



Greenfield Primary School LEAVE OF ABSENCE POLICY

Approved by Governors (date)

Signed on behalf of the Governing Body

Chair of Governors

LEAVE OF ABSENCE POLICY

Scope

This policy applies to support staff, teachers and Head teachers based in Schools, Colleges and Academies and should be read in conjunction with the associated Guidance for Schools, Colleges and Academies (Leicestershire County Council).

Purpose

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

Short Term/Frequent Absences

This is described as an employee having regular periods of absence from work usually on health grounds. This is normally 3 or more absences, but will depend on the circumstances.

Long Term Absence

This is normally defined as being a continuous absence of 4 weeks or more, which is medically certified and attributable to an underlying medical condition or specific reason.

Emergency and Compassionate Leave

Employees may be considered eligible for Emergency and Compassionate leave where:

- Paid leave to deal with the immediate demands of the emergency – this will normally be one, and no more than 2 days', paid leave in most instances. Any paid time off granted after the immediate demands of the emergency have been met (i.e. after the first 24 – 48 hours) will be deemed to be compassionate leave.
- The Head Teacher may grant up to a further 3 paid days as compassionate leave (making maximum of 5 days paid leave in total).
- If the circumstances are exceptional, i.e. life threatening, the school may grant up to a further 5 paid days compassionate leave making a combined maximum of 10 days' paid leave in total.
- If further time off is required, it may be granted as unpaid leave, however there may be some situations that the school feel qualifies for a limited amount of additional paid leave.
- Where a member of staff is absent to care for a sick child, it is expected that both parents share time away from work.

For part-time staff these days will be calculated on a pro-rata basis.

Medical appointments

Time off for doctor and dentist appointments should be made outside of working hours.

Funerals

A request to attend a funeral will be granted to a member of staff for close relatives (immediate family, aunts and uncles and in-laws) and will be considered under the compassionate leave arrangements. Attendance for funerals of friends and extended family will be subject to agreement by the Head teacher and unpaid.

Application of the Policy

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

Informal Monitoring of Employees' Attendance

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

Absences which may require further attention/investigation, may include, but will not be limited to the following:

- Patterns of absence over the term or school year e.g. regular Friday/Monday absences or linked to holidays.
- Two long periods of absence (which is over 1 week but less than 4 weeks) in a 6 month period.
- A long term absence of 4 weeks or more.
- A stress related absence or reoccurrence of a stress related absence.
- Regular repetition of the same/similar type of illness.
- Multiple periods of self certified absence.

Return to Work Meetings

The return to work meeting is informal. In many cases the meeting may be as brief as a quick chat to ensure the employee is fit to return to work and welcome them back to work.

Support Mechanisms

Managers may wish to explore the following non-exhaustive list of options:

- a) Referral to Occupational Health to seek medical advice and opinion.
- b) Therapeutic Return to Work to assist the employee to return back to work on a planned and phased basis, usually following a medical recommendation.

- c) Reduction in Hours to assist the employee to return back to work on a temporary or permanent basis, which must be mutually accommodated and agreed. The employee's contract of employment will then be changed accordingly.
- d) Ill Health Retirement may be an option but in the first instance requires an Occupational Health referral.

Employees with a Disability

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

Informal Action

If there are concerns regarding the employee's attendance, then an informal improvement plan and review period should be agreed (which will vary in individual cases, but generally this will be between 4 – 6 weeks) and supportive mechanisms considered.

A meeting should be held with the employee at the end of the review period to determine whether the informal improvement plan has been achieved. If the employee has not achieved the level of attendance required at the end of the review period, the school should consider progressing to Stage 1.

There may be occasions in cases of long term absence where the medical reports indicate that a return to work is not possible within a reasonable time period. In these circumstances the school should ensure that all avenues of support such as ill health retirement and redeployment have been exhausted. If this can be demonstrated the formal procedures will commence at Stage 4.

Stage 1 – Formal Attendance Management Meeting

Where there are continuing concerns over an employee's attendance, the manager will arrange for the employee to attend a Formal Attendance Management Meeting. Ten working days' notice will be given for this meeting, the purpose of which is to establish the facts, allow the employee to respond to concerns about their attendance and put further support mechanisms in place. The employee has the right to be accompanied by a work colleague or Trade Union representative. Notes should be taken at this meeting and a copy will be sent to the employee together with any relevant documents e.g. a formal improvement plan.

The person conducting the meeting will:

- Identify the level of attendance not being met, and give clear guidance on the standard of attendance required (formal improvement plan).
- Explain any support mechanisms available to help the employee improve their attendance.
- Specify the monitoring and review period for improvement (which will vary in individual cases, but generally this will be between 4 – 10 weeks).

- Warn the employee formally that failure to improve to the required attendance level within the timescale could lead to a final warning at the end of the review period and this could lead to a dismissal if sufficient attendance or progress is not made.

The employee will:

- Identify any support mechanisms that they feel may help them to improve their attendance
- Produce evidence that supports their position

The employee will be advised that the potential outcomes of the meeting are:

- There are insufficient grounds for pursuing issue, and the attendance procedure will cease and the informal monitoring will recommence.
- The need for further investigation or to consider any additional information.
- There are attendance issues to be addressed, which may warrant a final warning if the required improvements are not made following the review period, i.e. stage 2. An improvement plan and review period will be set.

Stage 2 - Formal Review Meeting (to be held at the end of the review period)

Five working days notice will be given for this meeting and employees have the right to be accompanied by a work colleague or Trade Union representative. Notes should be taken at this meeting and a copy will be sent to the employee together with any relevant documents e.g. a formal improvement plan, etc.

Both the person conducting the meeting and employee will have an opportunity to present evidence to support their position.

The potential outcomes of the meeting are:

- If the employee has made sufficient improvement, the attendance procedure may cease and the performance management process will restart. However, if the improvement is not sustained within 12 months then the manager will recommence at Stage 2 of this policy;
- If some progress has been made and more is likely, it may be appropriate to extend the review period. In the majority of cases it will be appropriate to extend the review period just once;
- If no, or insufficient, improvement has been made, the employee will receive a final written warning which will remain on their file for 12 months and the procedure will move to Stage 3. The employee will be informed in writing of the specific matters covered, the timing and their right to appeal against the warning. They should also be informed that failure to achieve an acceptable level of performance may lead to dismissal. A further review period will be set, which may be the same or less than the review period under Stage 1.

Stage 3 - Final Review Meeting (to be held at the end of the second review period)

Five working days' notice will be given for this meeting and the employee has the right to be accompanied by a work colleague or Trade Union representative. Notes should be taken at this meeting and a copy will be sent to the employee together with any relevant documents.

Both the person conducting the meeting and the employee will have an opportunity to present evidence to support their position.

The potential outcomes of the meeting are:

- If the employee has made sufficient improvement, the attendance procedure may cease and the informal monitoring will restart. However, if the improvement is not sustained within 12 months then the manager will recommence at Stage 3 of this policy.
- If no, or insufficient, improvement has been made, the employee will be advised that a hearing will be convened to consider the case and that a potential outcome is dismissal. This should be confirmed in writing to the employee.

Stage 4 - Hearing

Ten working days' written notice will be given to attend a formal hearing in which the employee will be informed of the reasons for the hearing and their right to be accompanied by a work colleague or trade union representative. The letter should state that a potential outcome of the hearing is dismissal. Employees should also receive copies of relevant documentation e.g. formal improvement plan(s), notes of meetings etc. Employees will be given an opportunity to provide evidence.

Delegation of Authority

The person or panel responsible for hearing the case will depend on who has been given the delegated authority. This will either be the Governing body (i.e. a panel of Governors) or the Head teacher. If it is the Head teacher, then they may be supported by another member of the senior management team or a Governor. It would not be appropriate for the Head teacher to make the decision if they have managed the case.

Dismissal

Where appropriate, a panel or delegated person, i.e. Head teacher will dismiss the employee with notice.

The employee will be notified in writing of the outcome of the hearing, including the reason for the dismissal and date of termination of their employment. The letter will also include details of their right of appeal.

Local Authority Schools

Once the Panel or delegated person, i.e. Head teacher, has decided that the employee should be dismissed, this should be confirmed in writing to the employee and the Local Authority notified of the decision and the reasons for it. The Local Authority will then write to the employee to dismiss them within 14 days of the date of the notification. The Local Authority has the right to

be represented at the hearing and this will normally be a member of the HR Services team in an advisory capacity.

Right of Appeal

An appeal must be submitted in writing by the employee and sent to the Head teacher within 5 working days of receiving notification of the hearing.

The appeal will be held in line with the Appeal Policy for Greenfield Primary School and procedure for all Schools, Colleges and Academies (Leicestershire County Council).

Version	Date	Comment
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