



Managing Attendance

Policy and Procedures

All Education Authority Support Staff

Policy Statement

The Education Authority is committed to the delivery of high quality best value services. It recognises that such service can only be delivered by officers who are committed and professional in their approach to work and whose well-being is fostered by the Employing Authority in a safe and healthy working environment.

The purpose of this policy and accompanying procedures is to establish a clear framework for managing absence at local level, supported by sound professional human resources advice.

Managers and staff should familiarise themselves with the policy and procedures.

General

This policy applies to staff employed at all Education Authority locations.
(Please refer to TNC 2008/2 for Teachers Attendance Procedure)

The policy covers absence which is reported as sickness absence. It does not apply to authorised absence e.g holidays, training courses, jury service, etc nor to antenatal care or absence on maternity leave.

It should be recognised that information relating to an employee's health is of a personal and sensitive nature and must be treated as confidential. It should also be recognised that taking advice should not be viewed as breaching confidentiality.

The Education Authority recognises its responsibilities under the Disability Discrimination Act and the Health and Safety at Work Order and is committed to promoting equality of opportunity and a healthy working environment for all its employees.

Aims of the Policy

1. To ensure that all staff are treated fairly, consistently and with sensitivity during times of illness.
2. To inform staff and managers of the Education Authority's policy and procedures for managing attendance, to maintain confidentiality of information and to facilitate a consistent approach to staff attendance across all service units, departments and schools.
3. To promote and encourage an attendance culture which recognises that good attendance is critical in the pursuit of excellence in terms of service delivery and in terms of supporting the Education Authority mission to support children to be the best they can be.

4. To address the negative effect on staff morale where frequent or prolonged absences of colleagues create additional workload, pressure and stress.
5. To raise awareness of the Inspire Workplace Service and its supportive role.

Employee Support Service

The Authority recognises that from time to time staff may require support in resolving personal or other issues which may impact on their working life and affect their attendance at work.

'Inspire Workplace' provides, on a confidential basis, support to staff when problems become persistent, unmanageable or affect health and well-being. It provides support for those suffering stress, anxiety or having difficulty coping with experiences such as bereavement, relationships issues, family or financial difficulties, addiction and work related problems.

The decision to request or accept assistance from Inspire Workplace is the personal choice or decision of the individual, whose identity will remain confidential to the service and will not be disclosed to the Education Authority.

The Education Authority also has in place a number of other policies to assist and support staff - the Alcohol and Drugs Policy, Special and Compassionate Leave, the Career Break Scheme and the Job Share Scheme. Further advice on these policies is available from the Human Resources offices.

Inspire Workplace – 0808 800 0002

Managing Attendance at Work – Procedures

1. Introduction

- 1.1 The following procedures have been developed to support the Policy on Managing Attendance at Work, to facilitate a consistent approach to staff attendance across Departments and to clarify the roles of line managers, staff and the Human Resources Department. Care should be taken by all concerned to ensure that personal, medical or all other relevant information on individual members of staff is maintained confidentially.
- 1.2 It is recognised that circumstances differ and that each case must be treated sensitively. In certain cases, such as terminal illness, referral to an independent Occupational Health physician may not always be appropriate.
- 1.3 Managers/Principals and staff are advised to familiarise themselves with the procedures.
- 1.4 Advice on the operation of the Policy and Procedures is available from the Health and Wellbeing Team.

2. Role of the Line Manager

Within the context of the Education Authority's concern for the well-being of staff:

- to ensure that all new staff are informed of sickness absence procedures and policy as part of the induction process;
- to monitor the absence of staff in a fair, consistent and confidential manner and to ensure that appropriate documentation is submitted to the relevant section of the Authority on a timely basis;
- to maintain appropriate contact with staff, particularly those on long-term absence;
- to liaise with staff regarding arrangements for referral to the Occupational Health Physician or other agency;
- to carry out absence interviews and keep appropriate records;
- to ensure staff are aware of the Inspire Workplace service;

- to support, as far as it is practical, any rehabilitation program which may be recommended by the Occupational Health Physician.

3. Role of Human Resources/Health and Wellbeing Section

- to provide available information to managers to facilitate monitoring.
- to advise, assist and support managers in the management of attendance.
- to arrange medical referrals and act as liaison between managers and the Occupational Health Physician.
- to provide advice and support to managers and staff on welfare issues and the appropriate use of staff care policies and services.
- to assist managers, where relevant, in the investigation of redeployment opportunities within the service where a member of staff is found incapable of continuing in their current role.
- to monitor the application of the policy and ensure that there is a fair and consistent approach to all members of staff who are ill.

4. Role of Finance

- to provide available information on the cost of absence.
- to monitor financial expenditure on absence.

5. Role of the Employee

- to report all sickness absence in accordance with procedures and provide appropriate documentation **promptly** - refer to paragraph 11 'Reporting Absence'.
- to maintain appropriate regular contact with the manager during any period of absence.
- to follow any professional advice, including medical, aimed at ensuring a timely return to work.

- to advise the manager of matters relevant to the absence particularly where there may be other problems either at home or work contributing to the absence.

6. Monitoring Attendance

It is the responsibility of the manager to monitor the attendance of staff.

Monitoring ensures that issues of public accountability for expenditure on salaries and sick pay are satisfied; it enables managers to make decisions about temporary arrangements such as deputising; it also ensures that managers are fully aware of the absenteeism rates of staff and can address any problems promptly.

The Human Resources department will provide managers with regular reports, detailing the number of self/medically certified absences.

Action by the managers should normally be initiated by any of the following:

- (a) More than 8 casual absences in a 12 month rolling period.
- (b) More than 3 periods of absence in a 12 month rolling period, each in excess of 3 days duration.
- (c) Continuous absence of 4 weeks or more.
- (d) An individual member of staff with an absence rate in excess of 5%.

Circumstances will vary from case to case and managers may have additional information, which would make action under this procedure inappropriate. In such cases advice should be sought from the Human Resources/Health and Wellbeing team.

7. Contact During Absence

There is a responsibility on the management of the Department/Service Unit and the employee to maintain contact with each other whilst the staff member is on sickness absence. The manager's contact should always be of a friendly, supportive nature and mindful of the welfare needs of the staff member. The maintenance of contact from the employee/employer should enable effective communication between the parties and facilitate the employee's return to work.

Where an employee is absent on a long term basis, a manager may also invite the employee to come to an 'Attendance Meeting' whilst absent to enable the manager and employee to discuss further support that may be required.

8. Management of the Different Types of Absence

8.1 Short Term Absence

This is defined as frequent, minor and usually unconnected illnesses which cause regular absence from work.

The manager has a valuable role to play in the management of short term absence and is well placed to ascertain the full facts of the situation. It is his/her responsibility to monitor absence and observe patterns and this will be assisted by information provided by Human Resources. Where a manager is concerned about the absence of a member of staff he/she should contact Human Resources for advice. The action necessary will depend upon the circumstances of each case. Where a member of staff's absence falls within this category a medical referral may not be considered appropriate.

In situations where the frequency of absence gives cause for concern, the manager must ensure that the member of staff is aware of the difficulties caused by the absence, the improvement that is required and the possible consequences of failure to improve (see paragraph 9 'Absence Interviews').

Persistent short-term absences that give cause for concern may lead to disciplinary action. Managers must consult Human Resources before invoking the Disciplinary Procedure.

8.2 Persistent Intermittent Absence

This is defined as regular short and/or long-term absences which may or may not result from an underlying medical condition. In this type of absence, the medical prognosis may be such that the member of staff could not be deemed to be permanently unfit for work. However, the absences may be of such a significant level that the member of staff can be deemed to be incapable of providing regular, reliable and sustained attendance at work.

Dependent upon the particular circumstances of the case, a referral to the Occupational Health Physician may be considered appropriate. Where a referral is considered appropriate, the line managers should, where

possible, contact the member of staff and advise them of the referral.

Persistent intermittent absence is the most difficult type of absence pattern to assess and control as it requires sensitive judgement supported by all available information. This judgement could lead to one of two approaches:

- (a) Where it has been established through medical referral/assessment that the member of staff is not suffering from any significant debilitating illness and where support has failed to achieve improved attendance, the Disciplinary Procedure should be implemented. Any resultant disciplinary action will be by reason of 'failure to attend work regularly'.
- (b) Where, through medical referral/assessment, the prognosis establishes the member of staff's medical incapability to work, the relevant procedure for termination of employment on grounds of ill health should be implemented.

It should be noted that a member of staff's absence pattern could straddle all categories of absences. In this situation the key assessment in deciding appropriate action will depend upon the employee's likely ability to attend work regularly based on any continued absence which has occurred following management intervention and/or warning.

8.3 Long Term Absence

This is defined as illness or injury that is likely to result in an absence from work of at least 4 weeks or longer or which could result in staff being unable to return to work.

When a member of staff has been absent for 4 weeks continuously and there is no indication of an imminent return to duty, the manager should assess the situation and consult with the Human Resources/Health and Wellbeing team. Each case will be dealt with sympathetically, on its own merits and with full consideration of the circumstances.

Dependent upon the particular circumstances of the case, a referral to the Occupational Health physician may be considered. Where a referral is considered appropriate, the manager should, where possible, contact the member of staff and advise them of the referral.

Following the medical examination, the Human Resources Department, in consultation with the manager will consider what subsequent action is necessary based on the report of the Occupational Health Physician.

In cases where the prognosis indicates that return to work is not possible the procedure for the termination of employment on the grounds of ill health will be implemented.

9. Absence Interviews

In order to effectively assess and manage attendance it may be necessary to meet with staff, either during the course of their absence or on their return to work. The purpose of such meetings will be for some or all of the following reasons:

- to welcome the member of staff back and to reassure him/her that the manager is concerned about his/her welfare and attendance;
- to establish the current status of the absence and to attempt to establish whether there is an underlying cause for the frequent absences such as difficulty at work, a more serious health condition or a personal or domestic problem. Managers must be sensitive to the fact that staff may not wish to discuss personal problems with them. In such cases it may be appropriate for a member of the Health and Wellbeing Service to be involved with the case;
- to update the member of staff on section/department/school developments;
- to explain the importance of regular and reliable attendance and to draw his/her attention to the effect of absences on the workload of colleagues/education of children;
- to advise of the availability of the Inspire Workplace service;
- to encourage improved attendance, establish the level of improvement required, the monitoring period for review and to explain the consequences of maintaining an unsatisfactory level of attendance;
- to establish if a medical referral is required if this is not already been established;
- to provide feedback on a medical referral and any proposed action.

Managers need to exercise discretion with regard the nature and content of an absence interview.

Following such a meeting a brief note should be compiled noting the substance of the meeting and any action proposed, including continued monitoring, medical

referral or potential movement to formal disciplinary action if attendance does not improve. A copy of this note should be made available to the member of staff and a copy forwarded for the personnel file together with any request for medical referral to Human Resources.

If attendance is subsequently referred for disciplinary action, such action will commence at least at written warning level.

Managers have a responsibility to ensure that all information relating to staff absence is treated with sensitivity and confidentiality. An absence interview must be conducted in private and in a sympathetic and helpful manner. A member of staff who wishes to be interviewed by a person of the same gender should be accommodated where possible.

In particularly sensitive or difficult cases, a member of the Health and Wellbeing team may be in attendance by way of assistance to local management.

10. Sickness Absence

The Education Authority provides a supportive occupational sick pay scheme that is designed to alleviate hardship and anxiety on those occasions when staff are unable to carry out their duties due to illness or injury.

Paid sickness absence is designed to facilitate a full and proper recovery. Sickness absence is **not** an extension of leave, an alternative to special or unpaid leave or an entitlement to a certain number of days per year.

All staff should note that misuse of sickness absence is regarded by the Education Authority as misconduct and will be dealt with under the Disciplinary Procedure.

11. Reporting Absence

On those occasions where illness prevents a member of staff from attending work, he/she must personally, or make arrangements to:

- (a) notify the manager by telephone at the earliest opportunity and no later than 9:30 a.m. (or within one hour start time). If the manager is unavailable, the designated member of staff should be informed. In exceptional circumstances, if a member of staff is incapable of informing the manager, a relative or friend may do so;
- (b) at the time of the initial notification give an explanation of the absence and if possible, an estimate of it's likely duration;

- (c) ensure that the manager is kept informed of the illness regularly in order that alternative arrangements can be put in place;
- (d) provide documentation promptly to the line manager in support of any absence from work due to illness as follows:

Up to seven calendar days - self certification (form SC1) must be submitted on or before the 7th day of absence.

More than seven days – a medical fit note must be submitted before the expiry of the second week of absence.

- (e) notify the manager in advance of the date of return to work. If the absence has been of 4 weeks or more duration, the manager should be given one week's notice of intention to return to work.

It should be noted that failure to comply with the above may result in the absence being regarded as unauthorised and pay being withheld and/or disciplinary action being taken.

12. Conduct During Absence

In all cases of sickness or injury, which necessitate taking time off work, it is expected that staff will do their utmost to facilitate a speedy return to fitness and to work. The following are examples of activities that would be considered inconsistent with genuine sickness or injury and may result in disciplinary action being taken:

- participating in any sport, hobby, social or other activity which is inconsistent with the illness or injury or which could aggravate the illness or injury or which could delay recovery;
- undertaking any other employment whether paid or unpaid;
- altering or causing to have altered any details on a medical statement e.g. dates or signature;
- failing to respond to requests to attend absence meetings or medical examinations without good reason;
- taking holidays during sickness absence will be a cause for concern unless there is acceptable evidence to support the contention that the holiday is

deemed to be required as part of treatment or necessary recuperation. Staff contemplating taking holidays should discuss this with the line manager **in advance**. **Documentary GP support will be required** for example a letter or notification provided on a medical statement of fitness for work certificate.

The above list is illustrative only. The type of behaviour expected of staff will depend upon the individual nature of the case and the type/severity of the illness. Managers are expected to be alert to such issues and report any substantiated incidents, which come to their attention, to the Human Resources branch. Such cases will be fully investigated before any action is taken.

13. Medical Examinations

A member of staff shall, if required, submit to a medical examination by a registered medical consultant appointed by the Education Authority. Following assessment, the employee has the right to receive the subsequent medical report. This medical examination will be at no cost to the member of staff unless he/she fails to attend without reasonable notice and/or good reason.

Information may also be sought from the member of staff's general practitioner (GP) or specialist with their permission. The seeking of such information is governed by the provisions of the Access to Personal Files and Medical Reports (NI) Order 1991.

The process of medical examination will be governed by separate procedures.

Staff may be referred for assessment or examination to the Education Authority's assigned Occupational Health Physician in any of the following circumstances:

- when absences in a rolling 12 month period give cause for concern and the Education Authority wishes to establish whether or not there is an underlying medical condition which may be causing the absence;
- when a member of staff has been on prolonged continuous absence (in excess of 4 weeks) and there is no prospect of return to work;
- when a member of staff has been on prolonged sickness absence and wishes to return on a temporary part-time or alternative working pattern for medical reasons;
- when the duration of the absence seems excessive for the nature of the illness;

- when, at any time, a member of staff's behaviour gives cause for concern;
- when a probationer's sickness absence record is such that it raises doubt with regard to the advisability of continuing his/her employment;
- when a request is received from a member of staff for premature retirement on the grounds of ill health;
- when the Education Authority/Board of Governors is of the opinion that dismissal on the grounds of ill health may be considered in the light of previous and/or current sickness absences;
- when the rate of sickness absence in a particular work area is significantly higher than average and there is no obvious explanation.

14. Consideration of Alternative Work/Phased Return to Own Duties

On occasions where a member of staff is deemed by the independent Occupational Health Physician who advises the Education Authority, to be incapable of maintaining regular and reliable attendance at work, it may be necessary to consider the possibility of alternative work to resolve the situation. This type of redeployment must be discussed in detail with the Human Resources/Health and Wellbeing team. Examples of alternatives, which may be considered, dependent upon the circumstances of each case, are part time working or duties of a different grade.

Where an employee is deemed to be fit to return to existing duties, the Education Authority in conjunction with the line manager may consider a phased return to facilitate resumption to normal working. In normal circumstances this will not exceed a period of 4 weeks. Salary will be calculated and paid for actual hours worked subject to the category of sick pay entitlement current. However where there has been an accrual of annual leave, leave can be used to facilitate a phased return to work which will, in addition, support the employee's return to normal salary.

15. Termination of Employment on the Grounds of ill Health

The Education Authority in conjunction with the Manager may, having considered all available information including medical information, conclude that an individual's employment should be terminated on the grounds of ill health. Such a determination does not automatically qualify the member of staff for release of

pension entitlements if the individual is a member of an occupational pension scheme (NILGOSC).

In circumstances where dismissal on the grounds of ill health is proposed the appropriate procedures will apply.

16. Medical Recommendation to Return to Work

Where, following a medical referral, the independent Occupational Health Physician indicates that a member of staff is fit to return to work, the member of staff will be advised of this outcome and the date will be set for return. If the member of staff disagrees with the determination of the Occupational Health physician, he/she will be offered the facility to appeal against the instruction to return. Such an appeal must be lodged within 5 working days of notification to return and must be accompanied by a medical statement. The appeal will be referred to an independent Medical Examiner agreeable to both parties who has not previously been involved in the case and whose medical opinion will be final and binding. Sick pay may be suspended from the expected date of return pending the outcome of the independent medical examination.

If the appeal is upheld, sick pay will be restored and a decision will be taken on continued employment or continued monitoring. If the appeal is not upheld the member of staff will be given one final opportunity to return to work. If the member of staff fails to return to work he/she will be deemed to be in breach of contract.

17. Ill Health and Disability

In keeping with the Code of Practice on Equality of Opportunity for People with Disabilities, the Education Authority will, where practical, attempt to redeploy an individual who is found to be unfit for their current post, provided he/she is deemed to be fit for alternative work. No guarantee can be given as to the availability of such work as this is entirely dependent upon a suitable alternative post being available. Consideration may be given to retraining, dependent upon the circumstances of the case, the resources available and the aptitude of the individual.

18. Sickness Absence and Discipline

Where a member of staff who is subject to disciplinary investigations or proceedings absents him/herself on health grounds, the Education Authority

reserves the right, at any stage, to require the member of staff to submit to a medical examination by a registered medical practitioner or consultant appointed by the Authority and to progress the disciplinary case as appropriate.

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