MANAGING ATTENDANCE PROCEDURE

Our Ambition: To be the highest performing MAT in the country

Our Mission: To improve the communities we serve for the better

Vision:

Challenging educational orthodoxies so that every child makes good progress in core subjects;
all teachers are committed to personal improvement and fulfil their responsibilities;
all children receive a broad and balanced curriculum;
all academies strive to be outstanding.

Written by Advanced HR in consultation with The Forge Trust

Review Date: November 2023

Approving Body: The Strategic Development Committee

CEO: L. Hessey

Chair of Trustees: Sue Trentini

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MANAGING STAFF ATTENDANCE

1. INTRODUCTION

The purpose of this document is to provide Academies within the Trust:

- A guidance on the management of staff attendance in schools
- A recommended formal Managing Attendance Procedure

2. SCOPE OF THE PROCEDURE

For the purpose of this guidance 'absence' can be defined as:

- certificated or uncertificated sick leave
- absences authorised by the Trustee Board or Principal
- unauthorised absence and lateness

3. PRINCIPLES

The principles involve:

- Monitoring
- Management
- Formal Procedures

4. ROLES AND RESPONSIBILITIES

The Principal

The role of the Principal is to manage the attendance of all staff within the school.

Managers

On a day to day basis, it may be more practical for managers to carry out the role of managing individual's attendance.

Employees

It is expected all employees will comply with the academy's sickness absence procedures.

Trustee Board

The role of the Trustee Board is to ensure

- the school has a clear absence management policy and procedure for reporting absence.
- To ensure the Principal fulfils his/her responsibilities

5. MONITORING EMPLOYEE ABSENCES

The key requirement for effective absence management is information gained by accurate recording and monitoring of absence levels by the Academy.
Notes should be taken at all meetings; each Academy will arrange a note taker. The Note Taker must understand the confidential nature of the meetings. The notes are not verbatim but are a record of the content of the meeting. The Academy should provide notes from the meetings to all delegates who were present.

6. RECORD KEEPING

When a member of staff returns to work following sickness, a return to work interview must be carried out by a member of the leadership team and The Forge Trust's 'Return to Work Proforma' should be completed (Appendix 1). This proforma captures the reasons for the absence, and details what the leadership team of the school can do to help the member of staff where possible.

All absences should be recorded, monitored and analysed within each Academy to maintain information necessary to:

- Assess levels of absence against key indicators;
- Identify problems;
- Review individual cases;
- Decide on appropriate action.

Staff absence records should include absence for both whole and part days due to:

- Sickness (whether certified or self-certified);
- Industrial injury (recorded separately);
- Medical and other appointments;
- Disability related absence;
- Any other self-certificated absence generally described as "sickness".

7. IMPLEMENTING FORMAL PROCEDURES

Short Term Persistent Absence Management

Identified where an employee has regular periods of absence or where odd days, a pattern develops.

In managing short term persistent absence, the following actions will need to be taken:

- Investigation/information gathering;
- Assessment of the situation using key indicators;
- Consultation with the employee;
- Consideration of appropriate action.

8 KEY INDICATORS

1. 3 periods of certified and/or self- certified sickness absence in a term;
2. Unacceptable patterns of absence e.g. Regular Monday or Friday;
3. 4 periods which in total exceed a month of certified/self-certified sickness absence per year.

9. CONSULTATION

Welfare and return to work meetings should be scheduled with the employee on their return to work to enquire about the individual's progress, welfare and if any adjustments need to be made to assist their return to work. Notes should be taken of the meetings. If considering OHU referral or welfare support, Principals and Trustees are advised to contact their HR provider for advice.

10. LONG TERM ABSENCE MANAGEMENT

10.1 Investigation/Information Gathering

Long Term absence is generally considered to be continuous absence of 4 weeks or more. Where a member of staff is absent for longer than originally expected, the case may require further investigation. This will be determined according to the nature of the illness and the case within the context of the school. Principals and/or Trustees may need to give consideration to the following:

- The nature of the illness and indications of when a return to work is likely;
- The welfare of the employee;
- Any measures within school or from outside agencies which may speed up a return to work, e.g. counseling etc;
- Any modifications to the working environment or work pattern are appropriate;
- Whether the absence is due to an industrial injury;
- Whether the member of staff is a disabled person;
- Whether early retirement/ill health retirement is being considered;
- Advising the member of staff to contact their trade union representative.

10.2 Assessment

Continue to review

Continue to monitor the situation under regular review within an appropriate timescale. Regular contact with the member of staff should also be maintained.

10.3 Referral to Occupational Health

Consider whether it would be appropriate to refer the case to the Occupational Health Physician to obtain medical advice and opinion.

All employees shall, if requested agree to a medical examination by a medical practitioner. It is acknowledged support staff have no contractual obligation to do so. However, it is hoped they will see the benefit of medical advice being sought.

10.4 Consideration of ill health retirement

Depending upon the period of absence, the individual may consider applying for ill health retirement. Support may be sought from the Trust HR provider, individual's trade union, if appropriate and Occupational Health Adviser.

10.5 Continuing support

The situation must be kept under review. It is important to remain in contact with the member of staff to provide support and explore ways of facilitating their return to work, but the frequency of contact will vary according to each case. If the outcome of the process is not encouraging and there are no indications of a return to work for the member of staff, the following factors will need to be continued.

10.6 Medical Suspension

For teachers absent for 3 months with any kind of mental disorder, the DfE medical suspension regulations may apply. Principals and Trustee Boards have the power to medically suspend a teacher where necessary, but medical advice must be sought from a qualified medical adviser before taking such action.

11 REPORTING SICKNESS ABSENCE

It is essential all members of staff are familiar with the trust's procedures for reporting sickness absence. The procedure should be known to staff and include:

- On the first day of absence – the Principal should be informed as early as possible by the sick member of staff; they must do this themselves unless they are physically unable to do so due t being in hospital or some other serious medical reason. The deadline for reporting absence is 7.30am. 'Illness' is not a sufficient reason to give. The Principal should record the

conversation on Appendix 1 in preparation for the return to work/welfare interview that will take place when the sick member of staff returns.

- The requirement to provide a self- certificate for absences lasting between 4 and 7 days. The Principal or designated person should ensure completion of a self -certification form (Appendix ?).
- The requirement is to provide a doctor's certificate on the 8th day of absence.
- Academies must notify the HR team payroll provider of all sickness absence.

12 **SHORT TERM ABSENCES**

INDICATORS

1. 3 periods of certified and/or self- certified sickness absence in a term;
2. Unacceptable patterns of absence, e.g. regular Monday or Friday absence or times during the week or school calendar;
3. 4 periods which in total exceed a month of certified/self-certified sickness absence per year.

If attendance continues to cause concern and remains unsatisfactory, consider if the formal attendance procedure need to be activated.

13 **FORMAL ATTENDANCE PROCEDURE**

An employee who:

- Remains absent from their job or;
- Who has not shown sufficient improvement in attendance following previous discussions in 'return to work' meetings or;
- Whose attendance has deteriorated again following some initial improvement.

The member of staff will be invited to attend a formal meeting (First Review) with the Principal or nominated person.

First Stage - (Review Meeting)

- Employee invited to attend a formal meeting (First Review) with Principal or nominated person (10 working days' notice). Stating date, time and place of the meeting. The letter should also contain the reason for the meeting and a reminder of the employee's rights to be accompanied by a trade union representative or another person of their own choosing;
- Meeting recorded;
- Warning issued if absence level unsatisfactory i.e. continued employment may be at risk;
- Right of appeal to panel of Trustees.

Second Stage – (First Review Period / Second Review Meeting)

- Procedure as for First Review Meeting;
- Meeting recorded;
- Two likely outcomes:
  - Formal procedure ceases if attendance improved;
  - Review meeting continues if attendance unsatisfactory.
- Final warning issued if absence level remains unsatisfactory i.e. Failure to make Significant improvement by next review could result in termination of contract of Employment;
- Right of appeal to panel of Trustees.

Third Stage - (Second Review Period / Third Review Meeting)

- **Employee's absence records satisfactory / sustained**

  - Third Review Meeting conducted with Principal.

  - 10 working days' notice

  - Meeting recorded / - confirm decision to end formal procedures.

- **Employee's absence records unsatisfactory**
  - Third Review Meeting heard by Trustees' panel of 3.

  - 10 working day's notice/ documentation circulated

  - Meeting recorded
  - Two possible outcomes

  a. Some improvement in attendance but insufficient – continue monitoring attendance.
  b. No sustained improvement / return to work in foreseeable future – employment terminated on grounds of lack of capability due to ill health. (Right of appeal).

If the decision is to terminate employment, the employee should be advised of his/her right to appeal against the decision to an appeal panel of 3 Trustees not party to the decision to dismiss. The right of appeal should be exercised within14 days of the date of written confirmation of the decision to dismiss. If following an appeal, the dismissal is upheld, the school should confirm the dismissal.

Formal Review Meeting/Trustees' Hearing
Order of Events

1. Principal / presenting officer states the case.

2. Questions from employee and/or employee representative.

3. Questions from the panel of Trustees.

4. Employee (or representative) presents their case.

5. Questions from the Principal/presenting officer

6. Questions from the panel of Trustees.

7. Principal / presenting officer sums up.

8. Employee (or representative) sums up.

9. Both parties withdraw.

10. Panel decision.

11. All parties reconvene. Decision given.

12. Individual informed of right of appeal within 14 days/ confirmed in writing.

The school should make arrangements for the meeting to be minute by an appropriate person.

14 **WELFARE AND RETURN TO WORK MEETINGS.**

The purpose of a welfare meeting it to help the Principal maintain contact with and enquire about the employee's progress and general welfare during their sickness absence.

The meeting is informal, it is important to make notes, so important points can be followed up and agreed actions taken.

The meeting should cover the following:

- Update and progression of health
- Impact of any treatment
- Latest medical advice
- Update on any other support received
- Discuss any support school can provide
- Confirm the importance of a continued dialogue between school and employee
- Update on school developments, news, etc.
- Check employee's awareness their trade union can offer personal support

Return to work meetings need to take place as soon as the employee has returned from a period of absence.

The purpose is to recognise the employee has been off work, support and encouragement may be needed on their return.

15 **REDEPLOYMENT**

It may be appropriate to discuss redeployment or a change of duties. Please contact your Principal.

16 **REFERRAL TO OCCUPATIONAL HEALTH**

The Occupational Health Unit provides a range of welfare support and advice to employees referred by Principal/Trustees. The report is provided in confidence, the Principal will then share and discuss any issues with the employee.

17 **MEDICAL REPORTS**

If a referral to OHU has been made it is helpful to schedule the welfare meeting to enable the report to be discussed with the employee.

18 **RETURN TO WORK**

Seek the employee's views about a return to work, likely timescale and any temporary or permanent adjustments, equipment or modifications which may assist them.

19 **PHASED RETURN TO WORK**

In cases of serious illness or injury, medical practitioners sometimes recommend a phased return to work to facilitate an employee's recovery.

A phased return may include:

- Working on certain days of the week
- Working a reduced number of hours
- Undertaking restricted duties for an agreed period of time.
- Payment of salary during the phased return would normally be a full pay for an initially agreed reasonable period of time. Subject to a review and advice from the Occupational Health Physician.

20 ILL HEALTH RETIREMENT PROCESS – Teachers

Teacher is absent due to ill health for more than 4 weeks. Teacher attends initial consultation with the Occupational Health Adviser. The teacher should complete the Teachers' Pension Ill health retirement medical information form (IllHealthMED) and send to Occupational Health. Please contact your HR provider for further advice. Once all forms have been completed they will be forwarded to Teachers' Pensions for processing.
If their application is successful, their employment will terminate at the end of the month in which the notification from Teachers' Pensions is received.
There are two tiers of ill-health retirement benefits:

- Total Incapacity Benefit (TIB)
- Partial Incapacity Benefit (PIB)

ILL HEALTH RETIREMENT PROCESS – Support Staff

The employee is absent due to ill health for more than 4 weeks. Please contact your HR provider for further advice. The independent Occupational Health Physician will consider whether the employee meets the criteria, under the local government pension scheme for early retirement on the grounds of ill health and indicate they are willing to sign a Certificate of Permanent Incapacity.
Following the notification of the OHP support for early retirement on the grounds of ill health, it is necessary to present the report to a panel of 3 Trustees. The employee should be given the opportunity to attend the meeting and to be accompanied if they wish by their trade union representative or a person of their choosing. The employee is then informed, in writing of the Trustees' decision giving the right of appeal to a different panel of Trustees.
The school will write to the employee providing the appropriate paid notice period. Employees with one or more years' service have the right of appeal to an Employment Tribunal. Any appeal must be submitted within the 3-month period following the last day of employment.

21 DISABILITY DISCRIMINATION ACT

The Disability Discrimination Act defines a disabled person as someone who has:
'a physical or mental impairment which has a substantial and long-term adverse effect on his/her ability to carry out normal day-to-day activities'
An impairment has a long-term effect if it has lasted or is expected to last for a least 12 months or for the rest of the life of the person concerned.
Employers will have to make reasonable adjustments to their employment arrangements or premises if these substantially disadvantage a disabled employee compared to a non-disabled person.
Leave for a disability related issue should not be counted as sickness absence and should be with pay.

Figure 1 Summary of Managing Attendance Process

Step 1: Staff absence is recorded and Appendix 1 (Return to work and wellbeing proforma) is prepared.

Principal should note reasons for absence. When member of staff returns meeting is held and the proforma is completed and filed. Principals should check the sickness and absence records for the last 12 months. If a trigger point has been reached an informal meeting (welfare) is arranged in line with point 14.

Step 2: Member of staff absence continues for short-term absence: 3 periods of certified and/or self-certified sickness absence in a term *or* unacceptable patterns of absence such as regular Fridays off *or* 4 periods which in total exceed a month of certified/self-certified sickness absence per year.

Formal Attendance Procedure: Stage 1 formal review (after a wellbeing Meeting with Principal) outcome of the meeting in line with the policy at point 13 may be a written warning.

Step 3: Member of staff meets key indicators for short-term absence: 3 periods of certified and/or self-certified sickness absence in a term *or* unacceptable patterns of absence such as regular Fridays off *or* 4 periods which in total exceed a month of certified/self-certified sickness absence per year.

Formal Attendance Procedure: Stage 2 Review Meeting with Principal outcome may be a final written warning given. Member of staff entitled to bring union representative or witness.

Minutes of meeting should be taken by clerk.

Step 4: Member of staff meets key indicators for short-term absence: 3 periods of certified and/or self-certified sickness absence in a term *or* unacceptable patterns of absence such as regular Fridays off *or* 4 periods which in total exceed a month of certified/self-certified sickness absence per year.

Formal Attendance Procedure: Stage 3 Review Meeting with Principal and 2 outcomes possible:

1. Some improvement in attendance so continue to monitor;
2. No sustained improvement so terminate employment due to ill health.

Member of staff entitled to bring union representative or witness.

Minutes of meeting should be taken by clerk.

Step 5: Hearing with Panel.

Note: Refer to policy to manage long-term absence.

APPENDIX 1 RETURN TO WORK & WELFARE MEETING FORM

Name:	
Job Title:	
Date of Meeting:	

PERIOD OF ABSENCE

Date of 1st day of absence:	
Reason for absence:	
Date of return to work:	
Total number of days of absence for this period:	

Day 1 – Telephoned Line Manager:	Date		Time	
Day 3 – Telephoned Line Manager:	Date		Time	

Has a Self-Certification been provided: absence of 7 calendar days or less	YES ☐	NO ☐
Has a Doctor's Note been provided: (If applicable - On the 8th day of absence)	YES ☐	NO ☐

SUMMARY OF SICKNESS ABSENCE IN PREVIOUS 12 MONTHS

Details of employee's absences over last 12 months and any action taken

Has the employee met the trigger points in the last rolling 12 month period? 3 periods of certified and/or self-certified sickness absence in a term *or* unacceptable patterns of absence such as regular Fridays off *or* 4 periods which in total exceed a month of certified/self-certified sickness absence per year.	YES ☐	NO ☐

Has the employee been updated on any issues that occurred during his/her absence?	YES ☐	NO ☐
If the period of absence has been long term does the employee require any retraining?	YES ☐	NO ☐
Any issues that employee wishes to raise following their recent absence? Note issues:	YES ☐	NO ☐
Does the employee consider themselves to have a disability?	YES ☐	NO ☐
Do any reasonable adjustments need to be considered?	YES ☐	NO ☐
Has the employee been made aware of future actions in accordance with the School's Managing Attendance policy. Provide details on discussion:	YES ☐	NO ☐
If a trigger had been hit has a formal meeting been arranged in accordance with the School's Managing Attendance Policy?	YES ☐	NO ☐
Is a referral to Occupational Health required? If yes, please complete the relevant referral Form and send to OH	YES ☐	NO ☐

Details of support offered to employee (actions agreed, including timescales & phased return pattern, OH advice)		
I understand that this information will be used for the purposes of recording and monitoring sickness absence.		
Employee's Signature:		Date:
Manager's Signature:		Date:

Appendix 2 First Review Meeting Invite Letter

Private & Confidential

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Dear *

First Review Meeting (School) Managing Attendance Procedure

Further to the welfare meeting on * , I am writing to confirm the details of the review meeting arranged for (date) at (time) at (name) school in (*which room?*). At this meeting we will review your absence from school due to your ill health. The meeting will be held within the framework of the school's Managing Attendance Procedure. A copy of the procedure is available in school should you wish to look at it.

The meeting will give us the opportunity to discuss your absence and I will also ask you or your representative questions and review the situation presented. This will enable us to make a decision as to how the issue of your absence will progress and consider the possible ways forward.

During the meeting discussion will take place regarding the current situation surrounding your absence, including what the medical advice says from the Occupational Health Physician. I have enclosed documentation which I shall be referring to during the meeting.

Your trade union representative, or a person of your choosing, may accompany you to the meeting or, if you are unable to attend or do not wish to attend the meeting, represent you in your absence. However, the meeting will take place in your absence. Whether you choose to attend the meeting or not you are encouraged to provide a written statement setting out any matters you wish to bring to my attention. This would be in addition to any representation you arrange for the meeting on the day.

I should be grateful if you would confirm by * whether or not you will be attending the meeting or, alternatively, whether someone else will be attending on your behalf. If you choose to do so, please send me a copy of your written statement by the same date. If you should have any queries, please do not hesitate to contact myself.

I must inform you that a possible outcome of this meeting may be a decision to issue you with a written warning and that unless there is a significant improvement your continued employment at the school may be at risk.

Yours sincerely

Principal
Cc Trade Union Representative

Appendix 3

First Review Meeting Outcome Letter

Private & Confidential

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Dear *

First Review Meeting (School) Managing Attendance Procedure

I refer to the first review meeting to consider your continued absence, held on (*day and date*) convened within the framework of the School's Managing Attendance Procedure. You were notified that the purpose of the meeting was to review your continued absence from school as a (*Post Title*) due to medical reasons. Thank you for attending the meeting, together with (*name*) your trade union representative/You informed me that you would not be attending and would (*would not*) be sending a trade union representative Notes of the meeting were taken by * (*name*) and a typed copy will be forwarded to you in due course (**amend as appropriate)**

The purpose of this letter is to confirm the outcome of the review is to issue you with a **written warning** on the grounds of capability due to your continued absence from your (*title*) post as a result of your ill health. This decision was taken in view of the length of absence and the medical advice dated (*date*) from (*name of Doctor*). I also gave careful consideration to the points you raised. (*Refer to the discussion and outcome of the meeting*)

This is a written warning within the Managing Attendance Procedure and, as such, you have the right of appeal against it. Should you wish to exercise this right you need to inform me of your intention by writing to me within fourteen days of the date of this letter, stating briefly the grounds of your appeal. I will then arrange for your appeal to be heard by an appeal panel of Trustees.

In view of the situation and as discussed, I will review your absence again on (*date*) at (*time*) a.m./p.m. in (*room*).

I sincerely hope that your health will improve to enable you to return to school. As Principal I will remain in contact with you during your absence and please feel free to contact me at any point if there are any developments in your medical condition or if you have any concerns at all. As I have already indicated to you, I am prepared to consider any reasonable steps and adjustments to facilitate your return to work if this is at all possible. This could include a phased or part-time return, a consideration of a change in your duties and, if you think this would be helpful, I can arrange to discuss possible redeployment opportunities with you if this is at all appropriate. You are advised to speak to your trade union about this matter.

Yours sincerely

Principal

Cc: Trade Union Representative

Appendix 4

Second Review Meeting Invite Letter

Private & Confidential

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Dear *

Second Review Meeting (School) Managing Attendance Procedure

Further to the first review meeting on * I am writing to confirm the details of the second review meeting arranged for * at * school in (*which room*). At this meeting we will review your absence from school due to your ill health. The meeting will be held within the framework of the school's Managing Attendance Procedure. A copy of the procedure is available in school should you wish to look at it.

The meeting will give us the opportunity to discuss your absence since the first review meeting and I will also ask you or your representative questions and review the situation presented. This will enable us to make a decision as to how the issue of your absence will progress and consider the possible ways forward.

During the meeting discussion will take place regarding the current situation surrounding your absence including what the medical advice says from the Occupational Health Physician. I have enclosed documentation which I shall be referring to during the meeting.

Your trade union representative or a person of your choosing may accompany you to the meeting or, if you are unable to attend or do not wish to attend the meeting, represent you in your absence. However, the meeting will take place in your absence. Whether you choose to attend the meeting or not you are encouraged to provide a written statement setting out any matters you wish to bring to my attention. This would be in addition to any representation you arrange for the meeting on the day.

I should be grateful if you would confirm by (date) whether you will be attending the meeting or, alternatively, whether someone else will be attending on your behalf. In addition, please send me a copy of your written statement, if you choose to submit one, by the same date. If you should have any queries, please do not hesitate to contact myself.

I must inform you that a possible outcome of this meeting may be a decision to issue you with a final written warning and that unless there is a significant improvement, your continued employment at the school may be at risk.

Yours sincerely

Principal
CC: Trade Union Representative

Appendix 5

Second Review Meeting Outcome Letter

Private & Confidential
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Dear *

Second Review Meeting (School) Managing Attendance Procedure
I write to confirm the outcome of the second absence review meeting that took place on * (*date*), which was convened within the framework of the school's Managing Attendance Procedure. A copy of this procedure is available in school should you wish to look at it. Thank you for attending the meeting, together with (*name*) your trade union representative/You informed me that you would not be attending and would (*would not*) be sending a trade union representative**.** Notes of the meeting were taken by * (*name*) and a typed copy will be forwarded to you in due course. (**amend as appropriate)**

We discussed your attendance since the first review meeting and I explained my concern that your attendance was unsatisfactory. We discussed the Occupational Health report dated * (*date*) and your health, which has not improved since our first meeting.

The purpose of this letter is to confirm that the outcome of the review meeting is to issue you with a **final warning** on the grounds of capability due to your continued absence from your post (name post) as a result of ill health. This decision was taken in view of the length of absence and the medical advice from * (*name*). I reiterated that your continued absence was having a detrimental effect on students and departmental colleagues.

We talked about support measures that are available and it was indicated that you were receiving support through your GP and advice and support through your union.

As part of the meeting I gave you a final warning that your absence was unsatisfactory. If your attendance remains unsatisfactory your continued employment could be at risk.

This is a final written warning within the Managing Attendance procedure and, as such, you have the right of appeal against it. Should you wish to exercise this right you need to inform me of your intention by writing to me within fourteen days of the date of this letter, stating briefly the grounds of your appeal. I will then arrange for your appeal to be heard by an appeal panel of Trustees.

I sincerely hope that your health will improve to enable you to return to school. As Principal I will remain in contact with you during your absence and please feel free to contact me at any point if

there are any developments in your medical condition or if you have any concerns at all. As I have already indicated to you, I am prepared to consider any reasonable steps and adjustments to facilitate your return to work if this is at all possible. This could include a phased or part-time return, a consideration of a change in your duties and, if you think this would be helpful, I can arrange to discuss possible redeployment opportunities with you if this is at all appropriate. You are advised to speak to your trade union about this matter.

Yours sincerely

Principal
Cc: Trade Union Representative

Appendix 6

Third Review Meeting Invite Letter
Private & Confidential
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Dear *

Third Review Meeting (Managing Staff Attendance Policy)
Further to the second review meeting on (*date*) in which you were issued with a final warning. I am writing to advise you of the action the school proposes to take in view of your continued absence due to ill health. In view of your prolonged absence and in light of advice received from the Occupational Health Physician, you are invited to attend a formal meeting with a panel of 3 Trustees. The meeting has been arranged for * (*date*) at * (*place*). The meeting will be held within the framework of the school's Managing Attendance Procedure. A copy of the procedure is available in school should you wish to look at it.

At this meeting the panel of Trustees will be asked to review your current situation given the information presented to them in the form of a statement provided by me, a copy of which is enclosed, and, in addition, you will have the opportunity to add any further information which you feel the Trustees should consider. The Trustees will be able to ask questions of both myself and you/your representative and then make a decision on one of the recommendations contained at the end of the report or, alternatively, adopt one of their own.

Your trade union representative, or a person of your choosing, may accompany you to the meeting or, if you are unable to attend or do not wish to attend the meeting, represent you in your absence. Whether you choose to attend the meeting or not you are encouraged to provide a written statement setting out any matters you wish to bring to the Trustees' attention. This would be in addition to any representation you arrange for the meeting on the day.

I should be grateful if you could confirm by (*date*) whether or not you will be attending the meeting or, alternatively, whether someone else will be attending on your behalf. In addition, please send me a copy of your written statement, if you choose to submit one, by the same date. If you should have any queries, please do not hesitate to contact myself.

I must inform you that, unless there is a significant improvement in your health, a possible outcome of this meeting may be a decision to terminate your contract of employment on the grounds of capability due to ill health.

Yours sincerely

Principal
CC: Trade Union Representative

Appendix 7
Third Review Meeting Outcome Letter

Private & Confidential
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Dear *

Third Review Meeting (Managing Attendance Procedure)

I write to confirm the outcome of the review meeting with the Trustees' panel on * (*date*), which was held to consider your continued absence from school as a result of your ill health and was convened within the framework of the school's Managing Attendance Procedure. Thank you for attending the meeting, together with * (*name*) your trade union representative/as you are aware the meeting took place in your absence or * (amend as appropriate). The Trustees were advised by (*name*) from HR Team. Notes of the meeting were taken by * (*name*) and a typed copy will be forwarded to you in due course. (**amend as appropriate)**

At the meeting the Trustees considered all the information presented by *

(*employee/representative*) and I, including the advice received from the Occupational Health Physician dated * (*date*). (add or amend as appropriate)

The Trustees were very sympathetic and concerned about your current health situation, however, they did also have to take into consideration the needs of the school. As a result, it was the decision of the Trustees' panel to recommend that you be dismissed from your post in respect of your capability to undertake your duties as a (*job title*) at this school due to your continued absence as a result of your ill health.

If you wish to appeal against this decision you may do so, in writing, within 14 days of the receipt of your letter stating briefly the grounds of your appeal. I will then arrange for your appeal to be heard by an appeal panel of Trustees. Upon the expiry of your right to appeal you will receive a termination of contract letter.

School can add its own paragraph thanking etc.

Yours sincerely

Principal
Cc: Trade Union Representative

Appendix 8

Formal Review Meeting/Hearing

Order of Events

1. Principal / Presenting Officer presents the case.
2. Questions from employee and/or employee representative.
3. Questions from the Panel of Trustees.
4. Employee (or representative) presents their case.
5. Questions from the Principal/Presenting Officer.
6. Questions from the Panel of Trustees.
7. Principal / Presenting Officer sums up.
8. Employee (or representative) sums up.
9. Both parties withdraw.
10. Panel decision.
11. All parties reconvene. Decision given.
12. Individual informed of right of appeal within 14 days. Later confirmed in writing by Principal/Presenting Officer

APPEAL

Same procedure but to alternative Panel of Trustees.