

Ormiston Academies Trust

Cowes Enterprise College, an Ormiston Academy Supporting Staff Attendance policy

Policy version control

Policy type	OAT Mandatory <i>The Trust will regularly monitor and review this policy to ensure that it is appropriate, effective, and compliant with both employment legislation and the Equality Act 2010</i>
Author	Melanie Wheeler
In consultation with	ASCL, GMB, NAHT, NASUWT, NEU, Unison & Unite
Status	Fully consulted
Release date	September 2020
Next review date	July 2023
Description of changes	None

Employee health and wellbeing policy statement

Ormiston Academies Trust is committed to promoting the health, safety and wellbeing of its staff by:

- providing appropriate support to facilitate staff retention and return to work after illness, for example through a phased return, counselling, occupational health, flexible working, reasonable adjustments and in some cases redeployment;
- support staff in addressing issues which may result in absence due to work related stress or dignity at work issues;
- encouraging good attendance, monitoring absence and the impact of sickness absence;
- working with the recognized trade unions and health and safety representatives to identify supportive actions and preventative measures to promote the health, safety and wellbeing of staff; and
- providing coaching and training for managers dealing with sickness absence issues.

In addition to the above, we recognise that Leaders influence the culture of our organisation. Their specific responsibilities include:

- Actively promoting the principles and behaviours which contribute to positive staff wellbeing
- Vigilance to staff personal circumstances and offering additional support where appropriate to members of staff experiencing risks to their wellbeing due to reasons outside of the workplace', e.g. bereavement or separation
- Ensuring effective communication between management and staff, particularly where there are organisational and procedural changes
- Ensuring that bullying, harassment and discrimination are not tolerated
- Working with managers and the recognised trade unions to initiate staff wellbeing focus groups where appropriate
- Conducting any investigation necessary to protect staff wellbeing – with input from the most appropriate line manager in the circumstances

The Staff Attendance Policy aims to ensure that absence is managed in a consistent, supportive and effective way, in line with the above principles, so that operational and service levels are maintained. This policy applies to all staff with a contract of employment and is in line with ACAS guidance.

Disability related sickness absence, and attendance at disability related medical appointments will be recorded but not categorised as sickness absence. Issues relating to attendance and disability or underlying medical conditions will take into account our commitment to retaining staff through making reasonable adjustments to jobs, equipment and processes, offering flexible working options where possible and accessing medical advice through occupational health.

Guidance on making reasonable adjustments is available for managers and staff, and HR should be involved in dealing with health and disability, staff retention and adjustments.

Contents

Employee health and wellbeing policy statement	2
1. Introduction	5
1.2. Principles	5
1.3. Infectious Diseases	6
1.4. Medical Exclusion	7
1.5. Sick Pay Entitlements	7
Teachers	7
Support Staff	8
2. Monitoring and Reporting Absence	8
2.1. Absence data	8
2.2. Reporting Absence Procedure	9
2.3. Fit Notes	10
2.4. Return to work	10
3. Occupational Health	10
3.1. Referrals to Occupational Health	10
4. Managing repeated short-term/intermittent absence	12
4.1. Overview	12
4.2. Written notification	12
4.3. Representation	13
4.4. Informal Review	13
4.5. Formal Stage 1	13
4.6. Formal Stage 2	14
4.7. Formal Stage 3	15
5. Managing Long term absence	15
5.9. Absence Review	16
5.10. Formal Reviews	16
6. Supporting the search for alternative employment	17
7. Guidance on procedure for applying for ill-health retirement	18
7.1. Teaching Staff	18
7.2. Support Staff	18
Note: Under the Pension Regulations-	19
8. Terminating Employment on the Grounds of Absence	19
8.7. Notice Periods	20
8.8. Alternative employment	20
Appendix A	22
Intermittent absence: Guidance Note for Conducting Informal Review Meetings	22

Informal Absence Meeting Review Form	23
Appendix B	26
Intermittent absence: Guidance Note for Conducting a Formal Stage 1 Meeting	26
Appendix C	27
Intermittent absence: Guidance Note for Conducting a Formal Stage 2 Meeting	27
Appendix D	28
Long term absence: Guidance Note for Conducting Absence Review Meetings	28
Appendix E	29
Long term Absence: Guidance Note for Conducting Formal Review Meetings	29
Appendix F	30
Recommended Procedure for Dismissal on Absence Grounds	30
Appendix G	31
Recommended procedure for a meeting to consider Dismissal on attendance grounds	31
Appendix H	32
Recommended procedure for Appeal Hearing	32
Appendix I	32
Illness or Injury Arising from Work	32

1. Introduction

1.1. This policy is designed to support regular attendance of employees, and to minimise absence. This procedure applies to all support staff and Teachers

1.1.1. The aim of this policy is to encourage employees to attend work regularly and to assist Principals and designated managers to encourage good attendance among staff in a fair and consistent way.

1.1.2. The policy will ensure:

- individual records and information about sickness absence will be managed appropriately and treated as confidential personal data in accordance with the General Data Protection Regulations (GDPR);
- sickness absence levels will be consistently and accurately recorded and annually reviewed and monitored in order to be effectively managed, and statistical data will be shared on an annual basis with Governors, the Trust and the recognised Trade Unions.
- consistency of application and adherence to equalities legislation.

1.2. Principles

1.2.1. OAT and the academy must have regard for the health, safety and welfare of all employees. A proactive approach to staff welfare is a more effective means of reducing absence than dealing with individual absence cases.

1.2.2. We will treat each case on an individual basis. Individual employees have a duty to attend work regularly, and consequently must take all reasonable steps to protect their own welfare, and to assist in the promotion of a healthy workplace.

1.2.3. Principals and designated managers have responsibility for supporting the attendance of employees.

1.2.4. Individual employees are encouraged to involve their union representative whenever management raise concerns regarding their absence.

1.2.5. Accountability for attendance rests initially with the Principal. Principals may delegate responsibility for managing and supporting attendance to other managers within the academy. Responsibility for the management of attendance of a Principal must rest with the Regional Director. EPM HR will provide information, support, and guidance to Principals, as requested.

1.2.6. This document provides a framework for addressing matters of non-attendance, however it must be recognised that individual circumstances may necessitate a tailored response. In such circumstances the Principal or designated manager must use their judgment in order to sensitively address the matter with due fairness and sensitivity, and with regard for the interests of both the individual and the academy.

1.2.7. Appropriate risk assessments and incident reports should be used to help minimise workplace injuries. Where workplace factors are linked to absence, Principals and

designated managers may wish to consult with EPM HR regarding whether action can be taken to minimise reoccurrence.

1.2.8. Employees continue to accrue annual leave whilst they are absent due to sickness. For the purpose of establishing annual leave entitlement whilst off sick, an employee's leave year will be defined as 1st September, in line with the start of the academic year.

1.2.9. given to the requirements of the Equality Act 2010 when following these guidelines. For the purposes of the EA 2010, a person is considered to have a disability if they have a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities, or have been diagnosed with a specific illness which gains recognition under the act. Further guidance regarding whether an employee's medical condition is likely to fall under the act can be obtained through a referral to Occupational Health.

1.2.10. The Principal/designated Manager should be mindful that many conditions fall under the EA 2010 including mental health matters and may find it helpful to refer to the TUC guidance on the social model for supporting disability at work and seek advice from Occupational Health Specialists and EPM HR Advisor.

1.2.11. Under the EA 2010 there is a legal obligation on employers to make reasonable adjustments to premises or working arrangements etc. to facilitate access to work for disabled people and to enable an employee who becomes disabled during the course of his/her employment to remain in work. A reasonable recommendation may be that specialist equipment is required and in this circumstance the Principal/ designated manager should advise the employee to contact Access to Work to arrange an assessment. Provisions should also be made for a risk assessment to be carried out where appropriate.

1.2.12. Where it is not possible to make reasonable adjustments or where the medical condition has deteriorated and the adjustments are no longer working and/or it is not possible to make further adjustments to allow the employee to continue in their post, then consideration needs to be given to options such as supporting the employee in their search for alternative employment and the application for ill health retirement. Should all options have been exhausted, the matter may be referred to the Governing Body who will consider the employee's continued employment.

1.2.13. For advice regarding specific EA 2010 issues, Principals and designated managers may wish to contact EPM HR.

1.3. Infectious Diseases

1.3.1. If an employee is unable to attend work due to them having one of the following infectious diseases:-

- chicken pox
- diphtheria
- german measles,
- mumps
- scarlet fever

- whooping cough
- contagious virus

1.3.2. and the absence is covered by a doctor's certificate, then the period of sickness for the purpose of monitoring, will not be counted against the individuals' absence record but should still be recorded. In this instance, employees will receive full pay for up to 100 days and a further period of 100 days half pay. This list is not exhaustive; Principals/ designated managers should seek further advice before discounting an absence contributed to an infectious disease which is not identified in the specified list.

1.4. Medical Exclusion

1.4.1. An employee may be excluded from work on medical grounds. This may arise, for example, when there is a difference of opinion between the employee's GP and the Occupational Health Advisor regarding whether the employee is fit to return to, or continue working in, their existing job. During medical exclusion normal pay arrangements will continue, and the situation should be kept under continuous review. The employee is entitled to a written explanation of the reasons for medical exclusion. The maximum period of exclusion is 26 weeks but in exceptional circumstances may be longer. If the period of exclusion is indefinite, consideration may need to be given to the employee's continuing employment. You may wish to seek advice from EPM HR whenever medical exclusion from work is a possibility.

1.5. Sick Pay Entitlements

1.5.1. Staff are subject to occupational sick pay schemes described in full in the relevant scheme of conditions of service which allow periods of full pay and half pay during sickness absence. The entitlement is based on the employee's continuous service date.

- failure to notify employer in accordance with published notification procedure if there are no mitigating circumstances for not notifying the employer
- absence from work due to sports injuries (employer cannot withhold SSP if qualifying conditions are satisfied but can withhold occupational sick pay if the terms of the employment contract provide for this)
- if the employer has doubts about the legitimacy of the sickness absence and it is not supported by a GP sick note i.e. is self-certified

Teachers

1.6. Sick pay entitlement for teachers on Burgundy Book Terms and Conditions is as follows;

- 1st year – full pay for 25 days and after 4 months, ½ pay for 50 days,
- 2nd year – full pay for 50 days and ½ pay for 50 days;
- 3rd year full pay for 75 days and ½ pay for 75 days;
- 4th and successive years, full pay for 100 days and ½ pay for 100 days.

1.6.1. For the purpose of calculating a teacher's entitlement during a year, a year is deemed to begin on 1st April and end on 31st March of the following year.

1.6.2. Where a teacher starts service after 1st April in any year, the full entitlement for that year will be applicable. Where a teacher is on sick leave on 31st March in any year, no new entitlements shall begin until the teacher has resumed duty and the period from April 1st until the return to duty is regarded as part of the preceding year's entitlement for the purpose of this scheme.

1.6.3. When a teacher moves to another employer, any sick pay paid during the current year by the previous employer shall be taken into account in calculating the amount and duration of sick pay payable by the new employer.

Support Staff

1.7. Sick pay entitlement for staff on Green Book Terms and Conditions is as follows:

- 1st year – full pay for one month (plus two months half-pay upon completion of 4 months service)
- 2nd year – 2 months full pay and two months half-pay
- 3rd year – 4 months full pay and four months half-pay
- 4th year and 5th year – 5 months full pay and 5 months half pay
- After 5 years – 6 months full pay and 6 months half pay

1.8. The period during which sick pay shall be paid, and the rate of sick pay, in respect of any period of absence shall be calculated by deducting from the employee's entitlement on the first day the aggregate of periods of paid absence during the twelve months immediately preceding the first day of absence.

1.9. The conditions of service also include special provisions that apply in relation to absences arising from accidents at work.

1.10. Where the decision is taken to extend full pay, consideration must be given as to whether to offset this against the employee's half-pay entitlement. A decision to extend full sick pay does not remove the need to manage the absence.

1.11. If an academy agrees to extend an employee's period of full pay, this would not affect their entitlement to incapacity benefit. However, if a period of full-pay is extended and entitlement to SSP has been exhausted the full-pay is abated by the amount of incapacity benefit entitlement (whether this is claimed or not).

2. Monitoring and Reporting Absence

2.1. Absence data

2.1.1. Information on absence should be recorded on EPM HR Portal and used to monitor and address absence issues in a fair and consistent way. It must also be used to proactively identify absence trends and areas of concern and to improve general workplace well-being thereby reducing absence. Absence reports are available via the EPM Portal. Absence data will be shared with Governors, the Trust Board and the JCC. Please note reporting should be anonymized.

2.2. Reporting Absence Procedure

2.2.1. Academies must establish procedures for staff to report sickness absence. This is necessary:

- To plan the way in which the absence will be covered;
- To enable staff to meet the requirements of their sick pay entitlement;
- To ensure the accuracy of data for absence management;
- To generate payments to academy's sickness insurance and benefits schemes.
- To ensure compliance with Health and Safety regulations, e.g. if absence relates to an accident in the workplace.

2.2.2. The procedure should be made known to all staff and include:

2.2.2.1. Arrangements on the first day of absence - to whom the absence should be reported, the normal deadline for reporting absence, supplementary information required (e.g. reporting any priority tasks needing attention, likely duration of absence, nature of illness), call back arrangements.

2.2.2.2. A self-certificate should be provided for absences lasting between 1 and 7 calendar days. This should be submitted by the 7th day of absence.

2.2.2.3. The requirement to provide a doctor's certificate (Fit Note) if the absence lasts beyond 7 calendar days (if Fit Note states for '1 week' this equates to 7 calendar days beginning on the date the certificate was signed unless otherwise stated). Doctors' certificates must run consecutively to cover all the period of absence, inclusive of Bank Holidays and all academy closure periods for all employees including part timers.

2.2.2.4. The requirement to ensure certificates for absence are submitted in a timely fashion and ideally no later than 3 days after the previous note has expired.

2.2.2.5. Requirements for repeating the notification. This should normally be by the fourth day of absence, unless the initial report made it clear that the absence would be longer. The academy may however choose to request that contact is made on a daily basis until a Fit Note or self-certificate is received.

2.2.2.6. Where the employee is admitted to hospital, a certificate (Form MED 10) stating the dates of admission and discharge is sufficient to cover this period.

2.2.3. It is important that all staff are aware of the reporting processes and their responsibilities in order to ensure continuity of service provision. If an employee fails to report absence or follow the reporting procedure without mitigating circumstances, they may be subject to disciplinary action. Advice may be sought from EPM HR with all disciplinary issues and any subsequent action would need to be taken in accordance with the Disciplinary Policy.

2.2.4. In exceptional circumstances employees can be required to provide certification from the first day of absence. Principals/designated managers should seek advice from EPM HR before introducing this requirement.

2.2.5. Absences for reasons other than sickness (including medical appointments) can be considered and authorised under the Leave of Absence Policy. The appropriate documentation should be completed for absences that fall under this policy.

2.3. Fit Notes

2.3.1. The Fit Note allows GPs to provide more information on how an employee's condition affects their ability to work and if any reasonable adjustments could be made in order to assist the employee back to work sooner.

2.3.2. Employees will need to submit their 'Fit Note' to the academy when they are absent from work for a period of more than 7 calendar days.

2.3.3. The Fit Note will state if an employee is unfit for work or may be fit to return to work. Where staff are deemed 'may be fit for work' the GP should indicate what adaptations they recommend either to the staff member's current working practices or environment which will support the employee to return to work. In order to fully consider the recommendations, the Principal may need to speak to the staff member and/ or seek advice from EPM HR.

2.3.4. The staff member may wish to speak to their Trade Union for support and advice in relation to information provided on their Fit Note. The staff member affected can be supported by their Trade Union during discussions regarding the consideration of any recommendations or reasonable adjustments if they so wish.

2.3.5. The information provided on the note is for the employer's information; it is not binding. If the measures suggested by the GP cannot be accommodated, for the purpose of sick pay, the academy should discuss this with the employee and then consider the Fit Note as if the GP has advised that the employee is 'not fit for work'.

2.4. Return to work

2.4.1. Return to Work meetings should take place promptly after each period of absence, regardless of length of absence. The meeting should be of an informal nature, typically 1-to-1 between the returning member of staff and the Principal/ designated manager. Return to work meetings give the Principal/ designated manager the opportunity to welcome the employee back, update them on any workplace news and to discuss how the employee can be supported back into a normal work routine as quickly as possible.

2.4.2. A Return to Work form should be completed and placed on the employee's personnel file and retained for period of 12 months.

3. Occupational Health

3.1. Referrals to Occupational Health

3.1.1. Referrals made to Occupational Health are a supportive measure, and are intended to provide management with advice regarding the employee's condition and how best to support them. Referrals can be made if an employee is absent or in work. Where an

employee cites either stress/anxiety/nervous debility, or any musculo-skeletal/back/spinal condition, an early referral to Occupational Health should be considered. The Principal/ designated manager must make the employee aware if they are to be referred to Occupational Health and explain that this is a supportive measure to provide management with advice on how best to support them in achieving/ maintaining regular attendance at work.

- 3.1.2. Occupational Health will also send a copy of the report to the academy and employee. Recommendations should be considered carefully and further advice sought from OAT HR if necessary. In the exceptional circumstance that the recommendation is that a return to work is unlikely within the reasonably foreseeable future, the procedure set out in Section 8 regarding the termination of employment, should be followed. Where consideration is being given to termination or early retirement, the employee is advised to consult with their Trade Union.
- 3.1.3. The academy is entitled to require any employee at any time to attend an examination by its nominated medical adviser where it appears that the employee is unable to perform their duties as a consequence of illness, or where pro-active action is thought necessary to support an employee to continue performing their duties. It is better if the employee agrees to be referred and every reasonable effort should be made to achieve this. Where an employee unreasonably refuses to attend a medical appointment, they may be subject to processes under the Disciplinary Policy. It must be made clear to the employee that failing to attend Occupational Health may result in management making employment decisions without the information that this can provide.
- 3.1.4. It is normal practice for the Occupational Health Practitioner to request information from the employee's doctor (whether this be GP or Consultant). Should further information be required, Occupational Health will discuss this with the employee and appropriate approval sought in accordance with the Medical Reports Act.
- 3.1.5. Teachers have the contractual right to be accompanied by their own doctor, if they so wish, when examined by the Occupational Health Practitioner.
- 3.1.6. Employees have the option to be accompanied to their Occupational Health appointment by a friend or relative to give support and to act as an observer. Some employees may choose to be accompanied by a Trade Union representative. In this circumstance Trade Union representatives can be available to offer support but not to present the employee's case.
- 3.1.7. Where appropriate case conferences, with Occupational Health, the employee, Principal/designated manager, EPM HR, and Trade Union representative all present, provide a useful forum to discuss employee needs.

4. Managing repeated short-term/intermittent absence

4.1. Overview

4.1.1. The procedure for managing repeated short-term/intermittent absence consists of the following stages:

1. Informal review
2. Formal Review Stage 1
3. Formal Review Stage 2
4. Formal Review Stage 3 – Referral to Governors or Leadership

4.1.2. In order to treat staff consistently it is important to establish clear criteria which would prompt action. It is recommended that the above procedure should be initiated when an employee hits one of two possible triggers:

- 9 days absence in any 12 month period OR -
- 5 occasions of absence in any 12 month period.

4.1.3. These triggers include both certified and self-certified sickness absences.

4.1.4. Principals, designated managers, EPM HR or Governors, should consider whether action is needed whenever an employee someone has reached one of the triggers above whether that action will be either informal or formal.

4.1.5. However, action set out below should not take place automatically as soon as a trigger is reached. It is important that Principals and designated managers consider the individual circumstances relating to the absences. Advice should be sought from EPM HR and/or Occupational Health as necessary. Please refer to Appendix I on the treatment of Illness or injury arising from work.

4.1.6. Principals/designated managers may hold further informal meetings between each formal stage if they consider circumstances warrant it. A written record summarising the main points from each conversation should be made and a copy kept on the employee's file.

4.1.7. In all cases advice and assistance, to Principals, designated managers, and Governors, is available through EPM HR.

4.2. Written notification

4.2.1. It is important that for any formal meeting under this procedure, the employee is given 5 working days written notification of the meeting, which must also state their right to be accompanied by Trade Union representation or a work colleague. Once the meeting has been held, a summary of what has been discussed should be compiled within an

outcome letter. This should be provided to the employee within 5 working days of the meeting. It is the Principal's/ designated managers responsibility for the completion and distribution of the relevant letters.

4.3. Representation

4.3.1. Employees are entitled to be accompanied by their Trade Union representative or a work colleague at formal meetings under this procedure. At the informal review (including any further informal reviews between formal stages), it would not be considered necessary for the employee to be accompanied to the meeting. However, a request to be accompanied should not normally be refused.

4.4. Informal Review

4.4.1. Where an employee's absence level hits the triggers set out in 4.1 above, the Principal or designated manager should hold an informal review. It is important that Principals/ designated managers explore the reasons for the absences and ways in which acceptable levels of attendance can be supported and maintained. Further guidance on what should be discussed at this meeting can be found in Appendix A.

4.4.2. It is important that Principals/ designated managers conduct the informal review in a timely manner.

4.4.3. Whilst conducting the meeting, Principals/ designated managers should complete an Informal Absence Review Form and both parties should check and sign the form at the end of the review. It is important that the impact of the employee's absence is made clear and their responsibility to attend work on a regular and sustained basis. Principals/ designated managers must make it clear to the employee that their absence will be monitored for a period of 12 months. It is recommended that the following attendance targets are set:

- No more than 5 days or 2 occasions of absence over a 12 month period.

4.4.4. The new attendance targets should start with effect from the day following the last period of absence. There may be occasions where this target is not appropriate, and a different target can be agreed on a case by case basis.

4.4.5. It is recommended that Principals and designated managers use their professional judgement and discretion to consider individual circumstances in relation to the progression of an absence case. Should a Principal feel that it would not be appropriate to progress an individual's absence case, it is recommended that they take further advice from EPM HR.

4.5. Formal Stage 1

4.5.1. If, following the Informal Review, the target of no more than 2 occasions or 5 days absence in the 12 month period or the individually agreed target has not been met, it will be necessary for the Principal/ designated manager to consider meeting with the employee on a formal basis.

4.5.2. It is important that Principals/ designated managers explore the cause of the absences and ways in which acceptable levels of attendance can be supported and maintained. Further guidance of what should be discussed at a formal stage 1 absence meeting can be found in Appendix B.

4.5.3. Principals/ designated managers should make it clear to the employee that they have failed to achieve the required levels of attendance and therefore improvement is required and that their absence will be monitored for a further period of 12 months. It is recommended that the following attendance targets are set:

- No more than 5 days or 2 occasions of absence over a 12 month period, or individually agree a target.

4.5.4. The new attendance targets should start with effect from the day following the last of absence. It is important therefore that Principals/ designated managers conduct the formal stage 1 review in a timely manner.

4.5.5. It is recommended that Principals and designated managers use their professional judgement and discretion to consider individual circumstances in relation to the progression of an absence case. Should a Principal feel that it would not be appropriate to progress an individual's absence case, it is recommended that they take further advice from EPM HR.

4.6. Formal Stage 2

4.6.1. If, following formal stage 1, the standard of no more than 2 occasions or 5 days absence in the 12 month period or the individual target, has not been met, it will be necessary for the Principal/ designated manager to meet with the employee as part of formal stage 2 of the process. It is important that Principals/ designated managers explore the cause of the absences and ways in which acceptable levels of attendance can be supported and maintained. Further guidance of what should be discussed at a formal stage 2 absence meeting can be found in Appendix C.

4.6.2. Principals/ designated managers must make it clear to the employee that they have failed to achieve the required standards of attendance and significant improvement is required. Their absence will be monitored for a further period of 12 months. It is recommended that the following attendance targets are set:

- No more than 5 days or 2 occasions of absence over a 12 month period, or individually agree a target.

4.6.3. The new attendance targets should start with effect from the day following the last of absence. It is important therefore that Principals/ designated managers conduct the formal stage 2 review in a timely manner.

4.6.4. It is recommended that Principals and designated managers use their professional judgement and consider individual circumstances in relation to the progression of an absence case. Should a Principal feel that it would not be appropriate to progress an individual's absence case, it is recommended that they take further advice from EPM HR.

4.6.5. In the unlikely event that the employee has not been referred to Occupational Health, a referral must be made as soon as it is evident that the employee's attendance has not met the required standard and that Formal Stage 2 will need to be instigated. It may be necessary to obtain an up-to-date report where one has already been obtained earlier

4.6.6. Principals/ designated managers must ensure that reasonable options to help to sustain the employee's levels of attendance are explored for example, changes to working arrangements or supporting the employee's search for alternative employment. Principals/ designated managers should utilise the information provided to them by Occupational Health when considering any reasonable adjustments or amendments.

4.6.7. The employee must be informed at this meeting that failure to achieve the required levels of attendance may result in the matter being referred to the appropriate body for consideration of dismissal.

4.7. Formal Stage 3

4.7.1. If the employee fails to achieve the required levels of attendance as specified within formal stage 2 of the process, the matter should be presented for consideration of dismissal for repeated, unacceptable levels of non-attendance. Details regarding the termination of employment on absence grounds can be found in Section 8.

5. Managing Long term absence

5.1. The recommended process for managing long term absence consists of the following stages –

1. Absence Review
2. Formal Reviews
3. Referral for Dismissal

5.2. OAT recommends that sickness absence is treated as long-term under these guidelines once an employee has been absent continuously for 4 weeks.

5.3. However, it is not necessary for four weeks to expire before action can be taken under this policy; if an employee submits a Fit Note for a duration of 4 weeks or more, or the manager or employee reasonably believes the employee's condition will result in an absence of 4 weeks or more, a referral should be made immediately.

5.4. It is the responsibility of Principals and designated managers to manage absence; EPM HR are available to support if required. The actions outlined below should not be deferred, as deferral or delay of actions may result in prolonging the period of absence at the detriment to the employee's health.

5.5. Principals and designated managers are responsible for ensuring regular contact is maintained with the employee, in order to;

- Keep informed as to the employee's progress
 - Try to establish a return to work date
 - Inform the employee of any work-place developments they may have missed
 - Ask what support the academy can provide, etc.
- 5.6. Contact will be reasonable and sensitive and will not require employees to set work for classes or undertake any other contractual duties whilst absent with ill-health. Home visits may be appropriate, managers visiting employees at home should be accompanied by another manager and seek agreement with the employee before the visit takes place.
- 5.7. Where an employee cites either stress/anxiety/nervous debility, or any musculo-skeletal/back/spinal condition, a referral to Occupational Health should be considered immediately. The Principal/ designated manager must make the employee aware if they are to be referred to Occupational Health and explain that this is a supportive measure to provide management with advice on how best to support them in achieving/ maintaining regular attendance at work.
- 5.8. In all cases advice and assistance, to Principals, designated managers, and governors, is available through EPM HR.

5.9. Absence Review

- 5.9.1. An absence review should be initiated as soon as the manager is made aware that an employee's sickness is likely to last for a period of 4 weeks or more. The review will cover a prognosis enquiry about the employee's health and general welfare and consider supportive measures that can be put in place to support the employee in their return to work. Full guidance on what should be covered in an absence review can be found in Appendix D.
- 5.9.2. It is usual that Principals/ designated managers conduct the absence review without HR present, however if support is required Principals/designated managers should contact EPM HR.
- 5.9.3. At the absence review, it would not be considered necessary for the employee to be accompanied to the meeting. However, a request to be accompanied should not normally be refused
- 5.9.4. The outcome of the absence review should be confirmed to the employee in writing within 5 working days.

5.10. Formal Reviews

- 5.10.1. It is important that for any formal meeting under this procedure, the employee is given 5 working days written notification of the meeting which must also state their right to be accompanied by a Trade Union representative or a work colleague. Once the formal meeting has been held, a summary of what has been discussed should be compiled within an outcome letter. It is the Principals/ designated managers responsibility for the completion and distribution of the relevant letters within 5 working days.

- 5.10.2. Where the absence is prolonged or the employee fails to achieve the return to work date established in their previous meeting, it is necessary for the Principal/ designated manager to hold a formal review. Guidance on what should be covered in a formal review can be found in Appendix E.
- 5.10.3. It is impossible to give set guidance in relation to how many formal review meetings should be held and the timescales associated with this. Much will depend on the medical prognosis and the operational effect of the absence. If, following a formal review meeting, and on the advice of Occupational Health, a return to work in the reasonably foreseeable future is unlikely, and alternatives have been explored, consideration may be given to the termination of employment. Guidance relating to the termination of employment on absence grounds can be found in Section 8.
- 5.10.4. When an employee returns to work following a period of long-term sickness absence, the academy should review the employee absence in line with the intermittent procedure set out in section 4.

6. Supporting the search for alternative employment

- 6.1.1. The academy will do whatever is reasonable and practicable to retain employees whose health prevents them from continuing in their present job but who, in the opinion of the Occupational Health, are still able to carry out useful work. However, there are limits to what can be achieved and the resources, including time, which can be devoted to it. Employees should be committed to being proactive when seeking alternative employment. It is important to note that when faced with this situation advice is available to managers, from EPM HR and Occupational Health.
- 6.1.2. Occupational Health's advice might be that, although the employee is permanently unfit for the job they do, because it made demands of a very specific type, they are fit enough to do other work. The employee might be able to remain in the existing job with reasonable adjustments, e.g. to the role, working hours, or physical environment. Managers should consider reorganising the existing job before exploring the possibility of other kinds of work.
- 6.1.3. There are several aspects that need to be considered when exploring the possibility of alternative work:
- Any alternative work must be suitable, both from the employee's standpoint and from the employer's;
 - The period allowed for the search for alternative work is clearly finite, although it is impossible to prescribe any given period. In practice, what is reasonable will depend on:
 - Perceived prospects of success,
 - The availability of such vacancies
 - The period of notice needed to terminate the contract lawfully

- 6.1.4. The employee's remaining capabilities may have been quite narrowly defined by the Occupational Health Practitioner and may be further limited by the skills and experience of the employee concerned.
- 6.1.5. An employee who has successfully acquired alternative employment may require support in order to adapt into their new role. A mutually agreed trial period of approximately 4 weeks may be appropriate to ensure suitability.
- 6.1.6. Alternative work may be more or less responsible and/or more or less well paid than the former job. In certain cases, the academy may consider limited salary protection for employees redeployed into jobs on lower salaries, based on the merits of the case. In the early stages of discussions about possible redeployment assurances about salary protection should not be given. There may well be other factors which mitigate against protection. However, when an employee is offered an alternative post all terms and conditions relating to the post should be notified to them.

7. Guidance on procedure for applying for ill-health retirement

7.1. Teaching Staff

- 7.1.1. The Teachers' Pension Scheme is a national scheme administered by Teachers' Pensions (TP). In order to receive an infirmity pension, the teacher must make application to TP using forms provided by the TPS.
- 7.1.2. The academy Occupational Health provider will provide advice through illness to the academy, which will include considering the options for different working patterns or discussing the possibility of appropriate redeployment opportunities.
- 7.1.3. Where an application for ill health benefits is submitted, the teacher is responsible for coordinating the gathering of medical evidence with their GP or Consultant and may include evidence from the Occupational Health Adviser.
- 7.1.4. Additional information and guidance on applying for ill health retirement is available at www.teacherspensions.co.uk
- 7.1.5. Teachers are strongly advised to consult with their professional association and Teachers' Pensions when considering an application for ill health retirement.
- 7.1.6. The decision to grant Ill Health Retirement is taken by the Teachers' Pensions Scheme medical advisors. If an application is unsuccessful, the employee will be informed of the appropriate mechanism for appeal by Teachers' Pensions.

7.2. Support Staff

- 7.2.1. In cases where the Occupational Health Physician advises that an employee is permanently incapable of undertaking the duties of their employment or that they have

a reduced likelihood of obtaining gainful employment before the retirement age, it will be necessary to consider whether to terminate their employment on the grounds of ill-health. This may enable contributors to the pension scheme to receive immediate payment of pension benefits.

- 7.2.2. Any decision to dismiss an employee due to ill-health, with or without access to immediate pension benefits, must be discussed fully with the employee concerned, all other options having been considered (i.e. it must not be assumed that dismissal is inevitable in such circumstances).
- 7.2.3. There is a requirement placed on employers to take all reasonable steps in the workplace to assist an individual who is disabled within the meaning of the Equality Act 2010 to remain in their employment. Consideration must therefore be given to reasonable adjustments or redeployment, in such cases, before a decision to dismiss can be taken. In specific cases please contact EPM HR for further advice.

Note: Under the Pension Regulations-

- **‘permanently’** means it is more likely than not that the employee is incapable until, at the earliest, age 65.
- **‘gainful employment’** means paid employment for not less than 30 hours in each week for a period of not less than 12 months
- In cases where an employee disagrees with the Occupational Health Advisor’s opinion that he/she is permanently incapable of undertaking the duties of his/her employment or any comparable employment available, the employee has a right to contest the opinion and to obtain an independent medical opinion.
- Where the Medical Advisor considers that the employee is not permanently incapable, but where, after a period of long term absence, there remains no prospect of a return to work, within the reasonably foreseeable future, the contract of employment can still be terminated on the grounds of capability.

8. Terminating Employment on the Grounds of Absence

- 8.1. Termination of a contract of employment amounts to a dismissal.
- 8.2. The employee should be advised to seek guidance from their Trade Union or professional association regarding any matters where dismissal or termination of employment is a possibility.
- 8.3. Any dismissal must follow the dismissal procedure set out in Appendix G. This also includes details regarding an employee’s right to appeal.
- 8.4. If a dismissal on grounds of ill-health is to be considered as fair by an Employment Tribunal the following must be satisfied at their meeting that:

- The full medical information is available.
- The employee has been kept informed and given regular opportunities to state his/her own position and preferences.
- The employee has been given reasonable time to meet standards.
- Alternatives to termination have been explored with the employee (and reference given to the requirements of the Equality Act 2010). These may include adjustments and/or support in the search for alternative employment
- The employee must be treated no less favourably than others in broadly similar circumstances.

8.5. Appendix G outlines the recommended procedure for a meeting to consider dismissal on absence grounds.

8.6. Termination on ill-health grounds can follow either of two routes:

- Termination of contract leading to premature retirement because someone is unfit to do the job they were employed to do, or
- Dismissal because the employee's state of health prevents him/her performing the duties of the post to an acceptable standard.

8.7. Notice Periods

Where the academy terminates the contract, it must give due notice of this, as set out in the individual contract of employment. There is a requirement to pay the employee in full (less any benefits) during statutory notice (as set out in the Employment Rights Act 1996) even though the full sick-pay entitlement might have expired.

8.8. Alternative employment

Employees in receipt of ill-health pension should be advised to obtain guidance upon the effects of further employment on their pension before accepting alternative employment.

Appendices

Managing repeated short-term/intermittent absence

- A. Guidance for conducting informal review meetings
- B. Guidance for conducting Formal stage 1 meetings
- C. Guidance for conducting Formal stage 2 meetings

Managing long term absence

- D. Guidance for conducting an absence review meeting
- E. Guidance for conducting formal review meetings

Dismissal

- F. Recommended Procedure for Dismissal on Absence Grounds
- G. Recommended Procedure for a meeting to consider Dismissal on Absence Grounds

Appeal

- H. Recommended procedure for appeal hearin

Appendix A

Intermittent absence: Guidance Note for Conducting Informal Review Meetings

The bullet points below are intended as a guide only. For further advice and guidance Principals and designated managers may wish to contact EPM HR.

- Advise the employee that this is an informal review meeting within the Attendance policy. Signpost the employee to a copy of the policy.
- Confirm the employee's absence record as correct.
- Discuss the employee's health and well-being to establish if there is an underlying reason for their high level of non-attendance.
- Consider any 'non-medical' (especially work-related or welfare) issues which may be contributing to the absences. Sickness absence may only be a symptom; there is a managerial responsibility to search for the underlying problem and, if possible, to support the employee in addressing it.
- Discuss what support can be offered if there is an underlying reason for the absences, e.g. the Staff Support and Counselling Services, consider reasonable adjustments etc.
- Discuss a referral to Occupational Health if this has not been done already.
- Discuss, with due sensitivity, what external medical help the employee is getting.
- Ensure the employee is aware of the acceptable standard of attendance and get their commitment to reach it. Recommended attendance targets can be found in 4.4.
- Set a period during which attendance will be monitored, typically 12 months.
- Advise the employee that if attendance does not meet the acceptable standard the matter may be dealt with through formal stages.

Note to Principal/designated manager:

- It is recommended that Principals and designated managers use their professional judgement and consider individual circumstances in relation to the progression of an absence case.
- It is important to record an accurate account of what was discussed during the meeting. Therefore, the Principals/ designated manager may wish to bring a note taker.
- During the meeting the Principal/ designated manager must complete a review form, details of which can be found in 4.4.

Informal Absence Meeting Review Form

This is the management record of a meeting held under the Supporting Staff Attendance Policy. The record may be accessed and referred to by those with authority to manage the informal and formal stages of the Supporting Staff Attendance Policy. An Informal Absence meeting is not part of the formal procedure and there is no entitlement for the employee to be accompanied or represented. The meeting will be held in private.

Employee	Date of Meeting
Length of Service	
Interviewing Line Manager	
Details of Absence	
Period of Absence	Number of days Absent
Reason(s) for Absence	
<p>Is absence related to a known or possible disability under the Equality Act? Has there been consideration of whether the 'trigger point' relating to days absence should be extended, or if the sickness absence policy should otherwise be modified?</p> <p>No Yes if</p> <p>yes – details of medical evidence must be attached</p>	
Details of Meeting	
<p>Key Points discussed</p> <p>Welcome and update, if necessary, on work events and changes</p>	
Reasons for absence – underlying medical condition?	

<p>The impact of absence on teaching and learning, service delivery and colleagues. How your work has been covered in your absence.</p>	
<p>Are you fully recovered and able to resume full duties?</p> <p>If your view is "no" then action plan must consider:</p> <ul style="list-style-type: none"> - Referral to Occupational Health (OH) - Temporary adjustments which can reasonably be accommodated? 	<p>Yes</p> <p>No</p>
<p>Action Plan</p> <p>Is there anything we can do to improve your attendance, e.g. OH referral, counselling, a review of risk assessment, temporary or permanent reasonable adjustments to the workplace, working practices or working hours or training?</p> <p>Is your absence in any way related to work?</p> <p>Are you doing all you can to improve your attendance? e.g. Act on medical advice, lifestyle choices, attention to work life balance, non-medical support e.g. counselling.</p>	
<p>Fit note required for any period of absence during the monitoring period?</p> <p>Yes</p>	<p>No</p>

Review

Attendance will be monitored for the next 12 months.

Absence should not exceed xxxxxxxx or xxxxxxxx instances.

Please note that further absence during this period may, depending on the circumstances, mean that the review is held under Stage 1 of the formal procedure if appropriate.

Copy of Supporting Staff Attendance Policy has been provided and process explained.

Yes Date: _____ **No** (must be provided and explained prior to a formal meeting)

Signature of Manager: _____ Date: _____

Signature of Employee: _____ Date: _____

Appendix B

Intermittent absence: Guidance Note for Conducting a Formal Stage 1 Meeting

The bullet points below are intended as a guide for the meeting only.

- The employee should be informed in writing, 5 days prior to the meeting, of their right to be accompanied by their Trade Union representative, and given time to arrange this
- The employee's absence record should be confirmed as correct.
- The employee should be given the opportunity to explain any further factors which may have arisen and contributed to their levels of absence.
- Consider any 'non-medical' (especially work-related or welfare) issues which may be contributing to the absences. Sickness absence may only be a symptom; there is a managerial responsibility to search for the underlying problem and, if possible, to support the employee in addressing it.
- The manager should highlight any operational problems the absence may be causing and reinforce the Policy Statement about maximising attendance.
- Support should be offered to assist the employee in reaching an acceptable standard of attendance.
- Services of Staff Support and Counselling should be offered.
- Referral to the Occupational Health Practitioner should be initiated, (if not already undertaken), unless there are good reasons for not doing so.
- By the end of the meeting, Principals/designated managers should after considering the particular circumstances
- Restate the level of attendance required and set a period during which this standard should be achieved. Recommended attendance targets can be found in 4.5. Typically, the monitoring period will be 12 months.
- Explore any respects in which the academy may be able to help;
- Caution the employee clearly about the possible outcomes if they fail to meet the agreed targets i.e. moving to formal stage 2 of the policy.

Note to Principal/designated manager:

- It is recommended that Principals and designated managers use their professional judgement and consider individual circumstances in relation to the progression of an absence case.
- Prior to the meeting the Principal/ designated manager must have given the employee 5 working days written notice of the meeting. More information can be found in 4.2.
- It is important to record an accurate account of what was discussed during the meeting. Therefore, the Principal/ designated manager may wish to bring a note taker.
- Following the meeting, the Principal/ designated manager must complete and distribute a letter to the employee summarising the discussion within 5 working days. More information can be found in 4.2.

Appendix C

Intermittent absence: Guidance Note for Conducting a Formal Stage 2 Meeting

The bullet points below are intended as a guide for the meeting only.

- The employee should be informed in writing, 5 days prior to the meeting, of their right to be accompanied by their trade union representative and given time to arrange this
- The employee's absence record should be confirmed as correct.
- The employee should be given the opportunity to explain any further factors which may have arisen and contributed to levels of absence.
- Consider any 'non-medical' (especially work-related or welfare) issues which may be contributing to the absences. Sickness absence may only be a symptom; there is a managerial responsibility to search for the underlying problem and, if possible, to support the employee in addressing it.
- The manager should highlight any operational problems the absence may be causing and reinforce the Policy Statement about maximising attendance.
- Support should be offered to assist the employee in reaching an acceptable standard of attendance.
- Services of Staff Support and Counselling should be offered.
- Referral to the Occupational Health Practitioner should be initiated, (if not already undertaken).
- By the end of the meeting, Principals/designated managers should after considering the particular circumstances
- Restate the level of attendance required and set a period during which this standard should be achieved. Recommended attendance targets can be found in 4.6. Typically, the monitoring period will be 12 months.
- Explore any respects in which the academy may be able to help;
- Caution the employee that if they fail to meet the agreed targets, a recommendation for dismissal may be given

Note to Principal/ designated manager:

- It is recommended that Principals and designated managers use their professional judgement and consider individual circumstances in relation to the progression of an absence case.
- Prior to the meeting the Principal/ designated manager must have given to employee 5 working days written notice of the meeting. More information can be found in 4.2.
- It is important to record an accurate account of what was discussed during the meeting. Therefore the Principal/ designated manager may wish to bring a note taker.
- Following the meeting, the Principal/ designated manager must complete and distribute a letter to the employee summarising the discussion within 5 working days. More information can be found in 4.2.

Appendix D

Long term absence: Guidance Note for Conducting Absence Review Meetings

Absence review meetings provide an opportunity to follow up some or all of the following issues as appropriate in the individual circumstances:

- Prognosis enquiry about the employee's health and general welfare.
- Discuss the report from Occupational Health.
- Discuss with the employee the reasons and/or cause(s) of their absence.
- Discuss with the employee the effect of their continued absence from work. This should be done objectively and in a manner that is sensitive to the nature of the illness.
- Consider whether reasonable adjustments or measures, e.g. changes to the environment, tasks/duties, contractual changes to working hours etc, could be made to facilitate an earlier return to work.
- If adjustments to the physical environment are required, the employee should be advised to contact Access to Work. The employee's agreement to contact Access to Work should be clearly minuted in the letter and the Principal or designated manager should ensure that this is followed up.
- Agree a target return to work date and agree what support the academy can provide to help achieve this.
- If medical information is available that indicates that the employee may be unable to resume in their current job early consideration should be given to alternatives such as redeployment, ill health retirement etc. The employee should be provided with information regarding these options.
- Advise the employee that they can access support and counselling
- Advise the employee they can contact their union for further support
- Ensure that the employee has received a copy of the Attendance policy.
- Explain that if the employee does not achieve the agreed return to work date, a formal meeting will be held to discuss the absence further.

Note to Principal/designated manager:

- It is important to record an accurate account of what was discussed during the meeting. Therefore Principals/ designated managers may wish to bring a note taker to the meeting
- Following the meeting, the Principal/ designated manager must complete and distribute a letter to the employee summarising the discussion within 5 working days. More information can be found in 5.2.

Appendix E

Long term Absence: Guidance Note for Conducting Formal Review Meetings

The bullet points below are intended as a guide for the meeting only.

Formal Review Meetings

- Prognosis enquiry about the employee's health and general welfare.
- Discuss the report from Occupational Health.
- Agree a target return to work date and agree what support the academy can provide to help achieve this.
- Give details of outstanding sick pay entitlement.
- Consider whether any reasonable adjustments can be made to facilitate a return to work.
- If adjustments to the physical environment are required, the employee should be advised to contact Access to Work. The employee's agreement to contact Access to Work should be clearly minuted and confirmed in writing and the Principal or designated manager should ensure that this is followed up.
- Advise the employee that failure to agree a target return to work date, or to achieve an agreed target return to work date, may result in the matter being referred for consideration of termination of the employment contract.
- If medical information is available that indicates that the employee may be unable to resume in their current job early consideration should be given to alternatives such as supporting the search for alternative employment, ill health retirement etc. Employees should be provided with information regarding these options.
- Convey information/decisions, if the stage has already been reached where termination of employment is imminent, see section 8.
- Advise the employee that they can access support and counselling.
- A decision to terminate employment should only be taken after reasonable adjustments and other alternatives have been fully investigated. (See 6.0 and 7.0 for information regarding the search for alternative employment and ill health retirement)
- Advise the employee to consult with their professional association or trade union regarding the matter, if they have not already done so.

Note to Principal/designated manager:

- Prior to the formal review meeting the Principal/ designated manager must have given the employee 5 working days written notice of the meeting. More information can be found in 5.3.
- It is important to record an accurate account of what was discussed during the meeting. Therefore, the Principal/ designated manager may wish to bring a note taker.
- Following the meeting, the Principal/ designated manager must complete and distribute a letter to the employee summarising the discussion within 5 working days. More information can be found in 5.3.

Appendix F

Recommended Procedure for Dismissal on Absence Grounds

1. Dismissal on absence grounds may relate to:

- a marked shortfall in overall performance compared with the standard required, due to intermittent absence; or
- non-performance of the job/contract because the employee is continuously absent.

In either case full regard will be given to the implications of the Equality Act 2010.

2. The decision to dismiss an employee must be taken by the Principal and two Governors or a panel of Governors. It is recommended that this is the same committee as deals with other types of dismissals (e.g. under the disciplinary procedure). It must in any event comprise of at least three members.

3. The employee has the right to attend the committee meeting and to make representations to it. The employee should have at least 10 working days written notice of the meeting, and the right to be accompanied by a professional association or other representative. The employee (or his/her representative) and the Investigating Officer may call witnesses and introduce documents in support of their response to the allegations, subject to notifying the person conducting the hearing of names of witnesses and supplying them with copies of documents at least 2 days in advance of the meeting.

The letter advising the employee of the meeting should state clearly that dismissal is a possible outcome of the meetings and give brief details as to why dismissal is being considered. The recommended procedure for conducting this meeting is set out in Appendix G.

4. The employee will be advised in writing of the outcome of the meeting. If the decision is to dismiss, the letter will state clearly the reason(s) for dismissal, contain details of any continuing assistance in seeking alternative work, and contain details of his/her appeal rights and to whom the appeal should be made.

5. The appeal committee will be comprised of different governors from those involved in the original decision to dismiss; it is recommended that this is the committee which deals with other staff appeals but it must in any event have at least as many members as the original committee.

6. Appeals must be made in writing within ten working days of being notified of the decision.

7. Any employee dismissed on health grounds may pursue a claim of unfair dismissal through an employment tribunal, subject to having one years' continuous employment (two years for employees who join the academy on or after 6 April 2012). Under tribunal procedure, the Governing Body is the 'Respondent' to such a claim. Assistance from EPM HR will be available in responding to such a claim, particularly where the Principal and Governors have followed advice from EPM HR on the application of these guidelines.

8. Dismissal on health grounds does not preclude a teacher from subsequently seeking an infirmity pension but enhancements can be affected.

Appendix G

Recommended procedure for a meeting to consider Dismissal on attendance grounds

1. Introduction by Chairperson: explanation of procedure.
2. The Principal/designated manager should present the case for the proposed dismissal.
3. Employee (or representative) may ask questions of Principal/designated manager.
4. The committee conducting the hearing and HR representative (if present) may ask questions of Principal/designated manager.
5. Employee (or representative) should present their case against dismissal.
6. The Principal/designated manager may ask questions of the employee.
7. The committee and HR representative (if present) may ask questions of the employee and ask further questions of the Principal/designated manager regarding the case made on behalf of the employee.
8. The Principal/designated manager to sum up case.
9. The employee (or representative) to sum up case.
10. Parties to retire, including the Principal/designated manager and the employee (and representative).

[Note: HR representative(s) may remain with the person/committee conducting the hearing to offer advice].

The Committee considers the case and notify the parties of their decision. This may be conveyed at the conclusion of the hearing but will in any case be confirmed in writing, with information on appeal rights where appropriate.

This procedure may be varied by agreement of all the parties.

NOTES:

The Principal Designated Manager have the right to attend the meeting and to comment on the issues under discussion.

Appendix H

Recommended procedure for Appeal Hearing

1. Introductions by Chair: explanation of procedure.
2. Appellant or representative to state his/her grounds for appeal.
3. Principal/ Governor may ask questions of appellant.
4. Appeals Committee members/ HR representative (if present) may ask questions of the appellant.
5. Appellant to call witness(es) (if applicable)
6. Principal/ Governor may ask questions of appellant's witness(es)
7. Appeals Committee members/ HR representative (if present) may ask questions of the appellant's witness(es).
8. Principal/ Governor to state the academy's case.
9. Appellant (or representative) may ask questions of Principal/ Governor
10. Appeals Committee members/ HR representative (if present) may ask questions of Principal/ Governor
11. Academy to call witness(es) (if applicable)
12. Appellant (or representative) may ask questions of academy's witness(es) (if applicable)
13. Appeals Committee members/ HR representative (if present) may ask questions of academy's witness(es) (if applicable).
14. Principal/Governor to sum up case. *
15. Appellant (or representative) to sum up case. *
16. Parties to retire. HR representative (if present) may remain with the Appeals Committee to offer advice.

* N.B. New evidence or material must not be allowed at this stage.

Appeals Committee to consider the case and notify the parties of their decision. This may be conveyed at the conclusion of the Appeal hearing and then confirmed in writing or confirmed in writing at a later date by the Committee.

This procedure may be varied by agreement of all the parties.

Appendix I

Illness or Injury Arising from Work

- Any accident arising out of, or in the course of, employment with the academy must be reported and recorded in accordance with the required procedures. The accident may be subject to investigation and reported by an employee authorised for this purpose by the academy.

- Where an employee seeks medical advice about an illness which is suspected or alleged to result from the nature of his or her employment, the employee must report relevant information to the Headteacher or Senior Manager at the first opportunity.
- In the case of the first, and any subsequent, absence due to industrial disease or accident an employee shall agree, at any time during such absence, if so required by the employer, to a medical examination by a registered medical practitioner nominated by the academy.