

The **co-operative** academies trust

Supporting Attendance – Guidance for Managers

Introduction

This guidance has been produced to support managers in implementing the Trust's **Supporting Attendance Policy**. Every effort has been made to ensure that the guidance given is consistent with the policy. In case of any doubt, the policy will take precedent and the query should be referred to Juliet Caunt (Head of HR for the Trust, Juliet.caunt@coop.co.uk) so that the guidance document can be improved.

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1. Conducting Return to Work meetings

Return to work meetings have been shown to be one of the most effective tools in managing absence, and the importance of investing time in these cannot be under-estimated.

The return to work discussion should be a brief 5 or 10 minute chat. It should take place with all employees returning from sickness and wherever possible should be conducted in a private area. The purpose of such a discussion is to show employees that they are missed, to encourage a culture of good attendance and highlight any potential problems

or difficulties. The discussion should take place as soon after return to work as is possible. It is important that this is carried out for all employees to ensure consistency and to avoid accusations of harassment or discrimination.

The discussion should follow a consistent format considering the following areas;

- reason for the absence and confirm how they are feeling now and whether they are fit to be back at work
- has the absence had any effect on the individual's ability to perform all of their duties and / or if there is any aspect of their duties which may contribute to a recurrence of the reason for the absence
- is the illness likely to recur?/ Is there any underlying problem?
- does the employee requires any time off from work in the future for any medical treatment/ hospital appointments etc.
- was the absence linked to any issues at work or home which might be affecting the employee's health?
- is there anything the school can do to support the them in order to sustain an acceptable level of attendance at work
- their value and importance to the team and how they have been missed
- what has happened at work whilst they have been away
- complete the return to work / self-certificate form (see Annex 1)
- if they did not follow the notification procedure, discuss this and the implications with the employee
- if appropriate, discuss any patterns or trends of absence and / or briefly outline the Supporting Attendance Policy and explain the next stage of the procedure (e.g. informal monitoring or formal stage one).

Actions following the meeting

- Ensure that HR/payroll are notified of the employee's return to work
- Ask HR to place completed return to work form on employee's file
- Arrange a formal review meeting (as outlined in the Supporting Attendance Policy) if the employee has reached any of the trigger points.
- Identify and arrange for any support that may be needed e.g. counselling, workplace risk assessment or Occupational Health.

Frequently Asked Questions

What if the person refuses to attend a return to work meeting?

Employees are required to attend return to work meetings as they are form part of the Trust's Supporting Attendance Policy. However if someone is reluctant, attempt to discover why, explain the purpose of the meeting and that it is in their best interests. If they still refuse, complete the Return to Work / Self-Certification Form, noting that they did not attend, and ask them to sign acknowledgement of this on the form. As attending the meeting would generally be considered a reasonable management instruction, seek further advice from HR.

Do I have to meet with an employee after every period of sickness absence?

Yes, wherever possible.

How much do I ask about their illness?

If an employee wants you to help them or take particular action then they will need to give you the necessary information about their illness to enable you to do this. However, this can be a difficult so you should concentrate on asking about how their condition affects their ability to attend work/do their job and how you can support them in this rather than discussing the specifics of an individual's condition. Quite often where there are underlying problems these will be drawn out through a number of meetings.

What if the person refuses to discuss their health with me?

If the person prefers not to discuss their medical condition with you because of the personal or private nature of their illness they may be referred to a more appropriate person. There does however need to be a justifiable reason for refusing to speak to you. Most commonly this will apply if someone wants to speak to a person of the same gender.

What if the person tells me things I am not equipped to deal with, for example they appear to have an alcohol problem or self-harm?

This is an understandable concern and if you require help or advice you should contact HR. Further details on various support groups are given later in this annex.

If an employee tells you about activities which are illegal, in breach of contract or affect the health or safety of others you need to make sure they are aware that you will not be able to maintain confidentiality. You may also need to advise them that you can only help them in some circumstances if they agree to share certain confidential information with others.

What if I think the person is not fit for work?

If you feel they are not fit for work and may be putting themselves or colleagues at risk speak to HR. You may have to consider medical suspension pending advice from HR / Occupational Health. If there are adjustments that can be made to the employee's role which will allow a return to work this should be given serious consideration.

What if the return to work meeting leads me to suspect abuse of the sickness scheme?

This may be a disciplinary matter and therefore conclude the discussion and speak to HR about whether the issue should be referred to the Disciplinary Procedure.

Do I have to meet with someone if they are already going through the formal monitoring stages?

Yes. Return to work meetings must take place alongside all other stages of the procedure. They are integral to the monitoring process and have been shown to be one of the most effective tools in managing attendance.

2. Managing Short Term Absences

An unacceptable level of short term absence generally consists of a number of periods of short term absences, which may or may not be related / linked to an underlying health issue, and may or may not have a pattern to them (e.g. often fall on a Monday, or towards the end of term).

Any meeting relating to sickness absence should be held in an environment which supports an honest, open and non-threatening discussion and respect privacy. The employee is entitled to have a Trade Union Representative or colleague present at any formal meeting.

The purpose of the meeting is to:-

- i) Explain the problem regarding sickness absence i.e. that their level or pattern of absence is unacceptable and the reasons why it is unacceptable;
- ii) Provide the monitoring information, which supports the identification of the problem;
- iii) Ask them to respond to this and explain the situation from their perspective;
- iv) Establish whether there is any support which management can provide to resolve the problem;
- v) Establish a course of action to remedy the problem.

The employee must be reminded at which stage of the procedure they have reached and the possible outcomes of the meeting as described in the Trust's Supporting Attendance Policy.

Whilst the meeting is formal, it should not be dealt with in an excessively formal manner which could be construed as threatening or intimidating. There is no reason why the meeting should be particularly lengthy. The employee should be advised of the purpose of the meeting and its possible outcomes. But emphasis should be

placed upon the paramount reason for the meeting, which is to establish a solution to sickness absence problem and improve attendance levels.

At the conclusion of the meeting the nominated person should clearly indicate the course of action which is proposed including any need for review meetings. The outcome of the meeting will be confirmed in writing and the employee will be advised when a review will take place.

Frequently Asked Questions

What do I ask at the Stage 1 meeting?

Similar questions to those asked at return to work meetings. However, you must ensure that the employee is fully aware that they are at Stage 1 of the formal procedure and the implications for their future employment if their attendance does not improve.

Sickness is a very sensitive issue – how far should I probe with questions?

You need to get sufficient information on which to base your decision as to what further advice and/or action to take while avoiding applying unreasonable pressure. Plan the interview in advance and anticipate possible responses to your questions. It will also be helpful to think through your reactions to the answers you might get and how you will deal with them.

How long should the review period be?

The review period should be long enough for an improvement in attendance to be achieved and maintained. If the employee's attendance does not improve during the review period you must meet with them to discuss the reasons. You do not need to wait until the end of the review period to move the employee into the next stage of the procedure if further absences occur and they are clearly not meeting the targeted improvement.

Can I give a second review period in Stage 1 or Stage 2?

Yes, this would not be usual practice but there may be exceptional circumstances where you can justify the reasons why. These must be fully documented.

Is it necessary to have a stage 1 review meeting and a separate stage 2 meeting?

No, the policy provides for these meetings to be combined as long as the correct notification procedures are followed. However, a manager may choose to conduct separate meetings if they would prefer. This may be the case if good process has been made and stage 1 needs to be reviewed, but there is no requirement for a stage 2 meeting.

What if an employee hits the formal triggers and has a disability?

It should be distinguished whether or not the absences relate specifically to the disability, if that is not the case then the employee should be put into formal procedures. If the absences relate to the disability you may wish to consider amending the trigger points to take account of this. This is not automatic, but may be recommended by Occupational Health as a reasonable adjustment. Advice should be sought from HR and Occupational Health on the appropriateness of this in managing the employee's attendance.

What can I do during the review period to help the employee improve their attendance?

There are many options, support policies and procedures to help you. Occupational Health will provide medical advice and your HR Adviser will have suggestions. Be open minded and aware that sometimes the simplest initiatives are the most effective. Remember, also ask and make the employee aware that they are responsible to improve their own health and attendance – they may have suggestions too. Do not take on responsibility for sorting out all the employee's problems as you may not have the expertise or authority. You should also be mindful of any work related issues that come to light which you should investigate and attempt to resolve.

Can I meet with the employee if they haven't been off work?

Yes, it might be a good idea to see the employee and offer praise and encouragement if their attendance is improving, although this does not have to be a formal meeting.

How do I decide to move the employee to Stage 2?

If during the Stage 1 review period there has been no satisfactory improvement in the employee's attendance or if improvements have not been maintained they should be moved to Stage 2.

What is the difference between Stage 1 and Stage 2?

Moving to stage 2 makes it clear to the employee that their attendance at work remains unacceptable and, unless an improvement is made, one of the outcomes of the next stage of the procedure may result in them losing their job. It is important at the stage 2 meeting to specifically explain to the employee their employment could be at risk. During the review period within stage 2 you should continue to work closely with the employee in order to improve and maintain their attendance. The format of the meeting will remain similar to that of stage 1 meeting. At stage 2 Occupational Health advice should be sought and HR should be involved if they haven't been involved previously.

What options do I have in Stage 1 and 2 of the procedure?

Options include, but are not limited to;

- referral via HR to counselling;
- conducting a work place risk assessment;
- consideration of other procedures e.g. flexible working policy;
- access to work where the employee has a disability and requires adjustments;
- actions by the employee to address an underlying health or lifestyle issue;
- referral to Occupational Health;
- Health & Safety advice.

Remember throughout the procedure there are recognised processes to go through and places to get help. However sometimes the smallest things can support someone to improve their attendance so be creative, your own solution or the employee's may be as effective.

3. Supporting Long Term Absence

Conducting a Long Term Absence Meeting (Home Visits)

The purpose of these meetings / visits is to get an update on the employee's situation and timescales for their likely return to work, and to help them think positively about their future return (which they may be worrying about) and any special arrangements that might need to be made. These discussions can help to facilitate a return to work.

The employee can be invited into the school for this meeting or if they prefer a home visit can be made. If the employee is uncomfortable with these options you could agree an alternative venue such as another local Trust academy (if applicable) or a mutually acceptable neutral venue such as a hotel foyer or coffee shop (bearing in mind the need for a level of privacy).

Home visits must be undertaken in a supportive context and should not be regarded in any way as threatening or 'policing' the situation. Information regarding changes in work practice, developments in school or news bulletins should be given to keep the employee up to date and involved with the work situation.

The Headteacher / Principal / nominated person should contact the absent employee either in writing or by telephone, (where the contact is by phone any arrangements should be confirmed in writing) to propose a convenient date and time for a home visit and giving them the opportunity to have, if they wish, a colleague, trade union or other representative present.

It may be appropriate that either the line manager of the employee or an HR Adviser accompanies the nominated person on the visit. The nominated person should address the following issues:

- how is the employee feeling / progressing with treatment (etc)
- medical information / background
- any adjustments that can be made to facilitate an early return to work
- making arrangements for medical assessment, if appropriate
- keeping up to date with news from school
- booking diary appointments for subsequent visits

The discussions of the meeting should be followed up in writing to the employee.

Frequently Asked Questions

When should a home visit be arranged?

A home visit should be arranged when an employee has been off work for 4 weeks. However, it is not necessary for a manager to wait until 4 weeks have passed and it may be appropriate to arrange to meet prior to this if an earlier intervention would benefit the employee, for example where the absence is linked to stress or depression, or if the employee has indicated that they would welcome a visit.

When do I involve Occupational Health?

It is recommended that a referral is made to Occupational Health after four weeks continuous absence unless the prognosis and expected date of return are very clear, in which case an Occupational Health referral is probably not necessary. However, there are circumstances when earlier referral has been shown to be beneficial in facilitating an early return to work. Therefore seek advice from HR as soon as you are aware that an employee's absence is likely to be longer term.

What if the illness results in a disability?

If the employee is unable to return to their normal job or hours, you must examine the possibility of making reasonable adjustments to enable them to return. This could include redeployment to an alternative job where one is available, but only if this would resolve the absence problem.

When a disabled person is off sick and it is related to their impairment, do I separate this out and not count it as sickness absence?

No, but you do need to consider whether or not you need to make reasonable adjustments for the person. A reasonable adjustment might mean changing the job content to exclude things which may be badly affecting the person's impairment and causing sickness absences; or it might mean providing equipment which enables the person to carry out their job better. It might also mean that you accept a higher level of sickness absence for a disabled person based on the nature of their impairment and known facts – a decision to do this should be based on advice from Occupational Health.

Where can I get help and support?

You will always be able to discuss issues with HR and you should contact them first. There are also many organisations that can advise you on practical issues. See the useful contact information later in this document.

What do I do if someone is diagnosed as being seriously or terminally ill?

Regrettably there will be situations which are very difficult and sensitive, in these situations you must talk to HR as there will be issues relating to pension benefits that you will need answers to. You and other employees may also need support to cope with this situation.

Returning to work following long term absence

There are various options that can be put in place to support employees to return to work following a sustained period of absence which include but are not limited to:

A - reduction in hours

Where an employee has been absent from work on a long term basis you may consider facilitating a return to work on a part-time basis where this would facilitate an earlier return to work than would have otherwise been the case. It is not appropriate in every case and is at the discretion of the school.

- Reduction in hours (i.e. to reduce to 2 days) can be done on a long term temporary basis (up to 12 months).
- Days to be worked can be arranged to support the employee's needs e.g. they could work Wed and Fri rather than Mon and Tues to split the week up.
- Pay is reduced to reflect hours being worked if the reduction is required long term (i.e. beyond a phased return – see below).

B - phased return

It may be appropriate to seek guidance from Occupational Health as to whether or not a phased return would be beneficial. A phased return in most cases should only be agreed where the employee's Doctor has indicated that it is appropriate.

Example timetables for phased returns:

Week 1 - 1 day's work	Week 1 - 5 mornings until break time, 1 until lunchtime
Week 2 - 2 days' work	Week 2 - 5 mornings, 3 until lunchtime
Week 3 - 3 days' work	Week 3 – 5 mornings until lunch, 1 day until afternoon break
Week 4 - 4 days' work	Week 4 – 5 says until afternoon break

The days/times would need to be agreed between the employee and the academy, taking into account timetabling arrangements.

Phased returns are usually accommodated over a 4 week period, but a shorter or longer period may be agreed dependent on the circumstances and taking account of advice from Occupational Health.

Employees will receive normal pay during the four weeks of a phased return to work although the hours they work are reduced. As there is a cost to the school it is expected that the employee will gradually increase their hours each week and there is a general expectation that normal attendance will be resumed after 4 weeks unless there are exceptional circumstances.

During a period of phased return, time not worked should be regarded as authorised absence rather than sickness absence. The employee is not required to be covered by a statement of fitness note.

C - positive / therapeutic rehabilitation

Positive rehabilitation is a means of facilitating a return to work for employees who have been absent from work long term. The purpose is to facilitate a return to work by easing the employee back into the working environment and allow them to get used to being at work without the requirement to undertake their normal duties and responsibilities.

Under this intervention;

- the employee can attend for a maximum of 16 hours each week;
- the employee remains on sick pay/benefits during the period and must submit a medical certificate to cover the period of the therapeutic rehabilitation;
- the employee cannot undertake teaching duties i.e. be responsible for a class;
- the employee can use time to catch up with what's been happening in school, read minutes, bulletins, documents, catch up with paperwork etc.

Examples of duties that can be carried out include;

- read/listen to readers;
- sorting working space;

- sorting files;
- getting up to date with things missed during absence.

It is advisable that the employee seeks advice from their Doctor before entering into positive rehabilitation and provide this to the school. Positive rehabilitation does not constitute a return to work and the employee is treated as being signed off from work.

Positive rehabilitation would normally be for approximately two weeks and is at the discretion of the school i.e. the school must agree it can be accommodated. The hours the employee works are flexibly arranged between academy and employee. The Headteacher / Principal / nominated person is encouraged to give serious consideration to requests for positive rehabilitation as it allows the school to determine whether or not the employee is fit to return to work before they are signed as fit.

If appropriate, an employee can complete both a therapeutic and phased return. For instance, they could complete a therapeutic return whilst covered by a medical certificate and then a phased return for 4 weeks.

4. Occupational Health

At present the Trust uses different occupational health providers in each of its geographical areas. The information given below is therefore general and may vary from provider-to-provider.

The Occupational Health service aims to provide Headteachers / Principals / line managers with guidance on employee health issues regarding short and long term absences where there is concern about an underlying health problem or health related disability which is affecting work. They are not intended to be a substitute for an individual's Doctor and they are unable to deal with requests for treatment or other forms of medical intervention which would usually be supplied by their Doctor.

What do Occupational Health do?

Occupational Health provide specialist, clear, actionable advice on issues which impact or have the potential to impact on the employees' health and wellbeing, which may cover the following areas:

- general health promotion and education to raise awareness within the workforce of the control they have over achieving their own optimum health and wellbeing and the support available to assist them in doing this e.g. smoking cessation, diet and exercise advice, improving their mechanisms for coping with increased stress;
- working with health and safety professionals to identify potential hazards within the work environments and providing support and advice to minimise the potential harm from the hazard e.g. problems associated with posture and musculo-skeletal disorders;
- where hazards cannot be completely eliminated, providing advice and carrying out any regular surveillance required to ensure the hazard is not causing harm to employee's health;
- general advice to employers and employees regarding health issues encountered at work e.g. exposure to potential infectious diseases;
- pre-employment assessments to help identify health needs;
- problems may be more prevalent and working with members of the organisation to reduce the impact of these health issues through hazard identification and risk management;
- immunisation programmes;
- advice required with regard to specific age, gender or disability related conditions;
- reactive services to address ill health issues amongst the workforce;
- general assessment and advice to management regarding the employee's ill health. This will include, where possible, advice on the likely length of the absence and the impact the employee's health issues are likely to have on their ability to perform in their substantive post in the short and long term;
- rehabilitation advice to support employees back to work;
- advice on reasonable adjustments for the employee in the workplace as appropriate;
- support required with regard to employees with terminal illnesses.

An early, pro-active use of the Occupational Health Service is encouraged.

It is important that employees are encouraged to attend appointments with the Occupational Health Service to ensure that line managers receive relevant information about their ability to undertake their duties and what adjustments may be necessary. If an employee declines to attend an Occupational Health assessment, the Headteacher / Principal / nominated person may need to take decisions without Occupational Health input – please seek HR advice. Where an employee misses two appointments, depending on the circumstances a decision may be taken that no further appointments will be booked.

Who should be referred to the Occupational Health Service?

You should consider referring an employee to Occupational Health for an assessment where;

- the employee has had several episodes of short term absence and, following RTW discussions, you have concerns that the absences are related to an underlying health condition;
- the employee has a short term absence citing stress, work related back or upper limb disorders;
- there is a long term or continuous absence (more than four weeks and there is no prospective return date);
- there may be a health aspect contributing to issues with work performance;
- there is a concern that there may be a work related health problem or that an existing health problem is being exacerbated by the employee's work;
- the employee is due to return to work following a period of sickness absence and you are seeking advice on adjustment and phased hours;
- the employee has a long term health problem which is affecting aspects of work and you need advice regarding any workplace modification / safe systems of work.

It is important that you pro-actively manage the health of employees and prevent absence, wherever possible, by identifying support mechanisms for individuals.

Making a referral

To make a referral you should contact your occupational health provider and request a referral form.

Before making a referral you should meet with the employee to discuss the referral and reasons for referral. If the employee is absent from work, then you should discuss referral during regular contact. In some instances it may be necessary to meet with an absent employee to ensure that you have sufficient details about their ill-health before making a referral. All of the information in the referral, including the reason for referral and the nature of advice sought, must be discussed with the employee prior to making the referral.

In order to obtain all relevant information for inclusion in the referral, when meeting with the employee you may want to ask:

- Have they been to see their doctor to discuss their health issue? If so, what were they advised?
- Have they been prescribed any medication? If so, is it short or long term?
- Are they receiving, or do they need, any other support, e.g. counselling?
- Have they been referred to, or have they been seen by, a specialist? If so, what have they advised or when will they get an appointment?
- If absent, have they discussed their return to work with their Doctor and have they given any indication of when they will be fit to return to work or what they might be able to do if they were to return earlier?
- Are their health issues likely to be ongoing?
- Have they had similar health issues in the past? If so when?

5. Sickness absence and disability

Disabled employees should not be treated less favourably than other employees. Should an employee consider that he/she is affected by a disability or any medical condition which affects their ability to undertake a return to work or ability to undertake their job role fully the Headteacher / Principal should be informed.

Who is classed as disabled?

A disabled person, for the purposes of this procedure, is someone who;

- says they are disabled and this is accepted by management;
- meets the Equality Act 2010 definition of a disabled person;
- you can reasonably assume they are a disabled person from evidence available whether or not they have said they are disabled themselves.

The Equality Act 2010 definition of disability

The definition focuses more on the individual person rather than disabling barriers. The Act defines disability as: “A physical or mental impairment which has a substantial and long term effect on a person’s ability to carry out normal day to day activities”

This includes people with mobility, visual or hearing impairment and people with learning difficulties. People with, for example, heart disease, disfigurement, speech impairment, diabetes, epilepsy, a mental illness or progressive conditions such as cancer, multiple sclerosis, HIV, are also included. It should be noted that people with HIV, cancer and Multiple Sclerosis will be deemed to be covered by the Act effectively from the point of diagnosis, rather than the point when the condition has some adverse effect on their ability to carry out normal day-to-day activities.

A mental illness does not have to be ‘clinically well recognised’ before it can count as an impairment for the purposes of the Act. People with a mental illness will, however, still need to show that their impairment has a long term and substantial adverse effect on their ability to carry out normal day-to-day activities.

Some people might not meet this definition, but still consider themselves to be disabled because of the barriers or disadvantage they face. So you should not restrict yourself to thinking of disabled people only in terms of the legislation. If you are, or the person is, in doubt you should take advice from HR. Ultimately the decision would be a legal one if a case goes to an employment tribunal.

The trigger points and formal interventions set out in the Supporting Attendance Policy will apply to all employees including disabled employees. However, any action taken in relation to disabled employees should take account of the following;

- reasonable adjustments that could be made to the requirements of a job or other aspects of working arrangements that will provide support at work to improve attendance and/or assist a return to work;
- workplace risk assessments to identify any potential risk and support to help the employee improve their attendance;
- where a disabled employee’s absence record is reviewed following reaching a trigger point, it should be clarified whether the time off was specifically attributable to the employees disability. This information should be taken into account when deciding whether to instigate a Stage Meeting;
- if any clarification is required to determine whether the absence is specifically related to disability, medical evidence may be required from either the employee’s Doctor or from Occupational Health. It is recommended that Schools should seek advice from HR.

Reasonable Adjustments

Some disabled people or people who suffer from certain medical conditions may have sickness absence that is directly related to their impairment. The introduction of reasonable adjustments in many cases has meant the difference between them being able to come to work or having to take sick leave. Where practicable, working from home, as a reasonable adjustment, is a good example of this.

Trigger points

You may decide that it is reasonable to accept a higher level of sickness from a disabled employee by agreeing to a reasonable adjustment that adjusts the trigger levels to take account of the particular reasons for sickness absence. This means that if the person is absent because of disability related sickness, they will not be constantly in the sickness absence procedure. But if the person has periods of sickness that are not due to their impairment, they will hit the usual trigger points.

If you agree this option with a disabled employee, you will need to determine the reason for the absence at the return to work interview and liaise with your HR Adviser to make sure that correct information is obtained and recorded.

Adjustments to the working arrangements

When considering the adjustment you must take into account practical issues such as cost, the workplace, the impact on other employees, and the impact on the service.

Common adjustments include (but are limited to);

- alterations to premises;
- allocation of duties to another person;
- altering working hours;
- transfer to another location;
- modifying procedures for assessment or testing;
- acquiring or modifying equipment;
- providing a reader or sign language interpreter;
- redeployment / training.
- time off for rehabilitation, assessment or treatment.

6. Pregnancy Related Illness

Where an illness is attributable to pregnancy, sickness absence should not be counted towards the absence indicators in the Supporting Attendance Policy, however it should be managed in accordance with the policy to facilitate a return to work as soon as possible with any necessary support or adjustment to duties as described above. Therefore, return to work meetings and home visits for longer term absence should still be held.

As required, under the management of Health and Safety at Work Regulations 1999, written risk assessments should be undertaken regularly throughout the pregnancy to help reduce the likelihood of absences. Further guidance can be obtained from the Trust's Health & Safety partner SchoolSHARE and through the HSE publications on New and Expectant Mothers at Work, which can be accessed online. It may also be appropriate in some circumstances to seek advice from Occupational Health service.

Where a pregnant employee suffers from non-pregnancy related sickness absence, these absences will count towards the management of sickness absence as usual.

Please note that if an employee is on sick leave due to pregnancy related illness on or after the fourth week before the expected week of confinement, their ordinary maternity leave will commence the day after their first completed day of sickness absence and they will not be expected to return to work. Please see advice from HR and advise payroll.

7. Useful contacts

MIND

MIND is the leading mental health charity in England and Wales, providing information and support to those affected by mental distress, as well as campaigning to improve policy and attitudes.

Mind Infoline: 0300 123 3393; Email: info@mind.org.uk

Legal Advice Line: 0300 466 6463; Email: legal@mind.org.uk

020 8519 2122 (England); 029 2039 5123 (Wales) www.mind.org.uk

Mind Model Mental Health Policies and Fact Sheets are available from:

<http://www.mind.org.uk/information-support/guides-to-support-and-services/>

STRESS

Teacher Support Network is an independent charity that provides practical and emotional support to trainee, serving and retired teachers and their families

24/7 Support Line: 08000 562 561 (UK); 08000 855 088 (Wales)

Email: support@teachersupport.info www.teachersupport.info/

ALCOHOL

Alcoholics Anonymous offer area support meetings

National Helpline: 0845 769 7555

Email: help@alcoholics-anonymous.org.uk www.alcoholics-anonymous.org.uk/

Drinkline offers advice, information and support to anyone concerned about their own or someone else's drinking

Telephone Helpline: 0300 123 1110 www.patient.co.uk/support/drinkline

BEREAVEMENT

Cruse Bereavement Care helpline for bereaved people and those caring for bereaved people

Telephone Helpline: 0844 477 9400

Email: helpline@cruse.org.uk www.crusebereavementcare.org.uk

DEBT

StepChange Debt Charity provides help for anyone in debt or concerned they may fall into debt

Freephone 0800 138 111 www.stepchange.org

(including all mobiles)

Email: www.stepchange.org/Contactus/Sendusanemail.aspx

DRUGS

UK National Drugs Helpline is a free 24-hour service for drug users and solvent mis-users, their families.

Friends and carers

Helpline: 0800 776 600 www.urban75.com/Drugs/helpline.html

Email: www.urban75.org/blog/contact/

GAMBLING

Gamcare offers confidential counselling, advice and information for anyone affected by a gambling dependency

Helpline: 0808 802 0133 www.gamcare.org.uk

HOUSING

Shelter offers confidential advice on housing problems

Helpline: 0808 800 4444 www.shelter.org.uk www.sheltercymru.org.uk

MEDICAL

Terrence Higgins Trust offer advice, practical support and counselling for HIV and AIDS

Telephone: 0808 802 1221 www.tht.org.uk
Email: info@tht.org.uk

Bi-Polar UK is a national user-led organisation and registered charity for people whose lives are affected by Bi-Polar.

Telephone: 020 7931 6480 www.bipolaruk.org.uk
Email: info@bipolaruk.org.uk

Rethink Mental Illness (formerly **National Schizophrenia Fellowship**) is the largest mental illness charity in the UK and is dedicated to improving the lives of everyone affected by severe mental illness, whether sufferers, carers or professionals working in the mental health field

Advice Line: 0300 5000 927 www.rethink.org
Supporter Care: 0121 522 7702
Email: advice@rethink.org

PARENTING

Family Lives offers support for anyone parenting a child, including grandparents and step-parents

Helpline: 0808 800 2222 www.familylives.org.uk
Email: www.familylives.org.uk/how-we-can-help/email-support/

The Information, Advice and Support Services Network (formerly **Parent Partnership**) offers support and advice to parents with children who have particular needs in schools across England.

Telephone: 0207 843 1900 <http://www.iassnetwork.org.uk/contact-us/>
Email: iassn@ncb.org.uk

RELATIONSHIP COUNSELLING

Relate offer relationship counselling and mediation for individuals and couples **Telephone: 0300 100 1234**
www.relate.org.uk

SUICIDE AND EMOTIONAL CRISIS

SANE offer emotional and crisis support for people suffering from mental health problems, their friends and families

Telephone: 0845 767 8000 www.sane.org.uk
Email: www.sane.org.uk/resources/contact_us

Samaritans offer 24-hour confidential and emotional support for anyone in crisis

Telephone: 08457 909090 www.samaritans.org.uk
Email: jo@samaritans.org

SMOKING

Quit offers friendly help, advice and support on how to stop smoking

Telephone: 020 7553 2100 <http://www.quit.org.uk/>
Email: stopsmoking@quit.org.uk

8. Example letters

Below are a series of commonly used sample letters for stages 1, 2 and 3 of the Supporting Attendance Policy. These letters may be amended to suit the particular individual circumstances.

Should you require support with letters in situations where:

- An employee is not engaging with the procedure
- continued long term absence
- medical suspension

Please contact your nominated HR Adviser

SAMPLE LETTER 1

Dear **Name**

Invitation to long term absence review meeting

You have now been absent from work since **date** and in line with the Trust's Supporting Attendance Policy I am writing to request a meeting with you.

The meeting will take place with myself (*and **name, job title***) on **date** at **time** at **location**. If you would like to request an alternative venue, please get in touch.

You are welcome to have a work colleague or trade union representative present. I have enclosed a copy of the Supporting Attendance Policy for your information. Please be aware that it is your responsibility to arrange for someone to accompany you for support.

I do appreciate that the thought of this meeting may cause you anxiety but I would like to reassure you that the primary purpose of the meeting would be to:

- provide appropriate support
- enquire into your medical position
- ascertain what steps can be taken to aid recovery
- establish where possible when you will be able to return to work
- keep you in touch with what's happening at school.

I would be grateful if you could confirm your attendance with me by **date**. If you are not able to attend, I will try to arrange an alternative date or venue as required.

I look forward to hearing from you.

Yours sincerely,

Name

Job Title

Encl. Supporting Attendance Policy

SAMPLE LETTER 2

Dear **Name**

Invitation to absence meeting following Occupational Health referral

Further to your appointment with Occupational Health I have now received a copy of your occupational health report. In line with the Trust's Supporting Attendance Policy, I would like to meet with you to get an update on your current situation and discuss the options available to yourself and the academy.

The meeting will be held at **location** on **date** at **time**. An HR Adviser may also be present at the meeting.

You may, if you wish, contact your trade union representative who is welcome to come to the meeting, or a work colleague whose presence you would find helpful. Please be aware that it is your responsibility to arrange for someone to accompany you for support.

I have enclosed a copy of the Supporting Attendance Policy for your information.

I do appreciate that the thought of this meeting may cause you anxiety but I would like to reassure you that the primary purpose of the meeting would be to:

- provide appropriate support
- review the information provided by occupational health
- enquire into your medical position
- ascertain what steps can be taken to aid recovery
- establish where possible when you will be able to return to work
- keep you in touch with what's happening at school.

I would be grateful if you could confirm your attendance with me by **date**. If you are not able to attend, I will try to arrange an alternative date or venue as required.

In the meantime if you have any further question please do not hesitate to contact me, I hope you are making good progress and look forward to hearing from you soon.

I look forward to hearing from you.

Yours sincerely,

Name

Job Title

Encl. Supporting Attendance Policy

SAMPLE LETTER 3

Dear **Name**

Notification of Stage 1 Supporting Attendance meeting

Following your return to work meeting held on **date** I am writing to ask you to attend a Stage 1 meeting in line with the Trust's Supporting Attendance Policy (copy enclosed). The meeting is being called to discuss appropriate support required to help you to improve your attendance at work as you have had the following absences over the last 12 months;

Insert information on dates of absence and reason (or a print out from the payroll absence tool could be attached)

The meeting will take place with myself on **date** at **time** in **room**.

Notes of the meeting will be made and I will provide you with a summary of our discussion following our meeting. You are welcome to bring a work colleague or trade union representative with you to the meeting to support you. Please be aware that it is your responsibility to arrange for someone to accompany you for support.

Please also confirm your attendance with me by **date**. If you are not able to attend, we will try to arrange an alternative date.

I look forward to hearing from you.

Yours sincerely,

Name

Job Title

Encl. Supporting Attendance Policy

SAMPLE LETTER 4

Dear **Name**

Outcome of Stage 1 Supporting Attendance meeting

I am writing to confirm the outcome of our Stage 1 Supporting Attendance meeting held on **date**. (**Name** from HR was also present* *delete as appropriate*). You were accompanied by **Name**.

Details of meeting:

- *include a brief summary of the discussion including health status and support currently in place*

We have agreed the following actions:

- *include details of any actions or adjustments, intention to refer to OH or undertake a workplace risk assessment if necessary*
- *include any details of what the employee has agreed to undertake to improve their attendance*
- *include details of the monitoring period and level of attendance expected during this period*

We will review the situation again at the end of the agreed monitoring period, (**date**) and should your attendance improve you will be removed from Stage 1 of the Supporting Attendance procedure. If however, your attendance does not improve I will convene a further review meeting to consider moving you to Stage 2 of the procedure.

Please be aware as detailed in the Supporting Attendance Policy that should you be unable to sustain a reasonable level of attendance in future, one outcome following Stage 2 of the procedure would be reconvene a Stage 3 meeting. At this meeting the Chair would consider the termination of your employment contract if your attendance levels are unlikely to improve or cannot be sustained.

I hope that you have found our meeting supportive and that this will enable you to take steps to improve your attendance. Please do not hesitate to contact me should there be anything further I can do to help.

Yours sincerely,

Name
Job title

SAMPLE LETTER 5

Dear **Name**

Invite to Stage 1 Supporting Attendance review meeting

Following our meeting held on **date**, I am writing to ask you to attend a Stage 1 review meeting in line with the Trust's Supporting Attendance Policy (copy enclosed).

*The meeting is being arranged to discuss progress made during the monitoring period which ended on **date** / or I have decided to bring forward your review meeting due to your recent absences dated **insert details*** delete as appropriate*

The meeting will take place with myself on **date** at **time** in **room**.

The purpose of this meeting will be to decide whether to remove you from the procedure, extend the current review period or move to Stage 2 of the procedure.

Notes of the meeting will be taken and I will provide you with a summary of our discussion following the meeting. Please be aware that should a decision be made to move you to Stage 2 of the procedure the Stage 2 meeting will be held at the same time. You are most welcome to bring a work colleague or trade union representative to support you at the meeting. Please be aware that it is your responsibility to arrange for this person to attend to support you.

Please would you confirm your attendance with me by **date**. If you are not able to attend, we will try to arrange an alternative date.

I look forward to hearing from you.

Yours sincerely,

Name

Job Title

Encl. Supporting Attendance Policy

SAMPLE LETTER 6

Dear **Name**

Outcome of Stage 1 Supporting Attendance review meeting

I am writing to confirm the outcome of our Stage 1 Supporting Attendance review meeting held on **date**. (**Name** from HR was also present* *delete as appropriate*). You were accompanied by **Name**.

Details of meeting:

- *include a brief summary of the discussion including level of absence during review period, actions completed by employee (if any), current health status and support that has been in place*

Outcome:

Select appropriate wording dependent upon circumstances

I am pleased to confirm that your attendance has significantly improved and your attendance will no longer be monitored under the Supporting Attendance Policy. *(if the agreed monitoring period was less than 12 months)* It is, however, expected that the improvement will be sustained for a minimum of 12 months and if it is not then the procedure will recommence at the stage it was stopped. If you have any recurring difficulties which may lead to short term absence in the future, please do not hesitate to contact me so that I can provide you with appropriate support.

OR

I explained that due to **insert reason** the Stage One monitoring period would be extended *include details of timescales and the level of attendance expected during this period*.

OR

I explained that as you have not shown a reasonable improvement in your attendance since our last meeting that you would now move to Stage 2 of the procedure. We held the Stage 2 meeting at the same time / we agreed to reconvene the meeting as you felt you would like a work colleague or trade union representative to support you **delete as appropriate*

We have agreed the following actions:

- *include details of any actions or adjustments, intention to refer to OH or undertake a workplace risk assessment if necessary*
- *include any details of what the employee has agreed to undertake to improve their attendance*
- *include details of the monitoring period and level of attendance expected during this period*

We will review the situation again at the end of the agreed monitoring period, **(date)** and should your attendance improve you will be removed from **Stage 1 / Stage 2** *(delete as applicable)* of the Supporting Attendance procedure. If however, your attendance does not improve I will convene a further review meeting to consider moving you to **Stage 2 / Stage 3** of the procedure.

Please be aware as detailed in the Supporting Attendance Policy that should you be unable to sustain a reasonable level of attendance in future, one outcome following Stage 2 of the procedure would be reconvene a Stage 3 meeting. At this meeting the Chair would consider the termination of your employment contract if your attendance levels are unlikely to improve or cannot be sustained.

I hope that you have found our meeting supportive and that this will enable you to take steps to improve your attendance. Please do not hesitate to contact me should there be anything further I can do to help.

Yours sincerely,

Name
Job title

SAMPLE LETTER 7

Dear **Name**

Notification of Stage 2 Supporting Attendance meeting

Following your return to work meeting held on **date** I am writing to ask you to attend a Stage 2 meeting in line with the Trust's Supporting Attendance Policy (copy enclosed). The meeting is being called to discuss appropriate support required to help you to improve your attendance at work as you have had the following absences over the last 12 months. This meeting is following the Stage 1 Supporting Attendance Meeting held on **(date)**.

Insert information on dates of absence and reason (or a print out from the payroll absence tool could be attached).

The meeting will take place with myself on **date** at **time** in **room**. In attendance at the meeting will also be **Specify names/job titles and role of any others that will be present e.g. note-taker, Human Resource support**.

Notes of the meeting will be made and I will provide you with a summary of our discussion following our meeting. You are welcome to bring a work colleague or trade union representative with you to the meeting to support you. Please be aware that it is your responsibility to arrange for someone to accompany you for support.

Please also advise **name** as soon as possible, if you have any special requirements or feel that any reasonable adjustments could be made regarding the arrangements for the hearing, in order that any such request can be duly considered and actioned as appropriate.

Please also confirm your attendance with me by **date**, along with the name of the person accompanying you (if applicable).

I look forward to hearing from you.

Yours sincerely,

Name

Job Title

Encl. Supporting Attendance Policy

SAMPLE LETTER 8

Dear **Name**

Outcome of Stage 2 Supporting Attendance meeting

I am writing to confirm the outcome of your Stage 2 Supporting Attendance meeting held on **date**. (**Name** from HR was also present). Having been invited to bring a companion, i.e. a trade union representative or a work colleague to the hearing you **chose not to do so/were accompanied by name/job title/trade union**.

Details of meeting:

- **include a brief summary of the discussion including health status and support currently in place**

We have agreed the following actions:

- **include details of any actions or adjustments, intention to refer to OH or undertake a workplace risk assessment if necessary**
- **include any details of what the employee has agreed to undertake to improve their attendance**
- **include details of the monitoring period and level of attendance expected during this period.**

We will review the situation again at the end of the agreed monitoring period, **(specify date, time and location if this has been agreed)** and should your attendance improve you will be removed from Stage 2 of the Supporting Attendance procedure. If however you are unable to sustain a reasonable level of attendance in future, as detailed in the Supporting Attendance Policy I will reconvene a Stage 3 meeting. At this meeting the Chair would consider the termination of your employment contract if your attendance levels are unlikely to improve or cannot be sustained.

The aim of this process is to be supportive and to enable you to take steps to improve your attendance. If you have any further queries please do not hesitate to contact me.

Yours sincerely,

Name
Job title

SAMPLE LETTER 9

Dear **Name**

Invite to Stage 2 Supporting Attendance review meeting

Following our meeting held on **date**, I am writing to ask you to attend a Stage 2 review meeting in line with the Trust's Supporting Attendance Policy (copy enclosed).

The meeting is being arranged to discuss progress made during the monitoring period which ended on **date** / or I have decided to bring forward your review meeting due to your recent absences dated **insert details* delete as appropriate**

The meeting will take place with **myself/or name** on **date** at **time** in **room**. In attendance at the meeting will also be **Specify names/job titles and role of any others that will be present e.g. note-taker, Human Resource support**.

You are also entitled to be accompanied at the hearing by a companion i.e. either work colleague or trade union representative. Should you wish to be accompanied please advise me in writing as to the name and job title of the individual accompanying you, no later than **date**.

The purpose of this meeting will be to decide whether to remove you from the procedure, extend the current monitoring period or move to Stage 3 of the procedure. **Please be aware that should a decision be made to move you to Stage 3 of the procedure, you will receive 10 working days' notice in writing of the hearing.**

Notes of the meeting will be taken and I will provide you with a summary of our discussion following the meeting.

Please also advise **name** as soon as possible, if you have any special requirements or feel that any reasonable adjustments could be made regarding the arrangements for the hearing, in order that any such request can be duly considered and actioned as appropriate.

Please would you confirm your attendance with me by **date**.

I look forward to hearing from you.

Yours sincerely,

Name

Job Title

Encl. Supporting Attendance Policy

SAMPLE LETTER 10

Dear **Name**

Outcome of Stage 2 Supporting Attendance review meeting

I am writing to confirm the outcome of your Stage 2 Supporting Attendance review meeting held on **date**. (**Name** from HR was also present). Having been invited to bring a companion, i.e. a trade union representative or a work colleague to the hearing you **chose not to do so/were accompanied by name/job title/trade union**.

Details of meeting:

- **include a brief summary of the discussion including level of absence during review period, actions completed by employee (if any), current health status and support that has been in place**

Outcome:

Select appropriate wording dependent upon circumstances

I am pleased to confirm that your attendance has sufficiently improved and will no longer be monitored under the Supporting Attendance Policy. *(if the agreed monitoring period was less than 12 months)*

It is, however, expected that the improvement will be sustained for a minimum of 12 months and if it is not then the procedure will recommence at the stage it was stopped. If you have any recurring difficulties which may lead to short term absence in the future, please do not hesitate to contact me so that I can provide you with appropriate support.

OR

I explained that due to **insert reason** the Stage 2 monitoring period would be extended **include details of timescales and the level of attendance expected during this period**.

We will review the situation again at the end of the agreed monitoring period, as specified above and should your attendance improve you will be removed from Stage 2 of the Supporting Attendance procedure. If however, your attendance does not improve I will convene a further review meeting to consider moving you to Stage 3 of the procedure which may ultimately lead to dismissal.

OR

I explained that as you have not shown a reasonable improvement in your attendance since our last meeting that you would now move to Stage 3 of the procedure. As detailed in the Supporting Attendance Policy you will receive 10 working days' notice of the Stage 3 Meeting. At this meeting the Chair would consider the termination of your employment contract if your attendance levels are unlikely to improve or cannot be sustained.

(If applicable) We have agreed the following actions:

- **include details of any actions or adjustments, intention to refer to OH or undertake a workplace risk assessment if necessary**
- **include any details of what the employee has agreed to undertake to improve their attendance**
- **include details of the monitoring period and level of attendance expected during this period**

The aim of this process is to be supportive and to enable you to take steps to improve your attendance. If you have any further queries please do not hesitate to contact me. Should you have any procedural queries please contact **specify name and contact details for HR support**.

Yours sincerely,

Name
Job title

SAMPLE LETTER 11

Dear **Name**

Notification of a Stage 3 Meeting

Further to my letter of date I am writing to invite you to a Stage 3 Meeting, which will be held on **date/time/venue**.

The meeting will be held in accordance with the Trust's Supporting Attendance Policy, (copy enclosed). **Name** will chair the meeting, along with *Specify names/job titles and role of any others that will be present e.g. note-taker, panel members, witnesses and, Human Resource support.*

You are also entitled to be accompanied by a companion i.e. either work colleague or trade union representative. Should you wish to be accompanied please advise me in writing as to the name and job title of the individual accompanying you, no later than **date**.

Provide a summary on the individual's case explaining the reason as to why the dismissal hearing is being held. Include absences, information on outcome of stage 1 and 2 as well as outcome on review monitoring periods for each stage and support.

At the meeting the Chair will consider the following;

(List below may need to be amended depending on individual's case)

- Your overall attendance record
- The impact of the level of attendance on the academy/Trust
- Any medical advice received
- Whether the reason for the absence(s) falls within the disability provisions of the Equality Act 2010 and if so reasonable adjustments considered/provided
- The management of the case, including actions and the support considered and/or taken
- Any further action that can be taken
- Options for redeployment within the academy or Trust on medical grounds *(only if appropriate to case)*
- Whether ill-health retirement has been considered *(only if appropriate to case)*
- Also summarise the employee's own case and whether they put forward any special circumstances/information/options that required further consideration and the outcome of this consideration
- Any representations you would like to put forward

Depending on the facts established at the meeting, Governors could decide to allow a further period for you to maintain acceptable attendance or the outcome could be your dismissal on grounds of medical capability in which case you would be given contractual notice, however, no decision will be made until you have had a full opportunity to put forward your case. The meeting will normally be adjourned whilst the chair/panel hearing the case reaches their decision. You will be notified in writing the outcome of the meeting within 5 working days and of your right to appeal.

Please confirm your attendance at the meeting, in writing to me, no later than **date**.

Please also advise **name** as soon as possible, if you have any special requirements or feel that any reasonable adjustments could be made regarding the arrangements for the meeting, in order that any such request can be duly considered and actioned as appropriate.

I appreciate that this may be a difficult time for you, however if you would like any confidential support please do not hesitate to contact the academy's Employee Assistance Programme, **insert academy's relevant Employee Assistance Programme (EAP)**. Alternatively please visit **insert EAP website** for more details.

In the meantime, if you have any further queries please do not hesitate to contact me. Should you have any procedural queries relating to the process please contact **specify name and contact details for HR support**.

Yours sincerely,

Name

Job title of Chair of Meeting

Encl. Supporting Attendance Policy

SAMPLE LETTER 12

Dear **Name**

Outcome of Stage 3 Meeting

I write to confirm the outcome of the Supporting Attendance Stage 3 Meeting that you attended on **date**, arranged to discuss the issues outlined in the earlier letter dated **date**.

The meeting was held in accordance with the Trust's Supporting Attendance Policy. The Panel comprised of **names/Job titles**. *Specify names/job titles of any other attendees present e.g. HR support, note-taker, witnesses etc.*

Having been invited to bring a companion, i.e. a trade union representative or a work colleague to the meeting you chose not to do so/were accompanied by **name/job title/trade union**.

Preliminary Matters (if applicable)

Insert a paragraph detailing any requests to delay the meeting, reasonable adjustments to the process etc. and the panel's response to such requests, including the factors they took into account when considering such requests. Also confirm receipt of any information/documentation from the employee, where relevant.

Consideration

Insert a paragraph summarising the main points of discussion at the meeting and factors considered by the panel in reaching their decision. This should include:

- *The employee's overall attendance record*
- *The impact of the level of attendance on the academy/Trust*
- *Any medical advice received*
- *Whether the reason for the absence(s) falls within the disability provisions of the Equality Act 2010 and if so reasonable adjustments considered/provided*
- *The management of the case including actions and the support considered and/or taken*
- *Any further action that can be taken*
- *Options for redeployment within the academy or Trust on medical grounds (only if appropriate to case)*
- *Whether ill-health retirement has been considered (only if appropriate to case)*
- *Also summarise the employee's own case and whether they put forward any special circumstances/information/options that required further consideration and the outcome of this consideration.*
- *Representations from the employee*

Outcome

Having considered the full circumstances of the case the panel decided

Insert applicable action

- *to defer the meeting pending the provision of further medical information*
- *that further consideration should be undertaken in relation to reasonable adjustments, supported by further monitoring/review periods*
- *that further consideration should be undertaken in relation to redeployment/ill health*
- *detail any other specific options agreed*
- *that having unsuccessfully explored all other options as detailed above, that regrettably the academy cannot continue to sustain the level of absence and its associated impact. Therefore it was felt that there was no alternative but to dismiss you on grounds of capability due to ill-health.*

NOTE: For cases other than dismissal due to capability

Please detail what action was agreed and the plans associated with their implementation, including for example: responsibilities/timeframes/review periods, etc.

Insert a paragraph explaining that should any of the agreed, action(s) detailed above not result in an effective return to work and/or a sustained improvement in attendance, the situation would need to be reviewed again and could ultimately lead to a further ill-health capability meeting being convened, under the Trust's Supporting Attendance Policy.

(For dismissal cases only)

As such your contract of employment will terminate on **date** on the grounds of incapability, by reason of ill health, with a compensatory payment equivalent to your **[number of weeks]** notice. You will also receive payment in lieu of **<number of days>** accrued annual leave **delete as appropriate**. You will receive this payment at the end of **month** **year**. Similarly the necessary arrangements will be made to end your employment on the academy's staff system, and your P45 will be sent as soon as reasonably practicable thereafter. Please could you also contact **name** in order to arrange a date and time to come into the academy and return any property belonging to the academy.

I am extremely sorry that it has become necessary for your contract to be terminated and I would like to thank you for all the work that you have undertaken at the Academy. I hope your health will improve and I offer my best wishes for the future.

Appeal (against decision taken at stage 3)

You have the right to appeal this decision, (please see 'Appeals' section of the Supporting Attendance Policy, page 15 for further details).

The appeal should be made on the basis of one of the following grounds:

- The procedure - a failure to follow procedure had a material effect on the decision
- The decision - the evidence did not support the conclusion reached
- The outcome - was too severe given the circumstances of the case
- New medical evidence - which has genuinely come to light since the previous meeting

Should you wish to exercise this right you should do so in writing within 5 working days of receipt of this letter, clearly stating the grounds upon which you wish to do so. Please address your letter to the Chair of the Stage 3 meeting (**name**) at **insert address details**. The appeal will be heard by a panel of three who have not previously been involved from the **Local Governing Body/Trust Board**. It will be your responsibility to state your case and bring to the attention of the Panel all relevant documentary evidence that should be considered. Please note the decision of the appeal hearing will be final.

If you have any further queries please do not hesitate to contact me. Should you have any procedural queries please contact **specify name and contact details for HR support**.

Yours sincerely,

Name

Title of Chair of Dismissal Meeting

SAMPLE LETTER 13

Dear **Name**

Notification of Appeal Hearing

Following receipt of your appeal against the decision taken at the Stage 3 meeting held on **date**, I am writing to confirm that an appeal hearing has been arranged. This will be held in accordance with the Trust's Supporting Attendance Policy, a copy of which is enclosed.

This will take place on **date and time at venue**.

In accordance with the policy the appeal will be chaired by **name and job title**, (*provide any other panel member names and job title details*), who will be supported by **names/job title** HR support. *Specify any other attendees e.g. note-taker, witnesses, respondents etc as appropriate and any documentation that management will be relying upon.*

The Appeal Panel will consider the grounds which you have identified as reasons for your appeal and the chair of the stage 3 meeting will attend the appeal hearing to present the management case. During the hearing you will be given full opportunity to explain the basis for your appeal, bringing to the attention of the panel all relevant evidence that should be considered.

Please provide the Chair hearing the appeal with a copy of the documents that you will be relying upon, including any new evidence that you have not previously advised of, or disclosed. . You should notify **name** and send the documents to the following address **insert address** at least 5 days working days before the hearing.

You are also entitled to be accompanied at the hearing by a companion i.e. either work colleague or trade union representative. Should you wish to exercise this right, please notify **specify name** of the individual's name and the capacity in which they will be accompanying you, in writing, at **specify contact details**, no later than **time** on **date**.

After the hearing a decision will be taken by the appeal panel, having taken into consideration all relevant matters presented. You will be notified of this outcome in writing, normally within 5 working days of the hearing. Please note that the appeal panel's decision will be final.

Please confirm your attendance at the appeal hearing, by email or telephone **specify contact details including name of contact**, no later than **time** on the **date**.

If you have any special requirements or consider that any reasonable adjustments are necessary regarding the arrangements for the hearing, please notify **name** in writing as soon as possible, providing as much information as possible regarding these, in order that they can be fully considered and appropriate action taken.

If you have any further queries please do not hesitate to contact me. Should you have any procedural queries please contact **specify name and contact details for HR support**.

Yours sincerely,

Name

Job title of person hearing appeal

Encl. Supporting Attendance Policy

SAMPLE LETTER 14

Dear **Name**

Outcome of Appeal against Dismissal on grounds of Capability (Sickness) / against outcome of Stage 3 Meeting

This letter is in response to your appeal against the decision taken at the Stage 3 Appeal Hearing held on **date** and heard by a panel comprising of **name & job title (Chair)**, *specify name(s) & job titles of any other panel members*. Also present were *specify as appropriate the names & job title of any note taker, investigators, witnesses, managers, HR support etc.*

The hearing was held in accordance with the Trust's Supporting Attendance Policy. You were invited to bring a companion, i.e. a trade union representative or a work colleague to the hearing and you **chose not to do so/were accompanied by** **name, department and trade union if relevant**.

I am now writing to you to inform you of the decision taken by the appeal panel.

The panel having carefully considered your appeal and taken into account your representations, has decided:

[Insert one of the following options]

that the decision made at the original hearing to **insert outcome** was appropriate and therefore we are unable to uphold your appeal. This decision has been taken because *specify reasons why appeal has been rejected, commenting on each of the grounds of appeal.*

OR

to uphold your appeal. This decision has been taken because *specify reasons why appeal has been successful and the actions that were agreed from this decision. Please note depending on the reasons for the appeal being successful, information on reinstatement of employment may need to be included.*

OR

Insert a paragraph detailing alternative outcome action that was agreed and stating the reasons for this decision.

Having now exercised your right to appeal under the Trust's Supporting Attendance Policy this decision is final and there is no further right of appeal.

If you have any further queries please do not hesitate to contact me.

Yours sincerely,

Name

Title of person hearing the appeal