



Absence Management Policy & Procedure

New Policy: September 2020 V 1.0

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Document Control

Changes History

Version	Date	Amended by	Recipients	Purpose
1.0	June 2020	HR	All Plymouth CAST Employees	New policy to replace policy issued in 2019

Approvals

This policy requires the following approvals:

Board	Chair	CEO	Date Approved	Version	Date for Review
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	September 2020	1.0	September 2023

National/Local Policy

☐ This policy must be localised by Academies

☒ This policy must not be changed, it is a CAST/National Policy (only change logo, contact details and any yellow highlights)

Position with the Unions

Does the policy require consultation with the National Unions under our recognition agreement? ☒

Yes ☐ No ☐ If yes, the policy status is: ☒ Consulted and Approved ☐ Consulted and Not Approved

☐ Awaiting Consultation

Distribution

This document has been distributed to:

Position	Date	Version
All CAST Central employees, CAST Headteacher, CAST Directors, JCC	September 2020	1.0

1. Vision and Values

- 1.1. Plymouth CAST is a multi-academy trust of Catholic schools which is part of the mission of the Catholic Church dedicated to human flourishing and the building of a kingdom of peace, truth and justice. The Trust is to be conducted in all aspects in accordance with canon law and the teachings of the Roman Catholic Church and at all times to serve as a witness to the Catholic faith in Our Lord Jesus Christ.
- 1.2. Our vision and values are derived from our identity as a Catholic Trust. Central to our vision is the dignity of the human person, especially the most vulnerable. Our academies are dedicated to providing an education and formation where all our pupils and young people flourish in a safe, nurturing, enriching environment. All governors in our academies are expected to be familiar with the vision, mission, values and principles of the Trust and not in any way to undermine them. They should support and promote the vision and conduct themselves at all times in school and on school business according to the vision and principles of the Trust
- 1.3. Plymouth CAST expects all its employees to recognise their obligations to each school within the Multi-Academy Trust, the public, pupils and other employees and to provide consistently high standards of education and performance at all times and in accordance with Plymouth CAST's vision, mission and principles.

2. Purpose

- 2.1. The aspiration of Plymouth CAST is that our employees enjoy what they do and want to come into work.
- 2.2. A satisfactory level of attendance at work by employees is crucial to the success of the educational service we provide. It also reflects an appropriate level of management expertise in ensuring that working conditions are conducive to maintaining staff morale and that there is a desire by staff to share and contribute to the aims and interest of the Plymouth CAST Multi-Trust Academy.
- 2.3. The health and welfare of all our staff is important. We want to ensure that where people are ill, they are treated with dignity. All will endeavour to ensure that any employee's sickness absence is handled in a fair and equitable manner whilst recognising that every illness is different and will need to be managed uniquely.
- 2.4. Plymouth CAST recognises that employees are the key to delivering the best possible education to children and that the health and well-being of all of our staff is important in enabling our Schools to do this.
- 2.5. To achieve high quality and efficient education and good employee relations the purpose of this policy is to:

- 2.5.1. Set out the framework for a clear and supportive application for managing absence across the Plymouth CAST Multi-Trust Academy.
- 2.5.2. Ensure the fair, consistent and empathetic approach to employees in the management of sickness absence.
- 2.5.3. Give clear guidance on how managers should support and encourage reliable attendance at work; and
- 2.5.4. Promote effective management of sickness absence and ill health.
- 2.6. If there is a concern that an employee's absences from work are not related to sickness, other appropriate procedures may be followed.

3. General Principles

- 3.1. Never ignore sickness absence
- 3.2. Always monitor attendance
- 3.3. Ensure short term absences do not go unnoticed
- 3.4. Take prompt, supportive action if the absence is work related
- 3.5. Keep accurate, up to date employee attendance records in line with record retention policy.
- 3.6. Develop and maintain an atmosphere that encourages people to come to work
- 3.7. Deal with each person as an individual
- 3.8. Handle attendance concerns sensitively in a supportive manner
- 3.9. Treat all employees fairly and consistently
- 3.10. Seek support and guidance from HR / school business managers as appropriate

4. Equal Opportunities

- 4.1. The absence management policy must always be applied fairly and in accordance with employment law and Plymouth CAST Equal Opportunities Policy including the duty to make reasonable adjustments for disabled employees.

5. Responsibilities

5.1. Employees

- 5.1.1.** Employees have a duty under their terms and conditions of employment to be at work and must ensure they adhere to their responsibilities.
- 5.1.2.** Employees must report sickness absence to their Line Manager on the first day of absence and as early as possible, preferably before but no later than, one hour of their normal work starting time, where reasonably possible, unless other local arrangements have been agreed.
- 5.1.3.** Employees must make personal contact (not by means of a spouse/family member/friend) and by telephone (not by text or e-mail). A contact number must also be provided in all instances. It is recognised there may be instances where employees are unable to contact Line Managers personally (e.g. admittance to hospital). In these exceptional circumstances the individual contacts the Line Manager must leave a contact name and number.
- 5.1.4.** Employees must provide the following information:
 - 5.1.4.1.** Employee (or person making contact) must confirm when they became ill
 - 5.1.4.2.** Broad nature of illness (e.g. migraine, chest infection)
 - 5.1.4.3.** Whether illness is due to an accident or injury at work
 - 5.1.4.4.** Whether employee has/will be seeking medical attention
 - 5.1.4.5.** The likely date of return (if known)
- 5.1.5.** Employees unable to speak with their Line Manager must leave a message and a contact phone number, asking that it is passed on to the Line Manager as soon as possible. The employee should expect and be available to receive a return phone call to discuss the above points.
- 5.1.6.** Employees must contact their line manager for each day they are absent and thereafter contact to be maintained as agreed between employee and Line Manager, for example where a Fit Note has been produced.
- 5.1.7.** Employees must obtain a Fit Note from a GP or self-certify and submit this to their Line Manager on the eighth calendar day of absence.
- 5.1.8.** Employees must continue to send in Fit Notes for the duration of the absence and keep Line Managers advised of their health and progress towards returning to work. When a Fit Note expires, employees not

returning to work must ensure a new Fit Note is sent to their Line Manager immediately.

- 5.1.9.** Employees must ensure medical advice and treatment is received as quickly as possible and must follow all recommended medical advice or treatment in order to facilitate a prompt return to work.
- 5.1.10.** Employees are encouraged to attend any OH appointments, where applicable. If employees do not attend these appointments or fail to give consent to release the report, any decisions made regarding their absence from work will be made without the benefit of this information.
- 5.1.11.** Employees must ensure they are contactable and available to attend absence management meetings and respond in a timely manner to any communications from the School/Trust.
- 5.1.12.** Employees must advise their Line Manager of any changes to contact details occurring during an absence.
- 5.1.13.** Employees must advise their Line Manager of any concerns with their job/workplace, which they feel are making them ill or contributing to illness/absence.
- 5.1.14.** Employees may request to take accrued annual leave (where applicable) whilst on long term sickness. Employees are not expected to go away on holiday when absent due to sickness unless this is supported by a GP.
- 5.1.15.** Employees wishing to take annual leave (where applicable) must obtain management authorisation and have the appropriate period of annual leave deducted from their entitlement. Employees either at work or absent due to sickness should not undertake activities that could hinder or affect recovery.
- 5.1.16.** If found that employees are undertaking activities that would prevent recovery this may be managed under the Disciplinary Policy and Procedure.
- 5.1.17.** Employees are responsible for managing sickness and to taking any appropriate action, as determined by your relevant health professional, to minimise any reoccurrence of the sickness
- 5.1.18.** Failure to follow these reporting procedures may be managed under the Disciplinary Policy and Procedure.

5.2. HR and School Business Managers

- 5.2.1.** Advising managers in the application of this policy and attending meetings/hearings as required by the policy.

6. Absence Review Points

The Trust operates the following absence review points:

6.1. Short term absence

- 6.1.1.** 5 periods of absence in a 12 month rolling year
- 6.1.2.** A total of 10 working days in a 12 month rolling year
- 6.1.3.** Patterns of absence e.g. regular Friday/Monday's or any day immediately before or following a Bank Holiday

6.2. Long term absence

- 6.2.1.** 4 calendar weeks or longer sickness absence

6.3. Managers' Discretion on Absence Review Points

- 6.3.1.** When reviewing absences against the absence review points it may be necessary in exceptional circumstances for managers to use their discretion. This particularly applies when an employee has an underlying medical condition that is covered under the Equality Act 2010 and advice is usually obtained from OH.
- 6.3.2.** Any extensions to the absence review points as a reasonable adjustment resulting from OH advice should be regularly reviewed. Please refer to the additional guidance provided within the Disabled Employees, section 13 of this policy.
- 6.3.3.** If line managers wish to apply discretion to change an employee's absence review point then this should only be applied in exceptional circumstances. The manager must be able to justify, discuss, record and seek approval with a member of the HR team.

7. Informal Absence Management

7.1. Return to Work Meeting

- 7.1.1.** Return to work meetings must be conducted after every period of absence and where possible managers should carry this out on the day an individual returns (or as soon as practicable). This does not necessarily have to take place on a face to face basis and can be conducted by telephone, particularly where line managers/employees cover a wide geographical area or where a face to face meeting is not possible within a reasonable timeframe.

- 7.1.2. Return to work meetings are an important part of absence management and can help identify absence problems at an early stage; they also provide managers with opportunity to start a dialogue about underlying issues, which may be causing absence(s) and allow them to make any changes to support the employee.
- 7.1.3. The return to work meeting needs to be separate to any Stage 1, Stage 2 Meetings and Stage 3 Hearing.
- 7.1.4. Return to work meeting should cover the following points:
 - 7.1.4.1. Discuss absences and identify any underlying reasons.
 - 7.1.4.2. See what assistance can be offered e.g. reasonable adjustments, OH advice.
 - 7.1.4.3. Advise the employee of absence management policy and hitting absence review points.
 - 7.1.4.4. Maintain records of all discussions, use Return to Work meeting form.

7.2. Contact during Long Term Absence

- 7.2.1. Employees on long term absence must maintain contact with the Line Manager during the absence. The frequency of this communication should be agreed between the employee and Line Manager. Managers should ensure that:
 - 7.2.1.1. This is done in a non-intrusive way.
 - 7.2.1.2. The Line Manager sends copies of any key or relevant communications sent to staff, e.g. bulletins (unless absent employee has requested, they do not want to receive these).
 - 7.2.1.3. Changes in sick pay entitlement should be communicated to the employee, e.g. reductions to half/nil pay. This should be followed up in writing using the appropriate template.
 - 7.2.1.4. Ensure employees are made aware they can access the Employee Support and Counselling Service.

8. Absence Management Procedure- Stage 1

8.1. Absence Management Meeting (Stage 1)

- 8.1.1.** Where an employee's absence hits the absence review points, the employee will be requested, in writing, to attend a Stage 1 Meeting with their Line Manager.
- 8.1.2.** Where an employee is absent for one calendar month a Stage 1 Meeting should take place after the one-month absence. If the employee returns to work prior to one calendar month the Stage 1 Meeting should be undertaken following their return to work.

8.2. Management preparation before the meeting (Stage 1)

- 8.2.1.** Giving at least 5 working days' notice requesting attendance of the employee at the meeting using the Stage 1 Invite Letter.
- 8.2.2.** Advise the employee that they have the right to be accompanied by a work colleague, recognised Trade Union Officer or recognised Trade Union Representative. If the employee's representative is unable to attend the date provided, the meeting may be postponed. If so it will be rearranged within 5 working days or as soon as is practicable, to avoid delaying the process.
- 8.2.3.** Prior to meeting, the line manager should ensure the employee receives a copy of this policy, full list of their absences, copies of any return to work discussions, details of any reasonable adjustments and any advice from OH where this has been requested.
- 8.2.4.** A member of the HR team or a School Business Manager may also be in attendance.

8.3. What needs to be discussed during the meeting (Stage 1)

- 8.3.1.** Refer to the list of absences, with reasons and advise the employee that the level of absences has reached an absence review point.
- 8.3.2.** Discuss the level of absences and explore areas possibly associated with the absences e.g. are absences caused by a disability or personal, family or work-related problems.
- 8.3.3.** Establish whether there is any underlying cause for the absences and what, if any, action/support is required. Discuss any reasonable adjustments if applicable. Refer to the Disabled Employees section of this policy if adjustment(s) for an employee with a disability.
- 8.3.4.** Management can refer to OH for advice on fitness to undertake duties, reasonable adjustments and/or advice on ongoing health. A referral to OH does not always need to be carried out at Stage 1. It is for the line manager

to determine whether it is appropriate or not taking into account all the circumstances of the absence.

8.3.5. If a referral is made, the line manager may arrange a separate meeting to discuss the OH report if it is not received in time for the meeting. If the line manager has tried to obtain OH advice but the employee fails to attend or refuses to give consent to release the report, any decisions made at the absence management meetings will be made without the benefit of this information.

8.3.6. Discuss pay status if the employee has had considerable time off work, i.e. when employee's pay reduces to half/nil sick pay. This should be followed up in writing using the appropriate letter template.

8.4. Outcome of the Meeting (Stage 1)

8.4.1. Explain the Absence Management Policy and Procedure and possible actions from the meeting. These could be:

8.4.1.1. Reasonable adjustments considered.

8.4.1.2. OH referral carried out.

8.4.1.3. Redeployment investigated (if appropriate due to an underlying medical condition and it has been recommended by OH).

8.4.2. Set a review period for 2 months, or in exceptional circumstances this can be extended to a maximum of 4 months for example in the cases of severe illness such as cancer. Agreed contact between the employee and line manager should continue throughout the review period. For employees who are absent and return to work prior to the end of the review period, the review period will end, and the review discussion should take place.

8.4.3. Employees at work when Stage 1 Meeting takes place will have a new absence review point set for the length of the review period. Absence review points will be pro rata'd to length of the review period, e.g. this could be no absences for a 2-month review. Absence review points should be achievable and set in discussion with the employee. Should the employee's absence levels continue to be a concern prior to the review period ending the end of the review period will be brought forward.

8.4.4. Employees should be made aware that if their attendance does not improve, they may be invited to a Stage 2 Meeting, and if after Stage 2 there is still no improvement in the sickness absences, a Stage 3 Hearing will be arranged and a possible outcome of this could be dismissal.

8.4.5. The outcomes of Stage 1 Meeting will be confirmed at the meeting and also confirmed in writing to the employee.

8.5. Stage 1 Review Period

8.5.1. Following the end of the review period, which may be earlier if absences occur, the employee's absence levels need to be reviewed. The Line Manager will record and gather the following information:

8.5.1.1. Attendance during the review period (including the last 12 months), including sickness reasons.

8.5.1.2. Return to work meeting record.

8.5.1.3. If applicable review latest OH report

8.5.1.4. Reasonable adjustments implemented.

8.5.1.5. Management reviews whether the employee's absences have improved as per absence review point set at the stage 1 meeting

8.5.2. At the end of the review period a discussion with the employee regarding their health takes place. This can either be face to face or via telephone (please ensure that it is a convenient and appropriate place for the employee to take the call and have such discussion). The discussion is to gain information from the employee regarding his/her health and attendance, e.g. any improvement(s), anticipated return to work.

8.5.3. If the employee requests they would like a face to face meeting and would like a work colleague, recognised Trade Union Officer or recognised Trade Union Representative to accompany them, it is recommended that line managers agree to this. It is not a requirement for the employee to be accompanied. However, the Trust wishes to ensure employees feel supported and comfortable with the process. If the employee's representative is unable to attend the date provided, the meeting may be postponed. If so it will be rearranged within 5 working days or as soon as is practicable, to avoid delaying the process.

8.5.4. Advise the employee that they are at the end of the review period and a decision will be made whether they are escalated to Stage 2 and this will be communicated to them as soon as possible.

8.6. Possible Outcomes from Stage 1 Review Period

8.6.1. Once the line manager has completed the review they will discuss the information gathered and review with the Headteacher/Executive Headteacher/Senior Manager, with support from a member of the HR team where appropriate. Where the Headteacher/Executive Headteacher or Senior Manager has conducted the stage 1 process, they should seek guidance from a member of the HR team before agreeing on an outcome. Outcomes of the review are as follows:

- 8.6.1.1. Escalate to Stage 2 Meeting-** Where an employee has not reached the attendance expected or they have not returned to work during the review period, these absence cases should be escalated to Stage 2.
- 8.6.1.2. Extension of Review Period-** Further time is required so an extension of 2 months is set. There may be circumstances where it is appropriate for this to be either reduced or extended (in exceptional circumstances to a maximum of 4 months, for example in cases of severe illness).
- 8.6.1.3. 12 Months 'Live' Period-** If the employee's absences have improved to the expected level:
 - 8.6.1.3.1.** Manager encourages the employee to sustain this.
 - 8.6.1.3.2.** Employee enters a 12 month 'live' monitoring period, commencing when the review period ends.
 - 8.6.1.3.3.** If an employee has further absences within this 12 month period which cause an absence review point to be reached, the line manager would review the absence record to determine whether the employees circumstances are progressed to a stage 2 meeting or a further review period is to be identified.

9. Absence Management Procedure- Stage 2

9.1. Absence Management Meeting (Stage 2)

- 9.1.1.** Following on from Stage 1 Review if the employee's attendance has not improved to an acceptable level they will be requested, in writing, to attend a Stage 2 Meeting.
- 9.1.2.** The Stage 2 Meeting should be conducted by the Headteacher/Executive Headteacher/Senior Manager.

9.2. Management preparation before the meeting (Stage 2):

- 9.2.1.** Giving at least 5 working days' notice requesting attendance of the employee at the meeting using the Stage 2 Invite Letter.
- 9.2.2.** Advise the employee they have the right to be accompanied by a work colleague, recognised Trade Union Officer or recognised Trade Union Representative.
- 9.2.3.** Prior to meeting, management should ensure the employee receives a copy of this policy, full list of their absences, copies of any return to work discussions, previous Stage 1 Meeting invite and outcome letters, details of

any reasonable adjustments and any advice from OH where this has been requested.

9.2.4. If a referral to OH has not taken place yet, then management are advised to complete an OH referral at this time in order to seek medical advice regarding the employee absences. OH referral should not delay the Stage 2 Meeting; a separate meeting with the employee can be held to discuss the OH report when received.

9.2.5. A member of the HR team or a School Business Manager will be in attendance at the meeting.

9.3. What needs to be discussed during the meeting (Stage 2)

9.3.1. Refer to the list of absences, with reasons and advise the employee that the level of absences has reached an absence review point.

9.3.2. Discuss the level of absences and explore areas possibly associated with the absences e.g. are absences caused by a disability or personal, family or work related problems.

9.3.3. The meeting should cover any progress, improvements or deterioration in the employee's health and explore any reasons why they have not improved.

9.3.4. Establish whether there is any underlying cause for the absences and what, if any, action/support is required. Discuss any reasonable adjustments for employees when needed. Refer to the Disabled Employees section of this policy if adjustment(s) for an employee with a disability.

9.3.5. Consider whether the employee could work in a different capacity until fully fit to resume normal duties (this advice may be given by OH or the GP or on the Fit Note).

9.3.6. Headteacher/Executive Headteacher/Senior Manager can refer to OH for advice on fitness to undertake duties, reasonable adjustments and/or advice on ongoing health.

9.3.7. If a referral is made, a separate meeting to discuss the OH report will be arranged.

9.3.8. If the employee fails to attend an OH appointment or refuses to give consent to release the report, any decisions made at the absence management meetings will be made without the benefit of this information.

9.3.9. Discuss pay status if the employee has had considerable time off work, i.e. when employee's pay reduces to half/nil sick pay. This must be followed up in writing using the appropriate letter template.

- 9.3.10.** This next option would normally apply to employees who are unlikely to be able to return to work and are a member of the Local Government Pension Scheme or Teacher Pension Scheme. The Headteacher/Executive Headteacher/Senior Manager will need to make the employee aware that ill health retirement could be considered. These cases should be referred to the HR team in the first instance.

9.4. Outcome of the Meeting (Stage 2)

- 9.4.1.** Explain the Absence Management Policy and Procedure and possible actions from the meeting. These could be:
 - 9.4.1.1.** Reasonable adjustments considered.
 - 9.4.1.2.** OH referral carried out.
 - 9.4.1.3.** Redeployment investigated (if appropriate due to an underlying medical condition and it has been recommended by OH).
- 9.4.2.** Set a review period for 2 months, or in exceptional circumstances this can be extended to a maximum of 4 months (for example, in the cases of severe illness). For employees who are absent and return to work prior to the end of the review period, the review period will end and the review discussion should take place.
- 9.4.3.** Employees at work when Stage 2 Meeting takes place will have a new absence review point set for the length of the review period. Absence review points will be pro rata'd to length of review period, e.g. this could be no absences for a 2 month review. Absence review points should be achievable and set in discussion with the employee. Should the employee's absence levels continue to be a concern prior to the review period ending the end of the review period will be brought forward.
- 9.4.4.** Employees should be made aware that if their attendance does not improve, they will be invited to a Stage 3 Hearing and a possible outcome of this could be dismissal. The manager should explain that the aim of this policy is to help employees return to work and it is hoped dismissal will not be the outcome.
- 9.4.5.** The outcomes of Stage 2 Meeting will be confirmed at the meeting and also confirmed in writing to the employee.

9.5. Stage 2 Review Period

- 9.5.1.** Following the end of the review period, which may be earlier if absences occur, the employee's absence levels need to be reviewed. The Headteacher/Executive Headteacher/Senior Manager will record and gather the following information:

9.5.1.1. Attendance during the review period (including the last 12 months), including sickness reasons.

9.5.1.2. Return to work meeting records

9.5.1.3. If applicable review latest OH report

9.5.1.4. Details of reasonable adjustment

9.5.1.5. Details of whether the employee's absences have improved as per absence review point set at the Stage 2 Meeting.

9.5.2. At the end of the review period a discussion with the employee regarding their health takes place. This can be either face to face or via telephone (please ensure that it is a convenient and appropriate place for the employee to take the call and have such discussion). The discussion is to gain information from the employee regarding his/her health and attendance, e.g. any improvement(s), anticipated return to work.

9.5.3. If the employee requests they would like a face to face meeting and would like a work colleague, recognised Trade Union Officer or recognised Trade Union Representative to accompany them, it is recommended that managers agree to this. It is not a requirement for the employee to be accompanied. However, the Trust wishes to ensure employees feel supported and comfortable with the process. If the employee's representative is unable to attend the date provided, the meeting maybe postponed. If so it will be rearranged within 5 working days or as soon as is practicable, to avoid delaying the process.

9.5.4. Advise the employee that they are at the end of the review period and a decision will be made whether they are escalated to Stage 3 and this will be communicated to them as soon as possible.

9.6. Possible Outcomes from Stage 2 Review Period

9.6.1. Once the stage 2 meeting has been concluded they will discuss the information gathered and review with a member of the HR team. Outcomes of the review are as follows:

9.6.1.1. Escalate to Stage 3 Hearing- Where an employee has not reached the attendance expected or they have not returned to work during the review period, these absence cases should be escalated to Stage 3.

9.6.1.2. Extension of Review period- Further time is required so an extension of 2 months is set. There may be circumstances where it is appropriate for this to be either reduced or extended (in exceptional circumstances to a maximum of 4 months).

9.6.1.3. 12 Months 'Live' Period- If the employee's absences have improved to the expected level:

9.6.1.3.1. The Headteacher/Executive Headteacher/Senior Manager should encourage the employee to sustain this.

9.6.1.3.2. Employee enters a 12 month 'live' monitoring period, commencing when the review period ends.

9.6.1.3.3. If employee has further absences within this 12 month period and, on a 12 months rolling basis, the absence(s) cause the Trust's absence review points to be hit, the manager would review the absence record to see whether the employee's case should be progressed to a Stage 3 Hearing or a further review period is to be identified.

10. Stage 3 - Absence Management Hearing

10.1. Following a Stage 2 Review, if the employee's attendance has not improved to a satisfactory level, they will be requested in writing, to attend a Stage 3 Absence Management Hearing.

10.2. The employee's case will be heard by a hearing panel. Formation of the panel can be found in appendix 1.

10.3. Management preparation before the Hearing

10.3.1. Giving at least 5 working days' notice requesting attendance of the employee to the hearing and issues a letter to confirm this (Stage 3 Invite Letter), advising the employee they have the right to be accompanied by a work colleague, recognised Trade Union Officer or recognised Trade Union Representative.

10.3.2. 5 working days prior to the hearing, the employee should be provided with a full list of their absences, copies of any return to work discussions, details of any reasonable adjustments, Stage 1 and 2 meeting invite and outcome letters, and any advice from OH. The same information should be provided to each hearing panel member.

10.3.3. The employee should be informed that if they wish to provide any additional documentation which is not included within the pack, it should be received no less than 2 working days prior to the hearing in order to avoid unnecessary delays.

10.3.4. An up to date OH report should be provided to the panel. If the School/Trust has tried to obtain OH advice but the employee fails to attend without good

or acceptable reason or refuses to give consent for the report to be released then management will go ahead with the meeting without the OH advice.

10.3.5. Ensure the employee has previously been advised that a possible outcome of a Stage 3 Hearing is dismissal, on the grounds of either 'Some Other Substantial Reason' or 'Capability'(if underlying medical condition).

10.3.6. A member of the HR team will also be in attendance at the hearing to support the panel.

10.4. What needs to be discussed during the Hearing:

10.4.1. Refer to the list of absences, with reasons and advise the employee their level of attendance has reached an absence review point.

10.4.2. Discuss the level of absences and explore areas possibly associated with the absences e.g. are absences caused by a disability or personal, family or work related problems.

10.4.3. Discuss any progress, improvements or deterioration in the employee's health and explore reasons as to why attendance has not improved. The School/Trust will be required to demonstrate what action and discussion has taken place with the employee.

10.4.4. The Chair of the panel along with the panel members will consider the below questions:

10.4.4.1. Are the absences caused by a disability or personal, family or work related problem?

10.4.4.2. Where appropriate has the relevant support been provided?

10.4.4.3. Does the OH advice indicate the employee is likely to return to work in the near future?

10.4.4.4. Have the employee's absences changed from short term to long term or vice versa and that reasonable time has been given to consider the employee's absence and to seek further OH advice if required.

10.4.4.5. That advice/reasonable adjustments have been considered/made and given an opportunity to have an impact on the employee's level of attendance, bearing in mind the length of absence, and the position the employee holds?

10.4.5. Where there is an underlying medical condition and the OH report refers to suitability for alternative employment, has the option of redeployment been considered/offered/discussed with the employee?

10.4.6. Where appropriate the Chair of the panel can suggest other options or reasonable adjustments to try and improve the employee's attendance,

including: the need for further involvement of OH. Refer to Disabled Employees section of this policy if the adjustment is for an employee with a disability.

10.4.7. Refers to the OH advice received, particularly in relation to any adjustments, changes in hours or duties, or specialist equipment which have been recommended and establish whether they have been put in place.

10.4.8. The option of Ill Health retirement may apply to employees who have been on long term sickness absence and it is considered unlikely they will be able to return to work and are a member of the Local Government Pension Scheme or Teachers Pension Scheme.

10.4.9. Consideration to whether there is the need to re-refer the employee to OH for further advice on fitness to undertake duties, any reasonable adjustments or advice regarding ongoing health. The Chair of the panel will need to advise the employee that they will arrange a separate meeting to discuss the OH report once it is received.

10.4.10. If a further referral is made the manager may arrange a separate meeting to discuss the OH report once it is received. If the manager has tried to obtain OH advice but the employee fails to attend these appointments or refuses to give consent to release the report, any decisions made at the absence management meetings will be made without the benefit of this information.

10.5. Adjournment at the Hearing

10.5.1. An adjournment at a Stage 3 Hearing should take place to allow consideration regarding the employee's attendance and medical condition in relation to the outcomes of the hearing.

10.6. Outcome of Hearing

10.6.1. Dismissal with contractual notice- If the Chair decides to dismiss the employee on the grounds of 'Some Other Substantial Reason' or 'Capability' (if underlying medical condition), they will outline the reasons why, provide information on the employee's notice period. If the employee attended the hearing and notice was given verbally the notice period starts the day after the hearing. If the employee did not attend the hearing the notice period starts 2 days after posting the outcome letter.

10.6.1.1. If applicable redeployment opportunities will continue during the employee's notice period. If the employee has been granted Ill Health Retirement under the Local Government Pension Scheme or Teachers Pension, in addition to the Stage 3 Outcome Letter a separate letter will be sent to confirm the outcome of relevant tier 1, 2 or 3.

10.6.2. Set Review Period

- 10.6.2.1.** Further time is required so a review period of 2 months is set. There may be circumstances where it is appropriate for this to be either reduced or extended (in exceptional circumstances to a maximum of 4 months). As part of this review they can consider the following outcomes:
- 10.6.2.1.1.** Reasonable adjustments considered.
 - 10.6.2.1.2.** OH referral carried out.
 - 10.6.2.1.3.** Redeployment investigated (if appropriate due to an underlying medical condition and recommended by OH).
 - 10.6.2.1.4.** For employees who are absent from work then return to work prior to the end of the review period, the review period will end and the review discussion should take place.
 - 10.6.2.1.5.** For employees that are at work when the Stage 3 Hearing takes place a new absence review point will be set for the length of the review period. This will be pro rata'd down to the length of the review period, e.g. this could be no absences for a 2 month review.
- 10.6.2.2.** Should the employee's absence levels continue to be a concern prior to the review period ending the end of the review period will be brought forward.
- 10.6.2.3.** The Chair of the panel will need to be satisfied the employee is aware of the Absence Management Policy and Procedure and is also fully aware of the procedure. The employee should be made aware that if their attendance does not improve, they will return to a Stage 3 Hearing and a possible outcome of this meeting could be dismissal.
- 10.6.2.4.** The outcome of the Stage 3 Hearing will be confirmed at the hearing and also confirmed in writing to the employee.
- 10.6.2.5.** The Chair of the panel should discuss pay status if the employee has had a considerable amount of time off work, i.e. when the employees pay reduces to half/nil sick pay.

10.7. Stage 3 Review Period (if review period was set during the hearing)

- 10.7.1.** Following the end of the review period, which may be earlier if absences occur, the employee's absence levels need to be reviewed. The purpose of the Stage 3 Review is for the Headteacher/Executive Headteacher/Senior Manager to gather the following information for the Chair of the panel to make a decision as to how to progress a case:

- 10.7.1.1.** Attendance during the review period (including the last 12 months), including sickness reasons.
- 10.7.1.2.** Return to work meeting records
- 10.7.1.3.** If applicable review latest OH report
- 10.7.1.4.** Details of any reasonable adjustments
- 10.7.1.5.** Information on whether the employee's absences have improved as per absence review point set at the Stage 3 Hearing.
- 10.7.2.** At the end of the review period, a discussion with the employee (either face to face or via telephone please ensure that it is a convenient and appropriate place for the employee to take the call) to gain information from them regarding any improvement in the employee's health and attendance.
- 10.7.3.** If the employee requests a face to face review meeting and would like a work colleague, recognised Trade Union Officer or recognised Trade Union Representative to accompany them, it is recommended that managers agree to this. It is not a requirement for the employee to be accompanied. However, the Trust wishes to ensure employees feel supported and comfortable with the process. If the employee requests a face to face review meeting with a representative but they are unable to attend on the date provided, the meeting may be postponed and if so will be rearranged within 5 working days or as soon as is practicable. This is in order to avoid delaying the process.
- 10.7.4.** The employee will need to be made aware that they are at the end of the review period and a decision will be made whether to conduct a further Stage 3 Hearing.

10.8. Possible Outcomes of Stage 3 Review

- 10.8.1. Conduct a further Stage 3 Hearing-** Where employees have not reached the attendance expected or have not returned to work during the review period, a further Stage 3 Hearing will be arranged. Where possible it will be the Chair and panel of the original Stage 3 Hearing.
- 10.8.2. Extension of Review Period-** Further time is required so an extension of 2 months is set. There may be circumstances where it is appropriate for this to be either reduced or extended (in exceptional circumstances up to a maximum of 4 months). Stage 3 Hearing Chair will make this decision.
- 10.8.3. 12 Month 'Live' Period-** If the employee's absences have improved to the expected level:
 - 10.8.3.1.** Headteacher/Executive Headteacher/Senior Manager will need to encourage the employee to sustain this.

10.8.3.2. Employee enters a 12 month 'live' monitoring period, commencing when the review period ends.

10.8.3.3. If the employee has further absences within this 12 months period and, on a 12 months rolling basis, the absence(s) cause the Trust's absence review points to be hit, the Headteacher/Executive Headteacher or Senior manager along with a member of a member of the HR team, will review the absence record to determine whether the employee's circumstances are progressed to convene a further Stage 3 Hearing.

10.9. Appeal

10.9.1. If at the Stage 3 Hearing the employee is dismissed the employee has the right to appeal against their dismissal under this procedure. If the employee wishes to appeal they must do so in writing, outlining their grounds of appeal within 10 working days of the date on which the decision is confirmed in writing. The appeal must be sent to the Trust's HR department.

10.9.2. Appeals against the original decision must be considered by an Appeals Panel, made up of members who have had no prior involvement in the case. See appendix 1 for panel formation.

10.9.3. An HR representative or appropriate professional adviser should attend an absence appeal meeting to provide advice and guidance on questions of law and procedure.

10.9.4. The time and place of an appeal meeting will be convenient to both the employee and the panel hearing the appeal. The employee has the right to be accompanied by a work colleague, recognised Trade Union Officer or recognised Trade Union Representative.

10.9.5. After the appeal meeting the Chair of the Appeals Panel will write to you with a decision within 5 working days of the meeting.

11. Further Guidance for Absence Management

11.1. Stage 1, Stage 2 Meetings and Stage 3 Hearings

11.1.1. The purpose of the stage meetings is to provide assistance and support to the employee to improve his/her attendance to a satisfactory level. The aims of the absence management meetings are to:

11.1.1.1. Establish reason(s) for the absence; is the employee suffering from a medical condition?

11.1.1.2. Discuss possible ways of reducing absence in the future.

- 11.1.1.3.** Explore and consider any reasonable adjustments.
- 11.1.1.4.** Discuss the possibility of requiring information from OH.
- 11.1.1.5.** Explain to the employee about the absence management procedure and inform them of the possible actions if their level of absence is not improved.

11.1.2. Managers should treat individuals in a sensitive manner. Discussions between employees and managers will be kept confidential as reasonably possible. The meetings will be arranged at a suitable venue which will normally be the employee's place of work. However, in some circumstances (depending on the employee's health and well-being) this may be held at the employee's home or a neutral location with their consent.

11.1.3. A referral to OH should not be used as an alternative to carrying out an absence management meeting. A referral to OH is a separate process.

11.1.4. If, because of the nature of their illness the employee is unable to attend the absence management meeting/hearing, advice will be sought from OH on their fitness to attend and any reasonable adjustments which may enable the employee to attend will be considered. Upon receipt of advice from OH and also considering all of the circumstances of the case, management will make a decision as to whether the meeting/hearing should proceed in the employee's absence. If the line manager has tried to obtain OH advice but the employee fails to attend without good or acceptable reasons or refuses to give consent for the report to be released then management will go ahead with the meeting without the OH advice.

11.1.5. If the employee is unable to attend the meeting/hearing for some other reason or their representative is unable to attend the meeting/hearing may be postponed and will be rearranged within 5 working days or as soon as is practicable. The employee should be notified of the date in writing and informed that if they are not able to attend on the revised date the meeting/hearing will proceed on this occasion in their absence.

11.1.6. If employees cannot attend a meeting/hearing personally they can put their case either through their representative (work colleague, Recognised Trade Union Representative or Trade Union Officer), or submit their case in writing in advance by no later than 2 working days in advance of the meeting/hearing.

11.2. Review Periods

11.2.1. A default review period is normally 2 months. It is recognised there may be exceptional circumstances where a longer review period is needed, up to a maximum of 4 months. Contact a member of the HR team, if unsure of how long the review period should be.

- 11.2.2.** Where a decision is taken to extend a Stage 1/2/3 review period the above timeframes will also apply. However, for the purpose of extended review periods managers also have the discretion, where appropriate, to set an extended review for a period of less than 2 months.

11.3. Managing Combined Absences of Short Term and Long Term

- 11.3.1.** If an employee has reached the absence review point and a meeting is to be arranged, line managers do not need to wait until the absence has been continuous for one calendar month for the meeting to go ahead, line managers can arrange the meeting as the employee has already reached the absence review point prior to the recent period of continuous absence. This meeting can then discuss the short term absences as well as refer to the current long term absence.
- 11.3.2.** Where an absence period changes from short term to long term or vice versa, the relevant chair will need to consider giving a further time period to consider the reason for the absence and to allow for new medical advice if appropriate.

11.4. Abuse of Sickness Scheme

- 11.4.1.** Where abuse of the sickness policy is suspected, which may include failure to report sickness absence at the appropriate time, without mitigating circumstances; non-attendance at OH appointments without reasonable cause; failure to submit GP Fit Notes at the appropriate time; submission of forged or false Fit Notes; deliberate conduct prejudicial to recovery from sickness/injury; or due to the employee's misconduct or neglect, sick pay may be suspended and consideration given to following disciplinary procedures. HR advice must be sought in these cases.

11.5. Annual Leave Entitlement in Relation to Sickness Absence

- 11.5.1.** Employees absent due to sickness accrue annual leave and may request to take annual leave during a period of sickness absence. However, employees are not expected to go away on holiday when absent due to sickness unless this is supported by their GP. Employees who go on holiday during sick leave and have not requested annual leave will automatically have the period of time taken off their annual leave entitlement where applicable.
- 11.5.2.** Employees wishing to take leave during sickness absence must request this in writing via their Line Manager. The annual leave will be deducted from an employee's leave entitlement and the employee's sickness will still be recorded on the payroll system as being absent.
- 11.5.3.** Employees who have reduced to half or nil pay and wish to use annual leave to continue to receive payment.

- 11.5.4.** Employees returning to work in a new leave year, have the right to the annual leave they have accrued during their sickness absence in the previous leave year and should, therefore carry this forward into the new leave year.
- 11.5.5.** Where applicable employees who fall sick prior to commencing pre-booked annual leave will be able to reclaim their annual leave, as long as they comply with sickness reporting procedures, are still available for contact and meetings when absent and supply a Fit Note to cover the period they wish to reclaim.
- 11.5.6.** Where applicable employees who fall sick whilst on annual leave and return wishing to reclaim a proportion of that leave, they will be required to comply with sickness reporting procedures (where practical) and provide a Fit Note to cover the period they wish to reclaim.
- 11.5.7.** Employees who become fit for work whilst still on leave, must confirm the date on which they became fit to work, on their return from leave.

11.6. Sickness during the Working Day

- 11.6.1.** Employees who leave work during the working day due to illness:
 - 11.6.1.1.** Must first report this to their line manager
 - 11.6.1.2.** Will be required to attend a return to work meeting.
- 11.6.2.** Line managers should determine what proportion of an employee's normal working hours have been worked and decide whether a full or half days sickness absence should be recorded. Such absences of ½ a day or more should be recorded on the sickness system and will count towards absence review points. Discretion should be used in cases where the employee has worked the majority of their working day.

11.7. Accident or Injury at Work - for non RIDDOR Specified injuries to employees

- 11.7.1.** Employees who consider their illness/absence arises from an incident/accident or injury at work must notify their Line Manager as soon as reasonably practicable. The line manager is responsible for ensuring the incident/accident has been reported. Further details can be found in the Plymouth CAST Health and Safety Policy.
- 11.7.2.** Employees absent from work due to accident or injury at work should be treated in the same way as if their absence was due to sickness and therefore the Absence Management Procedure must be followed.

11.8. Fit Notes

- 11.8.1.** The Fit Note is a form employees will receive from a GP, which confirms whether the employee is either: (a) not fit for work or (b) maybe fit for work.

In option (b) cases the GP will make recommendations for reasonable adjustments to help the return to work. It is for management to determine whether they can be implemented. It has been acknowledged that GPs are not Occupational Health experts and they do not have a detailed knowledge of either the work undertaken or the workplace of their patients. Where the changes cannot reasonably be made, and the employee cannot return to work, the Fit Note can be used to cover their sickness absence. Where the GP has stated they do not need to assess the employee again, this means that the employee should be able to return to work at the end of the period stated.

- 11.8.2.** If an employee wants to return to work prior to the Fit Note expiring, the manager will need to ask the employee to return to their GP to seek a new Fit Note reflecting the timescales in which the employee feels they are able to return to work on. If the manager has concerns regarding an employee's return to work due to their health or with the recommendations that are on the Fit Note, the manager should carry out a risk assessment to assess their concerns.

11.9. Occupational Health (OH) Appointments

- 11.9.1.** Employees absent from work due to sickness are expected to be available to attend any OH appointments, as required. Employees refusing to attend OH appointments without good or acceptable reasons need to understand that without such a report management decisions will be made using the information available to them.
- 11.9.2.** This guidance is intended to guide management and employees on the potential responses which maybe received from an Occupational Health referral report:

11.9.2.1. Reasonable Adjustments

- 11.9.2.1.1.** OH may suggest some reasonable adjustments to help employees remain at work. Consideration as to whether reasonable adjustments are required for an employee should be given and if the manager does not feel that they can be accommodated, a discussion with a member of the HR department would be advisable.

11.9.2.2. Phased Return

- 11.9.2.2.1.** It may be recommended by OH that the employee returns to work on a phased return basis, if this is possible. A phased return is usually no more than 4 weeks, during which time the employee is paid on full pay but with reduced hours. The aim of a phased return is to help deliver a gradual successful return to work. Please use the Phased Return Template to

record the employees hours and duties over the course of the 4 weeks. Phased returns should be flexible to suit the needs of the employee and workplace. Considerations should be made on the length of each shift and frequency of shifts depending on the reason for the absence. An example of a phased schedule could be 25% of hours in the first week, 50% of hours in the second week, 75% of hours in the third week and 100% of hours in the fourth week. A review should be carried out by the line manager at the end of each week to assess the progress. The phased return should be adapted to reflect the progress. The aim of a phased return is to have a successful return to the workplace , so should be adapted to achieve this.

- 11.9.2.2.2.** If OH recommends a phased return of more than 4 weeks the line manager should consider whether this can be accommodated and paid on full pay or alternatively there are options such as the use of the employees annual leave (where applicable) or a temporary change in contract.

11.9.2.3. Temporary Alternative Work

- 11.9.2.3.1.** OH may suggest alternative work/duties for the employee. This may be considered in cases where an employee is unable to perform the full range of his/her duties but is able to attend work and undertake restricted duties or alternative duties for a temporary period, with the expectation that they will be able to resume full duties in the near future.
- 11.9.2.3.2.** Temporary alternative work of this nature will normally be part of a return to work plan, incorporating the advice from OH or it could be from a Fit Note. A temporary change to a contract for the duration of the GP's Fit Note does not constitute a variation of terms and conditions.

11.9.2.4. Change of Hours

- 11.9.2.4.1.** It may be suggested from OH or a Fit Note that the employee reduces their hours for a period of time, usually more than the 4 week phased return duration. The line manager will need to review whether this can be accommodated and consideration should be about whether the employee's duties can be carried out part time, how long the adjustment is recommended for and how the service will be provided.
- 11.9.2.4.2.** If this reasonable adjustment can be accommodated and the employee is in agreement to reducing their hours and they

are aware that this will impact on their salary then the line manager will need to notify payroll, specifying how long this temporary reduction in hours is for.

11.9.3. Further OH Review

- 11.9.3.1.** Where OH recommends a further assessment, they may state a time frame when this should take place or instead state it should take place when a particular treatment has ended or when they have received advice from the employee's GP/Specialist. In these cases the line manager will need to continue to progress through the Absence Management Procedure and at the specified time make a new referral to OH.

11.10. Medical Redeployment

- 11.10.1.** There will be occasions when the Trust will need to consider redeploying an employee with an underlying medical to another role within the Trust, when they have been deemed unfit to return to their substantive post for a prolonged period and/or no reasonable adjustments can be put in place, following medical advice. Advice must be sought from OH regarding whether redeployment should be considered.
- 11.10.2.** Redeployment is a positive act, which can enable the Trust to maintain the skills and experience of valued employees, as well as meeting its legal obligations.

11.11. Medical Suspension

- 11.11.1.** In certain circumstances it may be appropriate to medically suspend an employee, eg:
 - 11.11.1.1.** Where employees and their GPs consider they are fit to return to work (with or without adjustments) and the line manager, in conjunction with the Headteacher/Executive Headteacher/Senior Manager and HR, believe they are not and therefore require OH advice before allowing the employee to return back to work. If the GP recommends any adjustments which, having undertaken the necessary risk assessment, the line manager cannot accommodate, employees will remain off sick for the period specified on the Fit Note.
 - 11.11.1.2.** Medical suspension may also apply where the line manager believes the employee is not fit to attend work but they refuse to go on sick leave. The line manager may medically suspend the employee until OH advice is received.

- 11.11.2.** Wherever possible, prior to medical suspension, alternatives such as temporarily adjusting the employee's duties, reducing/changing hours of work, temporary redeployment to another role/location or working from home should be carefully considered using any advice from the GP contained on the Fit Note where appropriate. In such circumstances it would be appropriate to undertake a risk assessment, workplace assessment and/or DSE assessment.
- 11.11.3.** Decisions to medically suspend must be based on sound health and safety justification and managers must be able to demonstrate this through risk assessment. Having considered the employee's views the manager should be able to clearly explain the reasons for the decision.
- 11.11.4.** Medical suspension is on contractual pay and does not impact on sick pay. It is also not a period of sickness absence and must not be recorded as such.
- 11.11.5.** Review of medical suspension must take place once the required medical information is provided by OH. If OH advice that the employee is able to return to work, the medical suspension will be lifted,

11.12. Terminal Illness

- 11.12.1.** Line managers should deal with such situations compassionately taking into account the wishes of the employee and their financial situation as well as the needs of the organisation. Each case will be considered on its own circumstances and advice must be sought from OH and HR.
- 11.12.2.** There are occasions when employees with terminal illnesses wish to be dismissed and may be eligible for early release of pension benefits, if they are a member of the Local Government Pension Scheme or Teachers Pension. Factors to consider include the medical condition and how long the employee is expected to live, as these may be critical in establishing the most beneficial course of action.
- 11.12.3.** In the majority of cases employees will be kept on the payroll, even though they have exhausted their sick pay entitlement. This elevates distress by formally dismissing someone who is dying where it is to the employee's advantage to remain in service due to their entitlement to benefits such as death in service.

11.13. Risk Assessments

- 11.13.1.** There may be times when OH recommends the manager undertakes a risk assessment to establish the potential risks for the employee associated with their health condition and being at work. This will help the manager evaluate what the potential risks are and whether enough has been done to manage the risk or whether more needs to be done.

11.14. III Health Retirement

- 11.14.1.** Advice may be received from OH that the employee is eligible for permanent ill health retirement. Advice should be sought from the HR department in the first instance.

12. Supporting Disabled Employees

- 12.1.** The Equality Act 2010 prohibits discrimination because of disability and places a duty on employers to make reasonable adjustments to working practices and premises in order to accommodate the needs of individual employees and job applicants who have a disability. This means that an employee with a disability must not be treated less favourably than any other employee without justification.
- 12.2.** The Equality Act 2010 defines the protected characteristic of disability as applying to a person who has a physical or mental impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities.
- 12.3.** If there are problems with an employee's attendance and an underlying medical condition or disability is identified, the manager must have an open discussion with the employee and if appropriate seek advice from OH. OH may be able to suggest reasonable adjustments that could be made to either the physical place of work, or the work itself.
- 12.4.** Please be aware that in some cases a short term absence pattern could be related to a disability or a long term condition can become a disability in the long term.
- 12.5. Reasonable Adjustments**
 - 12.5.1.** When supporting a disabled person in the workplace, the Equality Act 2010 requires the organisation to consider and make 'reasonable adjustments' to ensure the disabled employee is not put at a substantial disadvantage, and is able to perform in their role and ensure their safety in the workplace. A number of factors influence whether it is reasonable for an employer to make changes, including:
 - 12.5.1.1.** The effectiveness of the adjustment – will it remove or reduce the difficulties the employee is experiencing?
 - 12.5.1.2.** Any health and safety implications – is there an impact in regards to health and safety of the individual or colleagues?
 - 12.5.1.3.** What (if any) impact will this have on other employees/team members/colleagues?
 - 12.5.1.4.** The practicalities of the adjustment – what effects will it have on the organisation?

12.5.1.5. The cost – funding options may be available such as through Access to Work.

12.5.1.6. Other help available – look to source other methods of support for the individual?

12.5.2. Examples of Reasonable Adjustments

12.5.2.1. Re-arranging seating or furniture in the office space.

12.5.2.2. Amendments to the role – the individual completes the parts of the job they are able to and takes on other responsibilities whilst their colleagues will pick up the work they cannot complete.

12.5.2.3. Flexibility in working practice – the consideration of flexibility in working times, the provision of additional breaks, the ability to work from home.

12.5.2.4. Allowing extra time for reading or written work or travel time between meetings.

12.5.2.5. Additional/modified equipment - to support in the workplace. Examples of this include specialised seating, ergonomic mouse, large screen, anti glare screen filter, or specialised software.

12.5.2.6. Provision of a reader, interpreter or signer.

12.5.2.7. Adjustments to systems/processes in place e.g. colour coding a filing system.

12.5.2.8. Appropriate communication methods (i.e. large print manuals).

12.5.2.9. Holding an awareness session on a specific disability for colleagues (where the individual consents to this).

12.5.2.10. Adjustments to absence review points.

12.5.3. It is difficult to specify the amount of variation required for reasonable adjustments as each individual's disability is different. Making the same adjustment for all may not remove the disadvantage. Where adjustments are made, the employee should be given time to readjust (usually 3 months). However, if after this period they are unable to meet the levels of attendance expected and further adjustments are deemed unreasonable, the formal process should be considered.

12.5.4. Review of Reasonable Adjustments

12.5.4.1. Regular review should take place between the employee and line manager to ensure that the adjustments put in place, which includes

extension of absence review points resulting from occupational health advice, continue to be effective.

12.5.4.2. Specialist advice from third parties, such as OH, Access to Work or IT specialists may be needed before changes can be agreed and implemented.

12.5.4.3. Reasonable adjustments may be reviewed:

12.5.4.3.1. At any regular one-to-one meeting, supervision, or appraisal.

12.5.4.3.2. At a return to work meeting following a period of sickness absence or treatment.

12.5.4.3.3. Before a change of job or duties or introduction of new technology or ways of working.

12.5.4.3.4. Before or after any change in circumstances for either party including a change in the nature of the disability.

12.5.4.4. Reasonable adjustments must be reviewed formally on an annual basis as a minimum.

12.6. Absences Relating to an Employee's Disability

12.6.1. The Equality Act 2010 does not require absence relating to the employee's disability to be automatically discounted for absence review points; nor does it require an employer to retain someone indefinitely if they are frequently absent due to a disability. However, when counting disability-related absences towards absence review points for unacceptable attendance procedures, Line Managers must be able to demonstrate that:

12.6.1.1. All reasonable adjustments have been considered to the number of day's absence which trigger a review under the procedure.

12.6.1.2. All reasonable adjustments have been made to reorganise a job around functions that the employee can perform, and that

12.6.1.3. All reasonable adjustments have been made to working practices, the workplace and its location that place the disabled person at a significant disadvantage.

12.6.2. Where the combination of both disability-related and general sickness absence exceed the absence review points, the Line Manager should seek advice from OH on any reasonable adjustments that should be considered.

12.7. Disability Leave

- 12.7.1.** Disability Leave is to enable paid time away from work for pre-planned appointments or treatments, related to an employee's disability, that help maintain health and wellness.

12.8. Disability Related Sickness Absence

- 12.8.1.** Disability related sickness absence arises where the employee's sickness absence is related to their disability. Such absences should be recorded by the Line Manager using the same method they use to record other types of sickness.

13. Review

- 13.1.** The content of this policy and procedure may be subject to revision from time to time following consultation with the recognised trade unions.

Date	Page	Details of the change	Agreed by

13.2. History of changes

Policy to be reviewed by the Plymouth CAST Board in consultation with the JCC in (date) or when legislation changes or operational reasons arise.

Appendix 1. Panel Formation

1. Panel Formation

- 1.1. An appropriate panel will be formed for any formal hearing, at which the employee will have the right to be accompanied by a trade union representative or work colleague.
- 1.2. The panel will consist of 3 members who will appoint one of their number as Chair. The Chair of the panel must be an employee of the Trust, unless in cases where the Chair of the Panel is a board member. The composition of the panel will be discussed and agreed with the HR department in accordance with the circumstances. The panel **could** comprise of a combination of:
 - 1.2.1. Senior member(s) of a management team (e.g. Executive Headteacher, Head teacher, Deputy Head, Head of Subject or Key Stage Leaders, a member of the Plymouth CAST central management team)
 - 1.2.2. Members from another local Governing Board (in schools only). The Chair of Governors may be reserved for participation in any appeal panel
 - 1.2.3. Senior Managers from other schools
 - 1.2.4. Member(s) from Plymouth CAST's Board of Directors
- 1.3. This will provide greater flexibility, impartiality and support to small schools and Plymouth CAST's central team.
- 1.4. Consideration should also be given to appointing investigating officers and panel members from across Plymouth CAST's network.