

# St John's Catholic Junior School

"Love one another as I have loved you."

## **Schools Attendance Management Operational Guidance and Appendixes**



Headteacher: Elaine Mullins

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## 1. **Introduction**

This document offers guidance and highlights some of the main causes of absence and provides practical information on managing sickness absence effectively. It is to be used in conjunction with the Attendance Management Policy and Procedure.

The School wants to work with all staff to promote the health and well-being of its employees by creating a healthy and safe environment to enable everyone to perform to the best of their abilities.

Sickness management does not aim to prohibit sickness absence but to achieve improved employee attendance at school. The key objectives are to:

- Establish proper management systems for reviewing individual sickness records
- Review compliance with sickness reporting rules and conditions
- Identify causes of sickness absence in order to prevent or deter absence recurring where possible

It is, therefore, important to establish a **positive attendance culture** within the School.

The following guidance will detail the operation of the management of sickness absence including the responsibilities of management and employees, relevant timescales and appropriate action.

Central to this is better communication with staff, greater awareness of employees' absences and being proactive in addressing issues.

## 2. **Guidance on the management of complex medical issues**

### 2.1 **Alcohol, Drug or Substance Abuse**

Alcohol, drug or substance abuse are primarily health problems. Headteacher should respond to employees suffering from alcohol/drug/substance abuse problems in a confidential, sympathetic and constructive way. Advice should be sought through the School HR Consultancy OH provider who can recommend specialist support and counselling services.

## 2.2 Stress related absence

HSE defines stress as:

*'An adverse reaction a person has to excessive pressures or other types of demands placed upon them.'*

Given an excess of pressure, stress can therefore happen to anyone, and should not be a weakness. Instead, an individual needs to be helped to deal with these pressures.

As reactions to stress will vary from one individual to another and may also vary at different times of our lives, it's important that we learn to recognise stress and understand what to do to reduce it.

Tackling personal stress is an individual's responsibility; however, employers have a legal responsibility to help reduce stress which may arise in their employees as a result of their work. Work-related stress is a major cause of occupational ill health which can lead to severe physical and psychological conditions in school employees. It can also lead to poor productivity and human error, increased sickness absence, increases in accidents, high staff turnover and poor performance inschool. In addition, health and safety legislation requires employers to assess the level of risk from hazards in the workplace and to take all reasonably practicable measures to prevent or sufficiently reduce that risk. The purpose of the risk assessment is to find out whether existing control measures prevent harm or if more should be done.

*Source:HSE leaflet-Tackling work-related stress using the Management Standards Approach. A step-by-step Workbook*

With this in mind, we advise that reasonable steps should be taken to reduce the incidence of work-related stress by introducing the following measures:

- Identifying potentially unreasonable levels or sources of stress via the process of risk assessment and through one to one meetings.
- Striving to provide a working environment which enables employees to effectively carry out their duties and responsibilities.
- Acknowledging that stress may arise from both work related or other situations, such as domestic circumstances, and treating individuals affected in the same way as those affected by any other health problem.

- Encouraging employees to accept responsibility for their own mental and physical health and to develop a responsible balanced approach to work and their personal lives.

***NB where an employee is returning to work following a period of stress related absence the school must ensure that a stress risk assessment is put in place.***

Where illnesses relate to stress whether work or personal, specialist advice should always be sought. Please contact the Schools HR Consultancy team for support and guidance.

Further information about support for mental health conditions through Access to Work can be found in Appendix 8.

### **2.3 Cancer, HIV and Multiple Sclerosis**

Anyone who has been diagnosed with cancer, HIV or Multiple Sclerosis will be defined as a disability, and as a result the manager should take the opportunity to discuss any reasonable adjustments, that could, where appropriate, allow the employee to return or stay in work during or following treatment.

### **2.4 Attendance Management Trigger points for employees with Disabilities**

Attendance management trigger points for employees with Disabilities should be considered as part of reasonable adjustments, and reviewed on a case by case basis with advice from occupational health on the nature of the disability.

### **2.5 Other Relevant Guidance and Support Documents**

- Pregnancy
- Menopause
- Domestic Abuse
- Pregnancy Loss
- Terminal illness
- Medical Appointments
- IVF treatment

### **2.6 Employee Assistance Programme**

It is recognised that from time to time employees may struggle with issues either at home or at work. Sometimes those pressures can have serious consequences on our health and we can become unwell as a consequence.

In order to help employees cope with situations or stresses in their lives, which are affecting their well-being, the Council has introduced an Employee Assistance Programme which allows all employees confidential access to a professional telephone counselling service and to a number of face to face counselling services where this is deemed appropriate by the counsellor.

The service is established as a confidential one and therefore permission need not be sought to make use of it. Employees who wish to make use of the service may find the details and contact numbers on the 'People' area of the Intranet or through their Manager. If an employee wishes to attend face-to-face counselling sessions during work time, they should notify their line manager in order that cover can be provided where necessary. If the employee wishes complete confidentiality, counselling sessions should be arranged in their own time. Line managers should maintain a high level of confidentiality if they have been informed by the employees that counselling sessions are being attended.

## **2.7 Industrial Injury**

A person who is injured during their work may claim industrial injury compensation. All accidents/injuries to employees of the Council should be recorded and reported as per the Council's Safety procedure. Any injuries resulting in three or more days of sickness absence, the HSE must be informed. [Hyperlink for reporting a potential Industrial injury](#)

## **2.8 Further information on reasonable adjustments**

It is important to realise that disability is not synonymous with sickness. Confusion can cause offence to many disabled persons who quite rightly do not consider being disabled a 'sickness'.

It is recognised that some employees with a disability often have far better attendance records than non-disabled employees. However, in some instances a person's disability may in practice be associated with some level of sickness absence due to incapacity. For example, an employee with severe asthma or epilepsy who is unable to attend work, due to an attack or seizure, may be absent due to disability-related sickness.

Employers must make reasonable adjustments when:

- they know, or could reasonably be expected to know, someone is disabled
- a disabled staff member or job applicant asks for adjustments

- someone who's disabled is having difficulty with any part of their job
- someone's absence record, sickness record or delay in returning to work is because of, or linked to, their disability

### **Examples of reasonable adjustments**

Reasonable adjustments are specific to an individual person. They can cover any area of work.

#### **a. Making changes to the workplace**

For example:

- changing the lighting above someone's desk or workstation
- widening a doorway, providing a ramp or moving furniture for a wheelchair user
- relocating light switches, door handles, or shelves for someone who has difficulty in reaching
- providing appropriate contrast in decor to help the safe mobility of a visually impaired person
- providing an accessible car parking space

#### **b. Changing someone's working arrangements**

For example:

- changing someone's working patterns
  - distributing someone's breaks more evenly across the day
  - flexible working
  - working from home or hybrid working
- reasonable adjustments for absence – including time off for medical appointments and treatment

#### **c. Finding a different way to do something**

For example:

- distributing work differently within a team
- giving someone different responsibilities or offering another suitable role (including a higher grade)
- finding a different way to train someone
- Lower workloads and /or targets

#### **d. Providing equipment, services or support**

For example:



- providing extra or adapted equipment, such as chairs, computer software and phones
- providing emails and documents in an accessible format
- giving one-to-one support, for example to help someone prioritise their work
- providing other specialist support, for example a sign language interpreter

#### **e. Adjustments to absence arrangements**

- **Allowing the disabled worker** more time off work than would be allowed to non-disabled workers to enable them to have **rehabilitation, assessment or treatment**.
- An **employee with a disability may have further periods of absence** than non-disabled employee, and **consideration should be made of whether to adjust the trigger points to take account of disability related absence**  
NB Advice could be sought from OH and HR on this matter

### **3. Notification of Absence and Fit Notes**

#### **3.1 Notification of Absence**

Employees do not need to provide a fit note for any sickness absence up to 7 calendar days. ***NB However, they must inform the school, in line with the school absence reporting procedure. If the Headteacher is absent, they must inform the Chair of Governors.***

#### **3.2 Fit Notes**

If the period of absence continues beyond seven calendar days the employee must submit a Fit note, which should be received no later than three working days after the period of self certification has expired. Where an employee submits successive Fit Notes, they must send the new note within three working days of the expiry date of the previous Fit Note.

When completing a fit note a doctor has the choice between two options:

- not fit for work
- may be fit for work.

If the doctor selects 'may be fit for work', at least one of the following four options

Should be selected:

- phased return to work
- amended duties
- altered hours
- workplace adaptations.

The doctor then has the option to make any additional comments.

#### **3.3 Keeping in touch during a period of absence**

Both employees and managers have a responsibility to maintain regular and appropriate dialogue throughout a period of absence. Managers should record all contact, receipt of associated documents and decision made in relation to the sickness absence on the 'Keeping in touch form'.

For both short-term and long-term absence, employees must inform the line manager when:

- They are fit to return to work – this may be different from when they will return to duty if, for example, the employee is on a rest day, it is the weekend or they are due to take annual leave.
- When they intend to return to work – this should be at the earliest possible opportunity but as a minimum must be the day before they are returning to work so and their line manager does not arrange unnecessary cover.

During the first 7 days of the sickness absence the employee should contact their line manager regularly.

In cases of long-term absence, it is particularly important that regular contact is maintained between the line manager and the employee through welfare visits and telephone contact. Employees may become isolated for the workplace unless there is regular contact and support.

The level of contact should be appropriate to the circumstances and not intrusive, but it is expected that, as a minimum, contact should be fortnightly, unless alternative arrangements are agreed between the line manager and the employee.

Line manager should ensure that any in-house news information, employee updates etc are sent to the employee as part of this contact. However, it is acknowledged that this may not be appropriate in some circumstances.

All contact with the employee should be recorded on the Keeping in Touch Form

**3.4 Welfare Visits** Line managers should normally make arrangements for a welfare visit to an employee after 4 weeks continuous absence. The welfare visit can take place at a mutually agreeable location, at an employee's home (where appropriate), virtually meeting or a conference call. The purpose of the visit is for the line manager to establish what progress the employee is making and any further assistance to facilitate their return to work.

After the first visit, Welfare Visits should be undertaken every 6 weeks.

Welfare Visits must be recorded on the Keeping in Touch Form

In exceptional circumstances, the employee and the line manager may agree that welfare visits are not appropriate and agree alternative methods of maintaining contact.

If required or requested by an employee or manager, it may be appropriate for another person to be present during a home visit.

**3.5 Referral to Occupational Health** The School's Occupational Health Service may be used to help line managers establish whether there are any underlying problems that are contributing to an employee's intermittent absence, or in cases of long-term absence, likely prognosis of absence and support that should be provided to assist the employee.

Referrals may be made even if an employee is not absent from work but there are concerns over their health and well-being.

If an employee is absent from work due to any mental health absence, including stress, the manager must make a referral to Occupational Health on the first day of absence.

The line manager has a responsibility to ensure that an employee is made aware that a referral has been made and the reasons for it. This is important as an employee should not receive an appointment from Occupational Health without any prior indication.

Before referring an employee to Occupational Health, the line manager should be clear about what information they wish to gain from the referral and include this in the Occupational Health Referral form (M31). Line managers may discuss a referral with Human Resources.

Through the referral the line manager may seek advice on:

- The employee's current mental health and any interventions and /or recommendations to support the employee (in particular for first day referrals)
- If the employee is fit to undertake duties of their current post (s).
- If any treatment is required and expected time period for recovery.
- Likely return to work date.
- If a period of phased return is advised.
- Whether the employee has a disability within the meaning of the Equality Act and if any reasonable adjustments or redeployment should be considered.
- What support or management intervention may assist an earlier return to work.

- Whether the employee meets the criteria for Ill Health Retirement as set out in the Local Government Pension Scheme.

### **3.6 Management of Return to Work**

#### **Return to Work Interview**

Return to Work Interviews are part of the management of attendance procedure and should be carried out even in the case of short-term absences.

One of the critical aspects of the return-to-work meeting is to show a willingness to assist the employee in overcoming any problems, whether these relate directly to their health or to personal difficulties. Details of this meeting should be recorded on the Return-to-Work Interview Form (Appendix 5).

Return to work interviews will normally take place on the day of return to school or as soon as is practically possible. They are not a punitive measure but a way of providing support to the returning employee. It has been established that return to work interviews are one of the most effective ways of reducing sickness absence.

The purpose of this meeting is to give the Manager (or their nominee) and the employee the opportunity to discuss the following key issues:

1. The nature of their absence and ask whether there are any underlying reasons for the absence.
2. Consideration of whether any advice from Occupational health or GP fit note advice can be accommodated
3. Any alternative arrangements for returning to work such as phased return, alternative duties
4. Any reasonable adjustments\* that are made to assist with the Return to Work.  
***NB These should be confirmed in writing after the Interview along with a review date the reasonable adjustments***
5. The need to undertake relevant risk assessments such as stress, pregnancy, manual handling, where appropriate
6. Discuss the employee's attendance in line with the Attendance Management Policy and Procedure Absence Triggers

7. Whether there is any support that can be offered to the employee and where appropriate remind the employee about additional support available such as the Employee Assistance Programme, counselling, physiotherapy
8. If appropriate, whether the employee has complied with the sickness absence reporting procedure

***NB Headteachers/ Managers in the return to work meeting with an employee who has been absent due to a mental health condition, should discuss and agree what if any information may be shared with colleagues regarding the absence and changes that will be implemented to support the employee to remain in work***

### **\*Reasonable Adjustments**

As part of the Return to Work Interview it is appropriate to consider whether any reasonable adjustments can be implemented in order to reduce the extent of disability related absences. A reasonable adjustment such as providing the appropriate equipment, can sometimes resolve the need for absence. Advice may be sought from OH and all agreed reasonable adjustments should be recorded

The School will make notes of the discussion which the employee should sign as a true record. The employee can ask for a copy if they wish, and a copy will be retained on their Personal file.

### **3.7 Phased Returns**

In certain cases, normally following a long term certified absence or injury, an employee's own GP or the Occupational Health Physician may indicate that a phased return to work would facilitate an employee's recovery. The phased return, by mutual agreement, could take a variety of forms including:

- working initially on certain days of the week
- working a reduced number of hours
- undertaking restricted duties for a specified period of time

The school wish to facilitate and encourage this good practice in appropriate circumstances in order to provide the following advantages:

- assisting the recovery of an employee
- minimising the strain on an employee following a serious illness or injury
- encouraging a return to work
- sustaining the return to work

A phased return would normally last for up to 4 weeks, with each week seeing the employee increasing their attendance and duties at their place of work until the end of the fourth week when they would be expected to be carrying out, by agreement

with the schools senior management, their full duties and responsibilities. It is advisable to put arrangements for phased returns in writing to avoid any misunderstandings and keep the phased return to work under review throughout the agreed period.

***NB During the agreed phased return to work the employee will be paid their full salary.***

### **3.8 Alternative Working Patterns**

The line manager and employee should consider if the employee's level of attendance may be improved through a change in working pattern (if this can be achieved).

The employee should be advised what the next stages of the procedure are should there be no improvement in their attendance levels.

### **3.9 Annual Leave and Sickness (full year employees)**

Employees have the facility to take annual leave whilst absent from work due to sickness, with the provision for situations where employees are unable to take all, or part of their statutory annual leave entitlement for reasons relating to sickness.

All employee requests to take annual leave whilst absent from work due to sickness should be processed through Selfserve as usual. Carryover of annual leave due to sickness absence must be submitted on Selfserve for the manager to approve.

Please refer to the Annual Leave policy on the 'People' area of the Intranet for further guidance. Guidance is also available on Selfserve.

**Absence Reporting Procedure**  
**St John's Catholic Junior School**

**1) Reporting Absence from Work**

Employees should report non-attendance at the earliest opportunity to *both the Headteacher & the Deputy Headteacher* but no later than 7am on the first day of absence, in line with the School's Sickness Absence reporting procedure.

**2) Information to be provided to the school**

At the time of contact, the employee should where possible describe:

- The nature of the illness
- The probable date of return to duty
- Any relevant information in relation to their duties and previously planned work

**3) Circumstances when the employee cannot report the absence**

It is accepted that some employees may be unable to comply with this procedure because of personal circumstances. If this is the case, then alternative arrangements can be made with the Headteacher.

**4) Absence of more than 7 days**

If the absence continues beyond seven calendar days, it is the responsibility of the employee to ensure that the Headteacher receives a Fit Note no later than the eighth calendar day of absence. If the period of sickness absence extends beyond the period covered by the initial Fit note, the employee should send a new Fit note.

**5) Notification of ongoing short term absence**

In the case of absence of more than one day or part of a day, the employee should notify the Headteacher (or their nominee) of their intention to return to school on the working day prior to return.

**6) Return to Work Interview**

Upon returning to school, the employee must attend a return to work interview with their line manager.

**7) Additional Medical evidence required by the school**

In exceptional circumstances an employee may be required to produce a Fit note if they have reached an extreme level of uncertified absences. In these cases, they may be instructed to provide a Fit note for all absences or future absences. The cost of the Fit note will be reimbursed to the employee concerned by the school upon the provision of a receipt.

**NB Headteachers should complete reporting requirements to ensure that staff are paid correctly**



**Sickness Reporting Procedure**  
**St John's Catholic Junior School**

The school is committed to monitoring sickness absences in order to identify and support employees who are absence due to sickness.

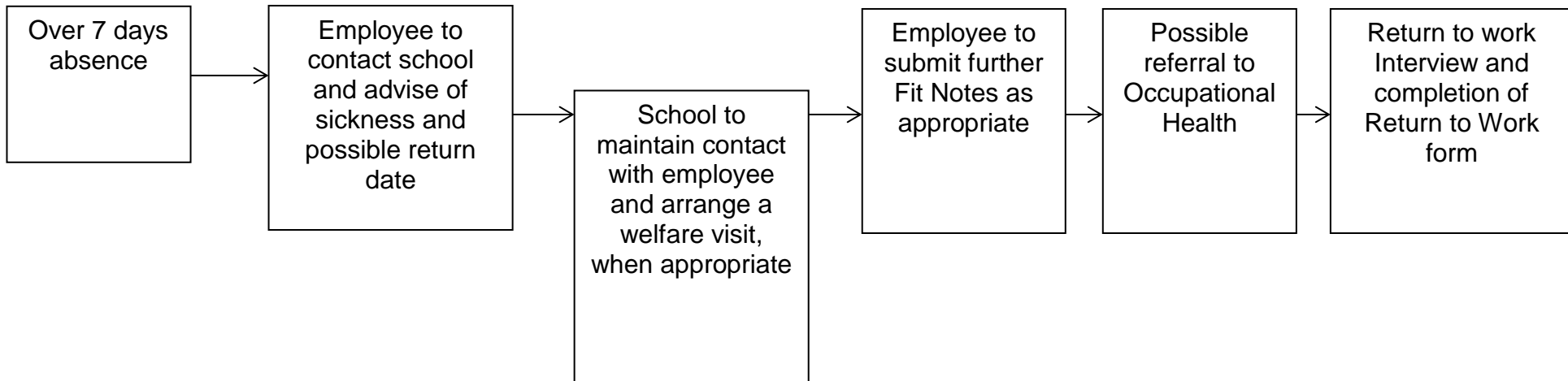
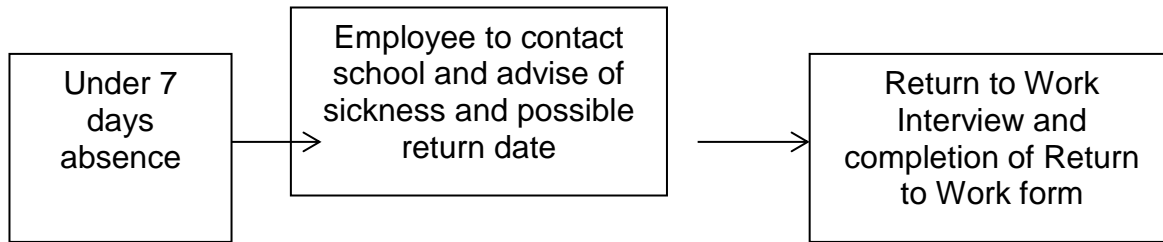
This document sets out the procedure for the management of sickness absence which has been adopted by the Governing Body of the school. This document will be made available for each employee.

It is the responsibility of the Headteacher or the Deputy Headteacher to share the content of this guidance with all employees. If further clarification is required on any particular issue, please contact the Headteacher.

- You should report non-attendance at the earliest opportunity but no later than 7am on the first day of absence to *the Headteacher & the Deputy Headteacher*.
- a. At the time of contact you should where possible describe:
  1. The nature of your illness.
  2. The probable date of return to duty.
  3. Any relevant information in relation to your duties and previously planned work.
- b. If due to personal circumstances an employee is unable to comply with this procedure, then alternative arrangements can be made with the Headteacher.
- If the absence continues beyond seven calendar days, it is the employee's responsibility to ensure that (*Headteacher or Line Manager*) receives a Fit Note no later than the eighth calendar day of absence.
- If the period of sickness absence extends beyond the period covered by the initial Doctor's note, you should send a new Fit Note to (*Headteacher or Line Manager*) within the expiry date of the previous statement.
- In the case of any absence, you should notify *the Headteacher & the Deputy Headteacher* of your intention to return to work by 3pm on the working day prior to return.
- All Fit Notes will be recorded and dealt with by the school.

- Occasionally, an employee may be required to produce a medical certificate if they have reached an extreme level of uncertified absences.
- Return to work interviews will be carried out following all periods of absences and a Return to Work form completed (a copy of which is given to the employee).

**Management of Attendance Procedure Flowchart**



**Keeping in Touch Form (E-form on self-serve)**

It is important that the Headteacher/Line Managers record all contact, receipt of associated documents and decisions made in relation to the sickness absence following the notification call.

<b>Section 1 –Employee’s Details</b>	
School Name:	
Employees Full Name:	Employee No:
Post Number/Job Title:	
Date notified:	Time notified:
Reason for Absence:	
Expected return to work date:	

**All contact with the employee following initial notification of sickness should be recorded below.**

<b>Date / Time</b>	<b>Type of contact</b>	<b>Brief detail of discussion</b>

	<b>Action for Headteacher/Line Manager</b>
1	Share this form with the employee as part of the Return-to-Work Interview
2	This form should be retained in school on employee's personal file.

**Attendance Management**

**Return to Work Interview Form (E-form on self-serve)**

Name:			
Employee Number:		Post Number/Job Title:	
Reason for Absence:			
Dates of Absence	From:	To:	

For the Return to Work Interview the Headteacher/Line Manager should ensure they have:

1. A private room/space where they will not be interrupted.
2. Establish whether there are any reoccurring patterns and/or regular intermittent periods of short-term absence that cause concern and/or numerical triggers that could shortly be hit.
3. The employee's absence record to discuss at the Interview.

The Return to Work interview should be conducted face-to-face and should only be undertaken over the phone in exceptional circumstances

**Interview Checklist** ✓

Welcome the employee back to work	<input type="checkbox"/>
Bring them up to date with what has been going on during their absence as appropriate	<input type="checkbox"/>
Share the Keeping in Touch Form with the employee	<input type="checkbox"/>
Discuss the nature of their absence and ask whether if there are any underlying reasons for the absence.	<input type="checkbox"/>
Ascertain whether there is any support that can be offered to the employee	<input type="checkbox"/>
Ascertain whether medical advice has been sought and if any medical recommendations or reasonable adjustment have been made (GP or OH) and whether they can be accommodated	<input type="checkbox"/>
Consider any reasonable adjustments that are made to assist with the Return to Work. These should be confirmed in writing after the Interview	<input type="checkbox"/>

along with a <del>date to</del> review date the success of the reasonable adjustments	
Discuss whether the employee has complied with the sickness absence reporting procedure	<input type="checkbox"/>
Discuss the employee's attendance in line with the Management of Attendance (Capability) Policy and Procedure Absence Triggers	<input type="checkbox"/>
Remind the employee about the Employee Assistance Programme where appropriate	<input type="checkbox"/>

**Action to be Taken** ✓

<i>Please tick to indicate what action has been taken following Interview</i>	
No Action Taken	<input type="checkbox"/>
Informal discussion given about absence levels	<input type="checkbox"/>
Confirm Formal Meeting to be arranged	<input type="checkbox"/>
Referral to Occupational Health	<input type="checkbox"/>
Referral to EAP	<input type="checkbox"/>
Other (please give details below)	<input type="checkbox"/>
<b>Please use this form to record details of the discussion</b>	

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<b>Headteacher Signature:</b>	<b>Employee Signature:</b>
<b>Headteacher Name(Print):</b>	<b>Employee Name (Print):</b>
<b>Date:</b>	<b>Date:</b>

<b>Action for Headteacher/Line Manager</b>	
1	Fill in Return to Work Interview e-form on HR Self-Serve (if applicable)
2	This form is to be retained in school and stored on employee's personal file.
3	Share this form with the employee.



**ATTENDANCE MANAGEMENT IN SHORT-TERM PERSISTENT ABSENCE**

**Key considerations for Headteachers when deciding whether a formal review and monitoring period should be put in place: short-term persistent absence**

*NB It is a fundamental principle of the Attendance Management (Capability) Policy and Procedure that the employee is made aware informally before a formal hearing is arranged at a return to work interview prior to hitting a 'formal' trigger. If the employee has a disability the Headteacher should ensure that reasonable adjustments have been put in place prior to a trigger being hit.*

<b>Employee name:</b>		<b>Employee number:</b>		<b>Post number:</b>	
<b>Date of Meeting:</b>		<b>Stage:</b>			

	<b>Support offered</b>	<b>Answer</b>	<b>Guidance</b>	<b>Details</b>
<b>1</b>	Have you sought advice from Occupational Health (OH), where you consider that there may be an underlying disability and /or underlying health issue contributing to the short-term absence?		If No, are you satisfied there is no underlying duty of care?  If Yes, see question below.	Please detail action you have taken

<p><b>2</b></p>	<p>If yes, have you put any reasonable adjustments or recommendations from OH in place to assist the employee?</p> <p><i>NB Consideration may also be given to requests from an employee but must be reasonable and continue to deliver business requirements. *</i></p>	<p>If No, on this occasion do not put into formal monitoring and review process. Continue to review employee's absence and put in place the reasonable adjustments advised by OH.</p> <p>If Yes, continue with appropriate course of action.</p>	<p>Please detail action you have taken</p>
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***In normal circumstances it would be expected that the Headteacher would issue a warning if the answer is 'Yes' to any of the following questions:***

<b>Employee attendance record</b>		<b>Yes/No</b>	<b>Details</b>
Is there evidence of a history of persistent short-term absence? This could include one of the following:			
<b>1.</b>	<b>Reoccurring informal discussion</b> Have you had regular informal discussions with the employee but not proceeded to formal procedure at this stage?		
<b>2.</b>	<b>Previous formal meeting (no review and monitoring put in place)</b> Has the employee hit an absence trigger (numerical or concerning patterns) and had a formal meeting in the last 12 months and you have not put in place formal monitoring and review process?		
<b>3.</b>	<b>Previous review and monitoring in place</b> Is there a history of placing the employee in formal monitoring and review, and the review period has now lapsed, and attendance has not improved?		

<b>Action</b>	<b>Length of review period</b>	<b>Reason</b>

<b>No monitoring and review put in place</b>		
<b>Monitoring and review period put in place</b>		

**ATTENDANCE MANAGEMENT (LONG-TERM ABSENCE)**

**Key considerations for Headteachers when deciding whether a formal review and monitoring period should be put in place – long term sickness absence**

*NB It is a fundamental principle of the procedure that the employee is made aware informally before a formal hearing is arranged at a Return to Work interview and/or a welfare meeting prior to hitting a ‘formal’ trigger. If the employee has a disability the Headteacher should ensure that reasonable adjustments have been put in place prior to a trigger being hit.*

<b>Employee name:</b>		<b>Employee number:</b>		<b>Job title:</b>	
<b>Date of hearing:</b>		<b>Stage:</b>			

	<b>Questions for discussion</b>	<b>Details</b>
<b>1</b>	Is there any prospect of the employee being able to return to work and if so, within what period of time?	
<b>2</b>	What physical and mental conditions are preventing the employee from returning to work and what treatment(s) is the employee receiving for their conditions?	

	<b>Questions for discussion</b>	<b>Details</b>
<b>3</b>	Has there been any change in the physical and mental condition of the employee since the Occupational Health appointment?	
<b>4</b>	Are there any reasonable adjustments which can be made to the employee's working arrangements or workplace which would enable the employee to return to work and if so, within what period of time?	
<b>5</b>	Is there any available alternative employment which would be suitable for the employee if no reasonable adjustments can be made to the employee's existing job?	

	<b>Support offered</b>	<b>Answer</b>	<b>Guidance</b>	<b>Details</b>
<b>1</b>	Have you sought advice from Occupational Health, where you consider that there may be an underlying disability and/or underlying health issue contributing to the absence?		<p>If no, are you satisfied there is no underlying duty of care?</p> <p>If yes, see question below.</p>	Please detail any action taken

2	<p>If yes, have you put any reasonable adjustments or recommendations from OH in place to assist the employee?</p> <p><i>NB consideration may also be given to requests from an employee but must be reasonable and continue to deliver business requirements. *</i></p>	<p>If no, on this occasion do not progress with formal monitoring and review process. Continue to review employee absence and put in place the reasonable adjustments advised by OH.</p> <p>If yes, continue with appropriate course of action.</p>	<p>Please detail any action taken</p>
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Action	Length of Review period	Reason
<b>No monitoring and review put in place</b>		
<b>Monitoring and review period put in place</b>		

**Access to Work Mental Health Support Service****a) What is the Access to Work Mental Health Support service?**

The Access to Work Mental Health Support service is delivered by Remploy on behalf of Access to Work across England, Scotland and Wales. Support is available to employees who are experiencing difficulties at work due to depression, anxiety, stress and/or other mental health conditions.

The service can complement any occupational health scheme a company already has in place and is delivered by a team of Vocational Rehabilitation Consultants who are fully trained professionals with expertise in mental health and its impact in the workplace.

**b) What are the eligibility criteria to access the service?**

- Be in permanent or temporary paid employment any hours
- Working or signed off sick
- The employee has a mental health condition that has made them miss work, or that is making it difficult for them to remain in work.

**c) What support can be offered:**

The support can include:

- Workplace mental well-being support and advice for nine months, which is tailored to the needs of the employee.
- Help for employees to identify successful workplace and condition coping strategies that will support their success.
- Advice on simple adjustments that could be implemented to help employees fulfil their role.
- A step-by-step support plan for employees to follow, helping them to get back on track.
- Helping employers to fully understand what support they can offer to employees with a mental health condition (with their permission).
- Support provided in an appropriate environment, in respect of the employee's wishes.
- All of the above is provided at no financial cost to the employer.
- A toolkit which consists of a variety of resources to help raise awareness of and integrate the support offered, is available on request.



**d) What is the referral process to access the service?**

- 1) Confidential helpline: 0300 456 8114
- 2) email: [a2wmhss@remploy.co.uk](mailto:a2wmhss@remploy.co.uk)
- 3) [www.remploy.co.uk/mentalhealth](http://www.remploy.co.uk/mentalhealth)

**TEMPLATE INVITATION TO FIRST FORMAL REVIEW OF SICKNESS ABSENCE**

<b>PRIVATE AND CONFIDENTIAL</b>	School	
Employee Name	Address	
Address	tel 0151 xxx	
	Date	

Dear (insert name of individual)

**FIRST FORMAL REVIEW MEETING TO DISCUSS SICKNESS ABSENCE**

I am writing to advise that following our informal discussion(s) at your Return to Work Interview on (insert date(s)), a meeting will be held under the first Formal Review and Monitor stage of the School's Attendance Management Policy and Procedure, a copy of which is enclosed.

Your absences are as follows:

- *List all dates and reasons for absence*
- *Specify which trigger the absences concerns relate to i.e.*
  - *Concerning patterns of absence e.g. absences after pay day, attached to a school holiday*
  - *Xx days in 6 months*
  - *Xx spells of absence in 12 months*

The Meeting will take place on

**Date:**

**Time:**

**Venue**

The purpose of the meeting will be to consider your level of absence and consider next steps

You have the right to be accompanied by a Trade Union representative or work colleague at the Meeting. If you wish to do this you must make the appropriate arrangements with your representative. I will be supported by XXXXX State name and job title (delete if not applicable)

Please contact (insert name) by (insert date) to confirm your attendance at this meeting, or with any concerns you may have in relation to the contents of this letter.

If you are unable to attend and you fail to inform me then the hearing may take place in your absence.

Yours sincerely,

Headteacher

**TEMPLATE LETTER CONFIRMING OUTCOME OF FIRST FORMAL REVIEW OF SICKNESS ABSENCE**

<b>PRIVATE AND CONFIDENTIAL</b>	School	
Employee Name	Address	
Address		
	Date	

Dear (insert name of individual)

**OUTCOME OF FIRST FORMAL REVIEW OF SICKNESS ABSENCE MEETING**

I write to confirm the discussions held on (date) of the FIRST FORMAL REVIEW OF SICKNESS ABSENCE MEETING, which was held under the School’s Attendance Management Policy and Procedure, at which you were accompanied by (insert name of union representative or work colleague).

At the meeting we discussed your absence record and I explained how this was a cause for concern due to the constraints your absence placed on your colleagues and the school. I also provided a copy of the School’s Attendance Management Policy and Procedure for reference.

The occasions and reasons for your absence were outlined as:

- *XXX Detail all absences*

The summary of the discussion is as follows:

- *Detail discussion*
- *Summary for any explanations/mitigation provided*

I asked if you required any further assistance from me to improve your attendance at work or if you wished to make use of the School’s support mechanisms (Occupational Health, Employee Assistance Programme delete as appropriate). This was *accepted/declined (delete as appropriate)*.

**Options**

As I informed you at the meeting/I confirm after deliberations I have taken the decision not to issue a First Letter of Concern or set a Review and Monitoring Period on this occasion. This is because

- *(insert reason why - Detail any expectations of employee for example, providing a sick note on first day of absence etc..)*

**Or:**

As I informed you at the meeting/ I confirm after deliberations, I have taken the decision to issue a First Letter of Concern and place you into a formal Review and Monitoring Period. I also asked you to *(insert any other measures such as asking the employee to provide a sick note on each occasion etc)*.

Review and Monitoring will remain in place for a period of 6 months. Throughout the period, I will monitor absence levels and may decide to call a meeting earlier than the end of the specified review period, where there is an absence which meets a trigger/ or unacceptable patterns have been identified.

I explained during our meeting that a copy of this letter would be kept on record.

There is no right of appeal against this decision.

Yours sincerely

Headteacher

**TEMPLATE INVITATION TO SECOND FORMAL REVIEW OF SICKNESS ABSENCE**

<b>PRIVATE AND CONFIDENTIAL</b>	School	
Employee Name	Address	
Address		
	Date	

Dear (insert name of individual)

**SECOND FORMAL REVIEW MEETING TO DISCUSS SICKNESS ABSENCE**

If employee has returned to work (Delete as appropriate)

I am writing to advise that following our informal discussion(s) at your Return to Work Interview on (insert date(s)) a meeting will be held under the second Formal Review and Monitor stage of the School's Attendance Management Policy / Procedure, a copy of which is enclosed.

**OR**

If employee remains absent (Delete as appropriate)

I am writing to advise that following a review of your sickness absence, the decision has been taken to hold a meeting under the second Formal Review and Monitor stage of the School's Attendance Management Policy / Procedure, a copy of which is enclosed.

Your absences are as follows:

- *List all dates and reasons for absence*
- *Specify which trigger the absences concerns relate to i.e.*
  - *Concerning patterns of absence e.g. absences after pay day, attached to a school holiday*
  - *Xx days in 6 months*
  - *Xx spells of absence in 12 months*

The Meeting will take place on

**Date:**

**Time:**

**Venue**

The purpose of the meeting will be to consider your level of absence and consider next steps.

You have the right to be accompanied by a Trade Union representative or work colleague at the Meeting. If you wish to do this, you must make the appropriate arrangements with your representative. I will be supported by XXXXX include name and job title (delete if not applicable).

Please contact (NAME) by (DATE, TIME) to confirm your attendance at this meeting or with any concerns you may have in relation to the contents of this letter.

If you are unable to attend and you fail to inform me then the hearing may take place in your absence.

Yours sincerely,

Headteacher

**TEMPLATE LETTER CONFIRMING OUTCOME OF SECOND FORMAL REVIEW OF SICKNESS MEETING**

PRIVATE AND CONFIDENTIAL	School	
Employee Name	Address	
Address		
	Date	

Dear (insert name of individual)

**OUTCOME OF SECOND FORMAL REVIEW OF SICKNESS ABSENCE MEETING ON (DATE)**

I write to confirm the discussions of the SECOND FORMAL REVIEW OF SICKNESS ABSENCE MEETING, which was held under the School’s Attendance Management Policy and Procedure, at which you were accompanied by (insert name of union representative or work colleague).

At the meeting we discussed your absence record and I explained how this was a cause for concern due to the constraints your absence placed on your colleagues and the school. I also provided a copy of the School’s Attendance Management Policy and Procedure for reference.

The occasions and reasons for your absence were outlined as:

- *XXX Detail all absences*

The summary of the discussion is as follows:

- *Detail discussion*
- *Summary for any explanations/mitigation provided*

I asked if you required any further assistance from me to improve your attendance at work or if you wished to make use of the School’s support mechanisms (Occupational Health, Employee Assistance Programme delete as appropriate). This was *accepted/declined (delete as appropriate)*.



## Options

As I informed you at the meeting/I confirm after deliberations I have taken the decision not to issue a Second Letter of Concern or set a Review and Monitoring Period on this occasion. This is because

- *(insert reason why - Detail any expectations of employee for example, providing a sick note on first day of absence etc..)*

I advised that if the required improvement was not observed, then we may consider a further Review Meeting.

### **Or:**

As I informed you at the meeting/ I confirm after deliberations, I have taken the decision to issue a Second Letter of Concern and place you into a formal Review and Monitoring Period which will remain on your record for a period of twelve months. I also asked you to *(insert any other measures such as asking the employee to provide a sick note on each occasion etc.)*.

Review and Monitoring will remain in place for a period of 12 months. Throughout the period, I will monitor absence levels and may decide to call a meeting earlier than the end of the specified review period, where there is an absence which meets a trigger/ or unacceptable patterns have been identified.

I explained that a copy of this letter would be kept on record. There is no right of appeal against this decision.

Yours sincerely

Headteacher

**TEMPLATE INVITATION TO FINAL FORMAL REVIEW OF SICKNESS ABSENCE**

<b>PRIVATE AND CONFIDENTIAL</b>	School	
Employee Name	Address	
Address		
	Date	

Dear (insert name of individual)

**FINAL FORMAL REVIEW MEETING TO DISCUSS SICKNESS ABSENCE**

**If employee has returned to work (Delete as appropriate)**

I am writing to advise that following our informal discussion(s) at your Return to Work Interview on (insert date(s)) a meeting will be held under the Final Formal Review and Monitor stage of the School's Attendance Management Policy and Procedure, a copy of which is enclosed.

**OR**

**If employee remains absent (Delete as appropriate)**

I am writing to advise that following a review of your sickness absence and further to our discussions in our recent welfare visit, the decision has been taken to hold a meeting under the Final Formal Review and Monitor stage of the School's Attendance Management Policy and Procedure, a copy of which is enclosed.

Your absences are as follows:

- *List all dates and reasons for absence*
- *Specify which trigger the absences concerns relate to i.e.*
  - *Concerning patterns of absence e.g. absences after pay day, attached to a school holiday*
  - *Xx days in 6 months*
  - *Xx spells of absence in 12 months*

The Meeting will take place on

**Date:**

**Time:**

**Venue**

The purpose of the meeting will be to consider your level of absence and consider next steps.

You have the right to be accompanied by a Trade Union representative or work colleague at the Meeting, and if you wish to do this you must make the appropriate arrangements with your representative. I will be supported by (Name HR representative).

Please contact (NAME) by (DATE, TIME) to confirm your attendance at this meeting or with any concerns you may have in relation to the contents of this letter.

You should be aware that a Final Letter of Concern and Review and Monitoring period is potentially a decision that could be issued as an outcome of this meeting.

If you are unable to attend and you fail to inform me then the hearing may take place in your absence.

Yours sincerely,

Headteacher

**TEMPLATE LETTER CONFIRMING OUTCOME OF FINAL FORMAL REVIEW OF SICKNESS MEETING**

<b>PRIVATE AND CONFIDENTIAL</b>	School Name	
Employee Name	Address	
Address		
	Date	

Dear (insert name of individual)

**OUTCOME OF FINAL FORMAL REVIEW OF SICKNESS ABSENCE MEETING**

I write to confirm the discussions of the FINAL FORMAL REVIEW OF SICKNESS ABSENCE MEETING, which was held on (date) under the School’s Attendance Management Policy and Procedure, at which you were accompanied by (insert name of union representative or work colleague). I was supported by (Name HR Representative).

At the meeting we discussed your absence record and I explained how this was unacceptable due to the constraints your absence placed on your colleagues and the service. I also provided a copy of the School’s Attendance Management Policy and Procedure for reference.

The occasions and reasons for your absence were outlined as:

- *XXX Detail all absences*

The summary of the discussion is as follows:

- *Detail discussion*
- *Summary for any explanations/mitigation provided*

I asked if you required any further assistance from me to improve your attendance at work or if you wished to make use of the School’s support mechanisms (Occupational Health, Employee Assistance Programme delete as appropriate). This was *accepted/declined (delete as appropriate)*.

## Options

As I informed you at the meeting/I confirm after deliberations I have taken the decision not to issue a FINAL Letter of Concern or to set a Review and Monitoring Period on this occasion. This is because

- *(insert reason why - Detail any expectations of employee for example, providing a sick note on first day of absence etc..)*

I advised that if the required improvement was not observed, then we may consider a further Review Meeting.

### Or:

As I informed you at the meeting/ I confirm after deliberations, I have taken the decision to issue a Final Letter of Concern and place you into a formal Review and Monitoring Period. I also asked you to *(insert any other measures such as asking the employee to provide a sick note on each occasion etc)*.

As I explained at the meeting, should your level of attendance not improve, further action may be taken which may result in the termination of your contract. Monitoring will remain in place for a period of 18 months.

Throughout the review period, I will monitor absence levels and may decide to call a meeting earlier than the end of the specified review period, where there is an absence which meets a trigger/ or unacceptable patterns have been identified.

A copy of this letter will be kept on your record.

There is no right of appeal against this decision.

Yours sincerely

Headteacher

**TEMPLATE INVITATION TO A CONSIDERATION OF FORMAL CAPABILITY DISMISSAL  
SICKNESS ABSENCE HEARING**

<b>PRIVATE AND CONFIDENTIAL</b>	School	
Employee Name	Address	
Address		
	Date	

Dear (insert name of individual)

**CONSIDERATION OF FORMAL CAPABILITY DISMISSAL SICKNESS ABSENCE HEARING  
(DATE)**

I refer to our previous meetings on (date(s)) regarding your level of sickness absence under previous stages of the School’s Attendance Management Policy and Procedure.

As there has not been an improvement/sustained improvement in your attendance, I require you to attend a hearing with the Staff Dismissal Committee under the School’s Formal Capability Attendance Management Policy and Procedure, a copy of which is enclosed.

Your absences are as follows:

- *List all dates and reasons for absence*
- *Specify which trigger the absences concerns relate to i.e.*
  - *Concerning patterns of absence e.g. absences after pay day, attached to a school holiday*
  - *Xx days in 6 months*
  - *Xx spells of absence in 12 months*

The Hearing will take place on

**Date:**

**Time:**

**Venue**

The purpose of the hearing will be to consider your level of absence as outlined in the attached Attendance Management Report.

You have the right to be accompanied by a Trade Union representative or work colleague at the Hearing, and if you wish to do this you must make the appropriate arrangements with your representative. I will be supported by (Name HR representative).

Please contact (NAME) by (DATE, TIME) to confirm your attendance at this hearing or with any concerns you may have in relation to the contents of this letter. If there are any documents, which you would like to be considered, please contact me as soon as possible so that appropriate arrangements can be made in wherever possible at least 5 days prior to the date of the meeting.

The School expects the highest standards from its employees and therefore this matter is viewed very seriously. As such, you should be aware that dismissal is potentially a sanction that could be decided at the hearing. It is important for you and your representative to prepare your response carefully so that I can consider all relevant information.

If you are unable to attend and you fail to inform me then the hearing may take place in your absence.

Yours sincerely,

Headteacher

**TEMPLATE LETTER CONFIRMING OUTCOME OF FORMAL CAPABILITY DISMISSAL SICKNESS ABSENCE HEARING**

<b>PRIVATE AND CONFIDENTIAL</b>	School	
Employee Name	Address	
Address		
	Date	

**FORMAL CAPABILITY DISMISSAL SICKNESS ABSENCE HEARING**

I refer to the hearing with the Staff Dismissal Committee held on (date) regarding your sickness absence when your representative (Name) was present (or) when you chose not to have a representative present. I was supported by (Name HR representative).

At the hearing, the Staff Dismissal Committee considered your level of sickness absence, other relevant information available and your representations at the hearing.

The occasions and reasons for your absence were outlined as:

- *XXX Detail all absences*

The summary of the discussion is as follows:

- *Detail discussion*
- *Summary for any explanations/mitigation provided*

The Committee asked if you required any further assistance to improve your attendance at work or if you wished to make use of the School’s support mechanisms (Occupational Health, Employee Assistance Programme delete as appropriate). This was *accepted/declined (delete as appropriate)*.

**Options**

As you were informed you at the meeting/ after deliberations and having considered all the details and circumstances relating to your absence, it has been concluded that there has been no improvement in the level of your attendance.



You are being officially informed that this letter constitutes the decision of the Staff Dismissal Committee to recommend that you cease work at .....School, for some other substantial reason, in that you have been absent due to ill health since..... This decision will be forwarded to the Director of Children, Family and Education requesting that they terminate your contract of employment on ..... This takes into account your contractual notice period.

This decision is given as a result of consideration of your case by the Staff Dismissal Committee. I am obliged to advise you that your Conditions of Service give you the right of appeal to the school's Staff Dismissal Appeal Committee. If you wish to exercise this right you may do so in writing by notifying the Governors at the school address within 10 days from the date of this letter. You should send a copy to the Director of Children Family and Education. You have a right to appear before the Staff Dismissal Appeal Committee with or without a union representative or a work colleague:

**Or:**

As you were informed at the meeting/ I can confirm, after deliberations, and having considered all the details and circumstances relating to your absence, the Staff Dismissal Committee have decided on this occasion not to terminate your contract of employment but to re-issue/issue a Final Letter of Concern and set a further review and monitoring period effective from the date of this letter.

As part of the hearing, you were also asked you to (*insert any other measures such as asking the employee to provide a sick note on each occasion etc*).

If your sickness absence does not improve, further action may be taken which may result in the termination of your contract. Review and Monitoring will remain in place for a period of 18 months. Throughout the review period, I will monitor absence levels and may decide to call a meeting earlier than the end of the specified review period, where there is an absence which meets a trigger/ or unacceptable patterns have been identified. A copy of this letter will be kept on your record.

This decision is given as a result of consideration of your case by the Staff Dismissal Committee. I am obliged to advise you that your Conditions of Service give you the right of appeal to the school's Staff Dismissal Appeal Committee. If you wish to exercise this right you may do so in writing by notifying the Governors at the school address within 10 days from the date of this letter. You should send a copy to the Director of Children Family and Education. You have a right to appear before the Staff Dismissal Appeal Committee with or without a union representative or a work colleague

Yours sincerely,

Headteacher

**TEMPLATE LETTER INVITATION TO APPEAL HEARING FINAL ATTENDANCE MANAGEMENT DISMISSAL**

<b>PRIVATE AND CONFIDENTIAL</b>	School	
Employee Name	Address	
Address		
	Date	

Dear (insert name of individual)

**APPEAL HEARING AGAINST FINAL ATTENDANCE MANAGEMENT DISMISSAL**

I acknowledge receipt of your Appeal Letter dated..... in which you state that you feel you were unfairly dismissed following your formal hearing on (Date).

You are therefore invited to attend an Appeal Hearing with members of the School Appeal Committee (Name /Title). The Hearing will take place on

**Date:**

**Time:**

**Venue**

You have advised that [Union Representative/Colleague name] will represent you. I will be supported by (Name HR representative).

At the hearing, consideration will be given to the dismissal decision made by the Staff Dismissal Committee. It is important for you and your representative to prepare your response carefully so that the Committee can consider all relevant information. If there is anything which you do not understand or if you have any questions regarding this matter please contact me.

Please contact (NAME) by (DATE, TIME) to confirm your attendance at this hearing or with any concerns you may have in relation to the contents of this letter.

If you are unable to attend and you fail to inform me then the hearing may take place in your absence.

Yours sincerely,

Headteacher

**TEMPLATE LETTER OUTCOME OF APPEAL HEARING AGAINST FINAL ATTENDANCE MANAGEMENT DISMISSAL**

<b>PRIVATE AND CONFIDENTIAL</b>	School Name	
Employee Name	Address	
Address		
	Date	

Dear (insert name of individual)

**Outcome of Appeal Hearing against FINAL ATTENDANCE MANAGEMENT DISMISSAL**

I am writing to you following your appeal Hearing which took place on (date) at which you were accompanied by your TU representative/colleague (Name) and I was supported by (Name) and the Appeals Committee were supported by (name)

The purpose for the hearing was to consider your appeal against your dismissal on (date) under the Attendance Management Procedure. The dismissal considered the following absences:

<b>List Dates</b>	Reason and number of days absent

Your grounds for appeal were: (detail reasons for appeal, mitigation and any other information put forward)

The Appeals Committee have considered all the details and circumstances of the absences, and the additional supporting information/comments you provided as part of the appeal hearing.

(Detail considerations for each discussion point of the appeal)

## **Options**

Taking that into account and the mitigation in relation to your absences presented by you and/or your Trade Union rep, the Appeals Committee has decided not to uphold your appeal (detail reasons for not upholding appeal)

Or

Taking that into account, the members of the Appeals Committee have decided that they are going to re-issue/issue a Final Letter of Concern and set a further review and monitoring period effective from the date of this letter.

If your sickness absence does not improve, further action may be taken which may result in the termination of your contract. Monitoring will remain in place for a period of 18 months. Throughout the review period, I will monitor absence levels and may decide to call a meeting earlier than the end of the specified review period, where there is an absence which meets a trigger/ or unacceptable patterns have been identified. A copy of this letter will be kept on your record.

As you are aware this was an appeal hearing against dismissal and therefore there is no further process that can be followed. We consider this matter now closed. There is no further right of appeal

Yours sincerely,

Headteacher

**TEMPLATE LETTER INVITATION TO ATTENDANCE MANAGEMENT CAPABILITY HEARING – ILL HEALTH RETIREMENT**

PRIVATE AND CONFIDENTIAL	School Name	
Employee Name	Address	
Address		
	Date	

Dear (insert name of individual)

**ATTENDANCE MANAGEMENT PROCEDURE – ILL HEALTH RETIREMENT (Tier 1/2/3)\* delete as appropriate**

Following receipt of the report from Occupational Health dated (date), an Attendance Management hearing will be held under the School’s Capability Attendance Management Policy and Procedure, a copy of which is enclosed.

The hearing will take place on:

**Date:**

**Time:**

**Venue**

The purpose of the Hearing will be to discuss the report received from Occupational Health, your continued absence and your capability to carry out the post of (post title).

You have the right to be accompanied by a Trade Union representative or work colleague at the hearing and you are responsible for arranging this. The members of the Staff Dismissal Committee will be supported by (Name). I will also be in attendance to present the management case.

Please find attached a copy of the Occupational Health Specialist's report containing a recommendation of Ill Health Retirement, and a copy of your sickness absence record, which will be considered at the hearing.

If there are any documents which you would like to be considered, please contact (Name/phone details) as soon as possible so that appropriate arrangements can be made.

You should be aware that dismissal due to Ill Health Retirement is potentially an outcome that could be decided at the meeting.

Yours sincerely

Headteacher

**TEMPLATE LETTER CONFIRMING OUTCOME OF ATTENDANCE MANAGEMENT CAPABILITY HEARING – ILL HEALTH RETIREMENT TIER 1**

<b>PRIVATE AND CONFIDENTIAL</b>	School Name	
Employee Name	Address	
Address		
	Date	

Dear (insert name of individual)

**ATTENDANCE MANAGEMENT CAPABILITY PROCEDURE – ILL HEALTH RETIREMENT TIER 1**

Thank you for attending the meeting on (DATE) At the hearing you were accompanied by (Name of TU representative/colleague and I was accompanied by (name.)). This letter is to confirm the outcome of the meeting, which was held under the School’s Capability Attendance Management Policy and Procedure.

During the meeting your ongoing sickness absence due to ill health was discussed. Detail points in the discussion:

Absence/ support offered/ reasonable adjustments/occupational health report

I concluded that reasonable adjustments have been duly considered and that you have been given every opportunity to improve your level of attendance to return to work, but this has not been possible due to your ongoing ill health. You acknowledged that you are unable to return to your role (job role) (If applicable).

I have reviewed in detail the Occupational Health report from (date), which indicates that you are currently unfit for employment and recommends that you retire from employment with the School due to Ill Health.

Occupational Health has recommended Tier 1 on the basis that ...

*Immediate benefits, payable for life, can be awarded to members of the LGPS, who in addition to being permanently unable to carry out their job, are medically certified as having no reasonable prospect of obtaining ‘gainful employment’ before age 67. The*

*benefits under Tier 1 are based on the membership of the Scheme member has built up to their point of retirement, PLUS a period of enhancement, equal to the member's potential membership between leaving and age 67.*

Having considered this recommendation and having discussed the matter with you, the Staff Dismissal Committee agreed with the recommendation from the Occupational Health Physician and therefore give you notice of termination of your employment on the grounds of ill health capability.

In reaching this decision and taking into account the view of Occupational Health, the Committee are of the view that no reasonable adjustments can be made to your current role to allow you to continue in this capacity and that redeployment was not an option.

You are a member of the Local Government Pension Scheme and the Occupational Health Physician has indicated that you fall within the scope of Tier 1 of the scheme's ill-health retirement benefits, which means that you are entitled to immediate benefits.

You are therefore entitled to receive payment of your pension from your termination of employment date. The Pension Fund will contact you directly in due course with regard to the arrangements for payment of your pension.

In accordance with your contract of employment you are entitled to (number) weeks' notice and your last day of employment would be the (date). During your notice period you are required to continue to submit fit notes to cover your period of absence.

Your conditions of service give you the right of appeal and as discussed at the meeting there are two distinct elements to the appeal process for ill-health retirement.

2. You have the right to appeal against the decision of the Staff Dismissal Committee to terminate your employment. Should you wish to exercise this right, you must do so in writing within 10 days of receipt of this letter, either directly or through your trade union by notifying the Clerk to Governors.

An appeal against the decision to terminate your employment will be considered by the Appeals Committee, who will *only* consider whether the School's decision to terminate your employment is reasonable, has taken into account all relevant information, and that due process has been followed or any other grounds for appeal you may have.

3. You also have the right to appeal against the pension tier in which you have been placed. However, this will not be considered by the Governing Body of the School.



Appeals of this nature fall under the Internal Disputes Resolution Procedure (IDRP), which is a part of the Local Government Pension Scheme Regulations. Should you wish to exercise this right you must do so in writing within 6 months of the receipt of this letter by contacting:

Director of Resources  
Wirral School  
Town Hall  
Brighton Street  
Wallasey  
CH44 8ED

I would like to take this opportunity to sincerely thank you for the work you have undertaken and for the difference you have made to the school during your employment here.

I would like to say how sorry I am to lose your services. I do hope that your health condition will soon show improvement, enabling you to enjoy a better future for which you have my very best wishes.

I wish you well for the future.

Yours sincerely

Headteacher

**TEMPLATE LETTER CONFIRMING OUTCOME OF ATTENDANCE MANAGEMENT CAPABILITY HEARING – ILL HEALTH RETIREMENT TIER 2**

<b>PRIVATE AND CONFIDENTIAL</b>	School Name	
Employee Name	Address	
Address		
	Date	

Dear (insert name of individual)

**ATTENDANCE MANAGEMENT PROCEDURE – ILL HEALTH RETIREMENT TIER 2**

Thank you for attending the meeting on (DATE) At the hearing you were accompanied by (Name of TU representative/colleague and I was accompanied by (name.)). This letter is to confirm the outcome of the meeting, which was held under the School’s Capability Attendance Management Policy and Procedure.

During the meeting your ongoing sickness absence due to ill health was discussed. Detail points in the discussion:

Absence/ support offered/ reasonable adjustments/occupational health report

I concluded that reasonable adjustments have been duly considered and that you have been given every opportunity to improve your level of attendance to return to work, but this has not been possible due to your ongoing ill health. You acknowledged that you are unable to return to your role (job role) (If applicable).

I have reviewed in detail the Occupational Health report from (date), which indicates that you are currently unfit for employment and recommends that you retire from employment with the School due to Ill Health.

Occupational Health has recommended Tier 2 on the basis that ...

*immediate benefits, payable for life awarded to members of the LGPS who in addition to being permanently unable to carry out their job, are certified as incapable of any alternative ‘gainful employment’ within three years of leaving, but are likely to be*

*capable before age 65. The benefits under Tier 2 are based on the membership the Scheme member has built up to that point, PLUS a period of enhancement equal to 25% of their potential membership between leaving and age 65.*

Having considered this recommendation and having discussed the matter with you, the Staff Dismissal Committee agreed with the recommendation from the Occupational Health Physician and therefore give you notice of termination of your employment on the grounds of ill health capability.

In reaching this decision and taking into account the view of Occupational Health, the Committee are of the view that no reasonable adjustments can be made to your current role to allow you to continue in this capacity and that redeployment was not an option.

You are a member of the Local Government Pension Scheme and the Occupational Health Physician has indicated that you fall within the scope of Tier 2 of the scheme's ill-health retirement benefits, which means that you are entitled to immediate benefits.

You are therefore entitled to receive payment of your pension from your termination of employment date. The Pension Fund will contact you directly in due course with regard to the arrangements for payment of your pension.

In accordance with your contract of employment you are entitled to (number) weeks' notice and your last day of employment would be the (date). During your notice period you are required to continue to submit fit notes to cover your period of absence.

Your conditions of service give you the right of appeal and as discussed at the meeting there are two distinct elements to the appeal process for ill-health retirement.

4. You have the right to appeal against the decision of the Staff Dismissal Committee to terminate your employment. Should you wish to exercise this right, you must do so in writing within 10 days of receipt of this letter, either directly or through your trade union by notifying the Clerk to Governors.

An appeal against the decision to terminate your employment will be considered by the Appeals Committee, who will *only* consider whether the School's decision to terminate your employment is reasonable, has taken into account all relevant information, and that due process has been followed or any other grounds for appeal you may have.

5. You also have the right to appeal against the pension tier in which you have been placed. However, this will not be considered by the Governing Body of the School.

Appeals of this nature fall under the Internal Disputes Resolution Procedure (IDRP), which is a part of the Local Government Pension Scheme Regulations. Should you wish to exercise this right you must do so in writing within 6 months of the receipt of this letter by contacting:

Director of Resources  
Wirral School  
Town Hall  
Brighton Street  
Wallasey  
CH44 8ED

I would like to take this opportunity to sincerely thank you for the work you have undertaken and for the difference you have made to the school during your employment here.

I would like to say how sorry I am to lose your services. I do hope that your health condition will soon show improvement, enabling you to enjoy a better future for which you have my very best wishes.

I wish you well for the future.

Yours sincerely

Head Teacher

**TEMPLATE LETTER CONFIRMING OUTCOME OF ATTENDANCE MANAGEMENT CAPABILITY HEARING – ILL HEALTH RETIREMENT TIER 3**

<b>PRIVATE AND CONFIDENTIAL</b>	School Name	
Employee Name	Address	
Address		
	Date	

Dear (insert name of individual)

**ATTENDANCE MANAGEMENT PROCEDURE – ILL HEALTH RETIREMENT TIER 3**

Thank you for attending the meeting on (DATE) At the hearing you were accompanied by (Name of TU representative/colleague and I was accompanied by (name.)). This letter is to confirm the outcome of the meeting, which was held under the School’s Capability Attendance Management Policy and Procedure.

During the meeting your ongoing sickness absence due to ill health was discussed.  
*Detail points in the discussion:*

Absence/ support offered/ reasonable adjustments/occupational health report

I concluded that reasonable adjustments have been duly considered and that you have been given every opportunity to improve your level of attendance to return to work, but this has not been possible due to your ongoing ill health. You acknowledged that you are unable to return to your role (job role) (If applicable).

I have reviewed in detail the Occupational Health report from (date), which indicates that you are currently unfit for employment and recommends that you retire from employment with the School due to Ill Health.

Occupational Health has recommended Tier 3 on the basis that ...

*immediate, time limited benefits paid to a member of the LGPS who is permanently unable to carry out their job and are judged to have a reduced likelihood of obtaining gainful employment but are likely to be able to obtain ‘gainful employment’ within three*

*years of leaving. The benefits under Tier 3 are based ONLY on the membership the Scheme member has built up to the point of retirement, WITHOUT ENHANCEMENT.*

Having considered the occupational health report and what we discussed at the hearing I agreed with the recommendation from the Occupational Health Physician and therefore gave you notice of termination of your employment on the grounds of ill health capability.

In reaching this decision and taking into account the view of Occupational Health, I am of the view that no reasonable adjustments can be made to your current role to allow you to continue in this capacity and that redeployment was not an option.

You are therefore entitled to receive payment of your pension with immediate effect from your termination of employment date for a period of 18 months up to 3 years. The Pension Fund will contact you directly in due course with regard to the arrangements for payment of your pension.

I must make you aware that Members retired under Tier 3 will be required to notify Wirral School when paid employment is found, providing details of pay, working hours and the length of contract of employment. This allows the School to assess whether gainful employment has been found. The pension element is only payable whilst the member is not in gainful employment or, after 18 months, is deemed capable of such. The 3rd tier pension, in any circumstance, may only be paid up to a maximum of three years. The School may recover any pension payments made in respect of any period during which they consider the member to have been in gainful employment.

I must also notify you that the School is required to undertake a review when the Tier 3 pension has been in payment for 18 months. This is to determine whether you would be capable of gainful employment and should have your benefits ceased. If as a result of the review, it is found that the condition that originally resulted in the 3rd tier award has worsened and now meets the criteria for Tier 2 benefits, then enhanced benefits would be paid from the point of that assessment and would be payable for life.

In accordance with your contract of employment you are entitled to (number) weeks' notice and your last day of employment would be the (date). During your notice period you are required to continue to submit fit notes to cover your period of absence.

Your conditions of service give you the right of appeal and as discussed at the meeting there are two distinct elements to the appeal process for ill-health retirement.

6. You have the right to appeal against the decision of the Staff Dismissal Committee to terminate your employment. Should you wish to exercise this right, you must do so in writing within 10 days of receipt of this letter, either directly or through your trade union by notifying the Clerk to Governors.

An appeal against the decision to terminate your employment will be considered by the Appeals Committee, who will *only* consider whether the School's decision to terminate your employment is reasonable, has taken into account all relevant information, and that due process has been followed or any other grounds for appeal you may have.

7. You also have the right to appeal against the pension tier in which you have been placed. However, this will not be considered by the Governing Body of the School.

Appeals of this nature fall under the Internal Disputes Resolution Procedure (IDRP), which is a part of the Local Government Pension Scheme Regulations. Should you wish to exercise this right you must do so in writing within 6 months of the receipt of this letter by contacting:

Director of Resources  
Wirral School  
Town Hall  
Brighton Street  
Wallasey  
CH44 8ED

I would like to take this opportunity to sincerely thank you for the work you have undertaken and for the difference you have made to the school during your employment here.

I would like to say how sorry I am to lose your services. I do hope that your health condition will soon show improvement, enabling you to enjoy a better future for which you have my very best wishes.

I wish you well for the future.

Yours sincerely

Headteacher

**TEMPLATE LETTER FAILURE TO FOLLOW ATTENDANCE MANAGEMENT PROCEDURE**

<b>PRIVATE AND CONFIDENTIAL</b>	School	
Employee Name	Address	
Address		
	Date	

Dear (insert name of individual)

**FAILURE TO FOLLOW THE ATTENDANCE MANAGEMENT PROCEDURE**

I am writing to you regarding your current sickness absence. I hope that you are making some progress towards a return to good health.

I am writing to you as I have concerns regarding your level of contact during your sickness absence which commenced on [DATE]. I am worried that I have not heard from you, and I am concerned about your wellbeing.

Or

I write with concern that we have had no contact from you and have not received a Fit Note since your last note expired on [date]. I am worried that I have not heard from you, and I am concerned about your wellbeing.

I have tried to contact you by letter on [DATES] and by telephone on (DATES) and I have not received a response.

I must make you aware that you have a duty to:

1. Comply with the Schools attendance standards as outlined in the Attendance Management Procedure (copy enclosed)
2. Report any sickness absence promptly in line with the reporting procedure



3. Provide a valid Fit Note from your GP (or other approved medical professional) for any absence of more than 7 calendar days and within 3 days of expiry of your previous note
4. Keep in touch with your manager throughout any period of sickness absence
5. Attend appointments arranged by our occupational health provider (Healthwork) or to comply with the occupational health cancellation procedure (copy enclosed)

The School has a duty of care towards you and would like to support you back into the work place when you are fit and able to do so. A referral will be made to the Occupational Health Service to see what support can be made available to you to enable you to return to work. (delete if required)

I must stress that you are responsible for maintaining contact with the Headteacher, and reporting your absences with the appropriate documentation, according to the management of sickness absence procedure. A copy of which is enclosed.

Should you fail to provide a Fit Note from [date] by [date], I will have no alternative but to treat these dates as unauthorised and will instruct the Local Authority payroll to suspend your pay. Should you continue to fail in maintaining regular contact with the School, in accordance with the management of sickness absence procedure, these unauthorised absences may be considered under the School's disciplinary procedure.

Please would you telephone me to discuss these matters by [date] on [number]

Yours Sincerely,

Headteacher

**TEMPLATE LETTER FAILURE TO ATTEND AN OCCUPATIONAL HEALTH APPOINTMENT**

<b>PRIVATE AND CONFIDENTIAL</b>	School Name	
Employee Name	School Address	
Address		
	Date	

Dear (insert name of individual)

**FAILURE TO ATTEND AN OCCUPATIONAL APPOINTMENT**

I have recently been informed that you failed to attend your last appointment at Occupational Health on (Date). It is disappointing that you have not been able to benefit from the support we have tried to put in place to help you during your sickness absence.

I am now writing to let you know that I have asked Occupational Health to arrange a further appointment. An appointment has been arranged for (Date), (Time), at (Venue). It is important that you attend this appointment to both ensure that we are providing all appropriate support and so that advice on how to help you achieve a sustained return to the workplace can be provided. If you fail to attend or cancel at short notice, I must advise you that you may be charged for the cost of the appointment.

Please contact me if you wish to discuss this matter.

Yours Sincerely,

Headteacher

**TEMPLATE LETTER FOR NON ATTENDANCE AT ATTENDANCE MANAGEMENT CAPABILITY MEETING/HEARING**

<b>PRIVATE AND CONFIDENTIAL</b>	School Name	
Employee Name	Address	
Address		
	Date	

Dear (insert name of individual)

**FAILURE TO ATTEND ATTENDANCE MANAGEMENT CAPABILITY MEETING/HEARING**

I sent you a letter dated **(date)** inviting you to attend a capability interview on **(date)** at **(time)** in my office. I/ the Governors decided that as you did not attend I/they should adjourn to afford you one more opportunity to be represented.

The meeting has been reconvened for (date) at (time) in my office. As before, this interview will be conducted by me/the Staff Dismissal Committee. I will be accompanied by (NAME).

The content of the meeting will be to discuss your capability to carry out the post of **(designation)** at this school in that you have been absent due to ill health from **(date)** to the present.

You will have received a copy of the Occupational Health Specialist's report and a copy of your sickness absence record previously. This will be considered at the meeting.

You have the right to have a representative of a Trade Union or work colleague present if you so wish. If you do not attend the meeting a decision will be made in your absence.

Yours sincerely  
Headteacher

**Format for Management of Attendance (capability) Formal Review Meeting**  
**First, Second and Final Formal Review**

**1) Format for Hearing**

- The Headteacher will make introductions and explain the reason for the meeting.
- The Headteacher will outline the concerns in the documentation issued to the employee
- The headteacher will seek a response to the concerns from the employee
- The employee (or their representative) makes representations and ask questions of the Headteacher
- The headteacher clarifies if there are any other questions or representations, before inviting the employee (or their representative) to sum up.
- Adjournment of the meeting
- Inform the employee of outcome of the meeting, either in person or in writing within 5 working days of the meeting

**NB** *The headteacher may adjourn the proceedings at any stage if it appears necessary or desirable. If adjourning for the purpose of enabling further information to be obtained they should specify the nature of that information. Any adjournment should normally be for a stated period.*

**2) Outcome of hearing**

The outcome should be one of the following:

- A decision that the sickness absence has breached the Management of Attendance (Capability) Policy and Procedure, however the headteacher has on this occasion decided not to take formal action, but the employee's attendance will continue to be monitored.
- Issue/ re-issue an 'appropriate' warning under the school's Management of Attendance (Capability) Policy and Procedure

The Headteacher should provide an explanation for that action and should explain the employee's right of appeal under the procedure.

**Management of Attendance (Capability) Hearing – Consideration of Dismissal**

**Format for hearing (to be conducted by Staff Dismissal Committee)**

- 1)** Chair of the Committee to make introductions and explain the reason for the meeting.
- 2)** The Headteacher to put the management case.
- 3)** The employee (or their representative) to ask questions of the Headteacher
- 4)** The members of the Staff Dismissal Committee to ask questions of the Headteacher.
- 5)** The employee (or their representative) to put his/her case and to call witnesses if appropriate.
- 6)** The Headteacher to ask questions of the employee and/or their representative
- 7)** The members of the Staff Dismissal Committee to ask questions of the employee and/or their representative.
- 8)** The Headteacher to sum up.
- 9)** The employee (or their representative) to sum up.
- 10)** The Chairperson of the Staff Dismissal Committee may adjourn the proceedings at any stage if it appears necessary or desirable. If adjourning for the purpose of enabling further information to be obtained they should specify the nature of that information. Any adjournment should normally be for a stated period.
- 11)** Following the summing up, both parties, together with their representatives will withdraw. If it is necessary to recall one of the parties for further information before a decision is taken both parties should be recalled. The Director of Children's Services or her nominated officer, should remain during the Staff Dismissal Committee's deliberations.
- 12)** On completion of the Staff Dismissal Committee's deliberations the Chairperson should ask the employee and their representative to return and should announce the decision of the Staff Dismissal Committee and the action, if any, to be taken.

**NB** *In exceptional circumstances witnesses may be called*

**Outcome of hearing**

The decision of the Staff Dismissal Committee should be one of the following:

- 1)** To confirm with the employee the matter is being dismissed (or cannot be substantiated) and direct that all reference to the matter be removed from their record.
- 2)** To find that the alleged breach of the Management of Attendance (Capability) Policy and Procedure is proved in whole or part but resolve that no action be taken.
- 3)** To re-issue a final written warning advising that any further absences or breaches of the sickness absence triggers may ultimately lead to dismissal.
- 4)** To determine that the employee should cease to work at the school.
- 5)** The Chairperson should also give an explanation for that action and should explain the employee's right of appeal under the procedure.
- 6)** The Staff Dismissal Committee should confirm the decision in writing as soon as is reasonably practical to the employee (copy to the teacher professional/trade union representative and the Director of Children's Services), detailing the sickness absences and the action taken.



**Management of Attendance (Capability) Appeal Hearing****Format for appeal hearing**

- Chair of the Committee to make introductions and explain the reason for the meeting.
- The Headteacher to put the management case.
- The employee (or their representative) to ask questions of the Headteacher.
- The members of the Staff Dismissal Committee to ask questions of the Headteacher
- The employee (or their representative) to put their case
- The Headteacher to ask questions of the employee and/or their representative
- The members of the Staff Dismissal Committee to ask questions of the employee and/or their representative.
- The Headteacher to sum up.
- The employee (or their representative) to sum up.
- The Chairperson of the Staff Dismissal Committee may adjourn the proceedings at any stage if it appears necessary or desirable. If adjourning for the purpose of enabling further information to be obtained they should specify the nature of that information. Any adjournment should normally be for a stated period.
- Following the summing up, both parties, together with their representatives will withdraw. If it is necessary to recall one of the parties for further information before a decision is taken both parties should be recalled. The Director of Children's Services or her nominated officer, should remain during the Staff Dismissal Committee's deliberations.
- On completion of the Staff Dismissal Committee's deliberations the Chairperson should ask the employee and their representative to return and should announce the decision of the Staff Dismissal Committee and the action, if any, to be taken.

***NB*** In exceptional circumstances witnesses may be called

## **Outcome of appeal hearing**

The decision of the Staff Dismissal Committee should be one of the following:

- a) To confirm with the employee the matter is being dismissed (or cannot be substantiated) and direct that all reference to the matter be removed from their record.
- b) To find that the alleged breach of the Management of Attendance (Capability) Policy and Procedure is proved in whole or part but resolve that no action be taken.
- c) Re-issue a final written warning advising that any further absences or breaches of the sickness absence triggers may ultimately lead to dismissal.
- d) To confirm whether the employee should cease to work at the school, and to confirm that there is no further right to appeal.
- e) The Chairperson should also give an explanation for the decision.
- f) The Staff Dismissal Appeal Committee should confirm the decision in writing as soon as is reasonably practical to the employee (copy to the teacher professional/trade union representative and the Director of Children's Services), detailing the sickness absences and the action taken.