



Staff Attendance and Leave of Absence Policy – DCP 011 (Revised)

Policy Owner: Stephen Beeson

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Introduction

The success of the pupils within the Drapers' Multi-Academy Trust (MAT) depends on a well-trained and motivated teaching and support staff. It also depends on staff being present in school during term time to deliver the teaching and learning.

Equally, it is recognised that staff will need to be absent because of sickness, family-related issues, maternity leave, paternity leave and the like. Staffing levels within our schools are intended to take a reasonable level of absence, but higher than expected levels place an unfair burden on other staff as well as risking pupils' education.

Accordingly, the MAT needs to manage staff attendance and leave of absence to create a fair balance between the interests of individual staff and the collective interests of the school. This policy sets out how this balance will be achieved.

Scope

This policy applies to all directors, governors and staff of the Drapers' Multi-Academy Trust.

Each school within the MAT must ensure that the contents of this policy are communicated to all staff. This communication must be evidenced in writing and refreshed on an annual basis.

Each school within the MAT must publish this policy on its website.

Definitions

COO Chief Operating Officer.

Grievance A problem in the workplace, relating to employment matters, that requires to be resolved in a formal manner.

LGB Local Governing Body, with delegated powers of governance from the board of the MAT.

MAT Drapers' Multi-Academy Trust.

Staff Anyone employed by the MAT.

Policy

1. The Principal of each school within the MAT is responsible for establishing procedures for managing staff attendance and leave of absence. These procedures should address the following principles set out in this policy.



2. The COO is responsible for establishing similar principles for the staff in shared services.
3. Each school and shared services must have a mechanism for recording staff absence that shows the duration and reason for the absence.
4. The Principal must report on staff absence to each meeting of the LGB. The COO must report on shared service staff absence to the Chair of the MAT before each board meeting.

Staff Sickness

5. Where staff are unable to attend work because of sickness, they must notify their line manager and the school office by telephone as soon as possible, on the first day of absence, explaining the reason and giving an estimate of how long they expect to be absent.
6. Where the absence is longer than one day, the member of staff should provide a daily update by telephone to their line manager and the school. The member of staff should complete a self-certification form for up to seven days sickness (including non-working days).
7. A signed doctor's 'Statement of Fitness' for Work is required for any absence over seven days.

Longer Term Sickness

8. Any sickness that is expected to last longer than 21 days (including non-working days) is treated as long-term. The member of staff must inform the Principal (or COO for Shared Services Staff) as soon as he or she is aware that this is likely to happen.
9. Where a member of staff is on sick leave for more than 21 days, then the Principal, (or COO for Shared Services Staff) or a representative, may contact the member of staff in order to ascertain progress. Such contact may be either by telephone, email or in person.
10. At the Principal's discretion, (or COO for Shared Services Staff) the member of staff may be referred to Occupational Health.
11. On returning to work, the member of staff must meet the Principal, (or COO for Shared Services Staff) or a representative, to confirm that they are fully fit to resume their duties and advise if there are any specific support mechanisms or reasonable adjustments that are necessary to facilitate this. At the request of either the Principal or the Employee, the Health and Safety Officer should determine whether it is necessary to perform a Health and Safety Risk Assessment.

Sick Pay

12. Sick pay entitlement for teachers is determined by the conditions of service outlined in the 'Burgundy Book'.



13. Sick pay entitlement for support and associate staff is determined by conditions of service outlined in the 'Green Book'.

Absence Management

14. The following criteria will be used for a detailed review of an individual's absence from work:

Frequent Absence

- i. Three spells of self-certified absence within ten working weeks.
- ii. Two spells of certified absence within ten working weeks.
- iii. Several absences being attributed to a single cause.
- iv. A pattern of absence that gives cause for concern.

Long Term Absence

- v. Continuous absence over an extended period of time.
- vi. Overall attendance falls below 95% of that expected during a twelve-month period.

15. Where a member of staff's attendance becomes a cause of concern, then formal Attendance Management Procedures may commence.

Occupational Health

16. A referral to Occupational Health will automatically be made in the following circumstances:

- i. Absence that is attributed to a diagnosed underlying condition or where there are concerns about an underlying cause.
- ii. Several absences being attributed to a single cause.
- iii. Further sickness occurring during a monitoring period
- iv. During the first four weeks of absence if, in the opinion of the Principal and the employee, early treatment might help.
- v. After four weeks absence if there is no clear date for return to work (long term absence).

17. The member of staff will be notified in advance of the referral and of the reason and will be provided with a copy of the referral form.

18. Recommendations made in the occupational health report will be discussed with the member of staff and, where reasonably practicable, adopted. The employee has a right to confidentiality in relation to any details of their illness or diagnosis.

Disability Discrimination Acts

19. Where a member of staff's illness falls within the confines of the Disability Discrimination Act, the Principal must make all reasonable adjustments that are practicable to enable the staff member to continue in employment.

Attendance Management Procedures

20. Attendance management procedures should incorporate the following steps and be consistent with the capability process requirements set out in the Performance Management Policy – DCP 033:
 - i. An initial informal discussion to understand the underlying reasons for absences.
 - ii. A formal absence meeting to review the underlying reasons. Where these are not accepted, a first written warning should be issued in the form of an improvement notice. A plan must be agreed that includes a timetable, trigger points and specific actions as well as a referral to Occupational Health.
 - iii. Where attendance has not improved within a six-month period, either a final written warning should be issued or a formal ill-health capability meeting held.
 - iv. If a formal ill-health capability meeting is held and the reasons for poor attendance are not accepted then action up to and including dismissal will be considered.
 - v. The member of staff has the right of representation at each stage of the process, in line with the capability section of the Performance Development Policy – DCP 031.
 - vi. Staff have a similar right of appeal to that set out in the capability section of the Performance Development Policy – DCP 031.

Unauthorised Absence

21. Unauthorised absence is potentially a disciplinary offence and will be dealt with under the Staff Disciplinary Policy – DCP 022. Where a member of staff is absent without explanation or contact, pay will be stopped. Pay will be reinstated if an acceptable explanation is given.
22. In addition to stopping pay, the Principal, (or COO for Shared Services Staff) or representative, will attempt to make contact by telephone. If no contact is possible, a letter (recorded delivery) will be sent informing the staff member that are absent without authorisation and that failure to make contact may result in the school contacting next of kin.
23. If subsequent contact is made, the Principal (or COO for Shared Services Staff) will determine the action to be taken, taking into account the length of absence and the member of staff's explanation.



24. If despite reasonable efforts it is impossible, within five days, to make contact, a second letter must be sent (recorded delivery) asking the member of staff to attend an investigation meeting set five days after the expected date of delivery, and making clear that failure to attend such a meeting will result in formal disciplinary proceedings being commenced. The employee will have the right to be accompanied by their Trade Union Representative or a work colleague at any such meeting.

Leave of Absence

25. Any request for leave of absence must be made to the Principal, (or COO for Shared Services Staff) or a designated representative, in writing and, if possible, at least seven days in advance. The request should also describe the arrangement for cover during the requested absence, where practicable, in order to allow a speedy response to be made, the request should also.
26. Staff reporting to the Principal must not take holiday during term time.
27. Staff in shared services may take holiday at any time, provided their contract of employment does not define working days / weeks, subject to the approval of the COO and the needs of the MAT being addressed.
28. In the case of bereavements, staff are entitled one day paid leave for any relative or person with whom there has been a close relationship. Up to five days paid leave will be granted if the specific circumstances warrant it (e.g. responsibility for funeral arrangements). The Principal (or COO for Shared Services Staff) has the authority to extend this if warranted by exceptional circumstances.
29. Members of staff who carry out official trade union duties will be allowed paid leave in line with local and national agreements.
30. Other leave of absence is at the Principals discretion, (or COO for Shared Services Staff) as well as the determination as to whether it is to be paid or unpaid. The Principal (or COO for Shared Services Staff) must reply to the request in writing, giving the reason if it is not approved.
31. The following requests will be treated sympathetically wherever practicable:
 - i. Compassionate leave in the case of illness of a relative or person with whom the member of staff has a close connection.
 - ii. Medical or dental appointments.
 - iii. Domestic arrangements or emergencies.
 - iv. Illness of children or problems with childcare arrangements.
 - v. Interviews.
 - vi. Jury Service.
 - vii. Serving as a member of a public body, JP or school governor.



- viii. Moving home.
- ix. Professional examinations.
- x. Religious holidays.
- xi. Significant family events such as a child's graduation.

In most circumstances the leave of absence is likely to be paid absence, although this is at the discretion of the Principal (or COO for Shared Services Staff). The leave may not be paid if it would reasonably be possible for the absence to be arranged during a non-working day / time.

- 32. All other applications will be considered on their merits.

Maternity, Paternity and Adoption Leave

- 33. Maternity, paternity and adoption leave will be granted to all teaching staff in accordance with the School Teacher's Pay and Conditions Document (Burgundy Book).
- 34. Maternity and paternity leave will be granted to all support and associate staff in accordance with the conditions of service outlined in the 'Green Book'.

Review

- 35. The policy owner must keep up to date with relevant legislation and government guidance and update this policy whenever necessary. The board of the MAT must approve the revised version.
- 36. The policy owner must review the policy at the end of July each year and either submit a revised policy for board approval or confirm in writing to the COO that the current version of this policy is still fit for purpose.
- 37. The COO must submit a list of all confirmed policies to the board at the first meeting of each new academic year.
- 38. The MAT board must formally review and re-approve this policy every five years.