee will be informed of

the reasons for the hearing and their right to be accompanied by a work colleague or trade union representative. The letter must state that a potential outcome of the hearing is dismissal and enclose copies of relevant documentation intended to be referred to at the hearing. The employee will also be given an opportunity to provide evidence.

During the course of the hearing the employee will have the right to hear and question all the evidence presented and the opportunity to present their case.

### **Dismissal**

Where appropriate, a panel or delegated person, i.e. Head Teacher / Principal/BEP representative will dismiss the employee with notice. The employee will be notified in writing of the outcome of the hearing, including the reason for the dismissal and date of termination of their employment. The letter will also include details of their right of appeal.

## **Appeal**

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An appeal must be submitted in writing by the employee and sent to the Head Teacher / Principal within 5 working days of receiving notification of the outcome review meeting / hearing.

- Final Warning - The appeal will be heard by the Head Teacher / Principal (only if they have not managed the case) or a Governor / Trustee.
- Dismissal - The appeal will be held in line with the Appeal Policy.

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## Leicestershire Traded Services

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