

## TRANSCRIPT

### Module 1: Introduction to Attendance Management

Welcome to the Education Authority's Mandatory Attendance Management Training.

Throughout this training you will have an opportunity to familiarise yourself with the Attendance Management procedures and have an understanding of the value of managing attendance in your workplace.

The key aims and objectives of this training are to

- ▶ provide you with the knowledge and skills to be able to maximise staff attendance and to be able to manage sickness absence in your workplace

#### Objectives

- ▶ To increase your knowledge and understanding of the Managing Attendance policy and procedures and
- ▶ To enhance your understanding of the roles and responsibilities in relation to the management of staff attendance across EA including good practice tools and support available

So, what is the value of managing attendance and why should line managers be ensuring that staff are supported during periods of sickness absence?

It is important that as managers we are Promoting the health, safety and wellbeing of all our employees, including the use of risk assessments to identify and manage hazards impacting on health in the workplace.

Research has shown that managing staff attendance helps reduce absence levels in the workplace.

Line managers who monitor levels of sickness for individuals, and teams as a whole will have accurate data to help in identifying trends and exploring the underlying causes of absence which are key in effective absence management.

Implementing procedures to support and manage staff absences, whilst dealing with unjustified and/or high levels of sickness absence – will ensure that sickness absence will be dealt in a way that is non-discriminatory and staff are dealt with consistently and fairly.

Having attendance management procedures in place – will help develop a culture where line managers are sensitive and supportive to those suffering the effects of ill health and can spot early warning signs and employees can be given appropriate support before matters escalate. It

is important to remember that matters relating to staff attendance and health should be managed with due respect for confidentiality.

Figures from the Northern Ireland Statistics and Research Agency (NISRA) show that, in the 2019/20 financial year, 5.9% of all available working days were lost due to absences - equating to around £36.6m in lost production in salary terms. The Education Authority is under intense scrutiny to ensure we are continually striving to reduce costs related to staff sickness absence.

In brief we will now look at the legal side of attendance management.

There is no one law that deals exclusively with sickness absence – rather it links in with several existing pieces of legislation.

Health and Safety at Work (NI) Order 1978

Supported by the Workplace (Health, Safety and Welfare) Regulations lays out the responsibilities linked to staff health and safety at work.

Key points include

- You have a 'duty of care' to make sure, as far as possible, you safeguard staff health, safety and welfare at work.
- You must assess and control risks to protect your employees, including undertaking risk assessments of activities to prevent people being harmed and to review your risk assessments if your employees have suffered injury or ill health that makes them more vulnerable.

Employment Rights Order sets out the Fair reasons for dismissal

There are Statutory stages which must take place before a dismissal can occur. For more information on dismissal procedures and requirements please contact the EA Employee Relations team.

Disability Discrimination Legislation

The Disability Discrimination Act (DDA) requires that employers introduce reasonable adjustments in respect of applicants and employees who are disabled. This is with a view to ensuring that disabled people are not disadvantaged and enjoy equality of opportunity in employment.

For more information on supporting staff with disability contact the EA Disability Employment Support Services team (DESS)

[General Data Protection Regulation \(GDPR\) and the Data Protection Act 2018](#)

Regulates the processing of personal and sensitive data e.g. medical information

Staff have legitimate expectation and right that personal health information will be kept private and only be shared with those who are entitled to see it for lawful business purposes.

Finally, we will look at personal injury claims

Staff can make a personal injury claim if they believe they have suffered an injury or illness at work as result of others negligence. This relates back to the employers legal responsibility to ensure a safe and secure working environment for staff and prevent foreseeable injuries, both physical and psychological.

## **Module 2: Roles and Responsibilities**

Welcome to the EAs guidance video highlighting the key roles and responsibilities for all within the managing attendance procedure.

Understanding your responsibilities and that of others will help to ensure a consistent and fair approach which supports attendance at work.

This video will outline the role of the Principal or line manager and then the member of staff and their role and responsibility within this procedure. For ease of reference the term manager will be used to reflect either the Principal or the line manager.

The role of a Principal or line manager in managing attendance is to monitor and manage sickness absence of their staff in a fair, consistent and confidential manner.

Managers should ensure that all staff are informed of the Managing Attendance Procedure and refreshed with the content on a regular basis.

Managers have a responsibility to maintain appropriate supportive contact with staff during sickness absence. On occasion we find some managers are hesitant to contact employees while they are off work. However, maintaining supportive contact with the employee during their sickness absence is best practice and a fundamental part of ensuring adequate support.

This approach is generally welcomed by staff and is associated with a range of positive return to work outcomes.

Contact at this stage may also help to relieve the employees' anxiety regarding returning to work. It may also ensure that the staff member does not feel isolated during their absence.

If managers can spot the early warning signs of potential problems, then employees can be given appropriate support before matters escalate.

Managers play a crucial part in the return to work process and in the health and wellbeing of their staff.

The behaviours managers display when managing a returning employee are vital for a successful return to work and to prevent relapse.

A positive human approach is always recommended to demonstrate a desire to support staff to stay well and attend their work at their best.

On occasion external support will be required. Managers are responsible for initiating requests for referrals to Occupational Health. This involves liaising with the EA and staff member throughout the process.

Managers must carry out attendance meetings, return to work meetings and keep records while encouraging a positive attendance culture within their workplace setting.

You should support as far as is reasonably practicable a rehabilitation programme recommended by Occupational Health in liaison with the Education Authority. For queries on reasonable adjustments you can contact the Disability Employment Support Services Team.

And finally, it is important that managers stay informed on the best signposting options to support staff when they may need it. In particular, managers need to be aware of the Employee Assistance Programme provided by Inspire Wellbeing.

Now we will move on to look at the roles and responsibilities for staff linked to the managing attendance procedures.

Staff have a vital role in managing their own health, wellbeing and attendance.

It is essential that staff are aware of the managing attendance procedure and its content.

It is the employee's responsibility to report all sickness absence in accordance with the procedure and to follow this up with a self-certificate or a medical certificate in a timely manner.

It is the staff members responsibility to maintain contact with their manager during any period of absence. This is to ensure that your manager can plan for the period of time that you are expected to be absent for.

Staff members are obliged to comply with arrangements for attendance at medical referrals and to follow any professional advice aimed at ensuring a timely return to work.

It is the staff members responsibility to maintain appropriate standards of conduct during sickness absence and to ensure you are not participating in any activity which is inconsistent with the illness or injury or could aggravate the illness or injury of which could delay recovery.

And finally, staff are urged to advise your manager of any difficulty that may be impacting on your health and wellbeing at the earliest point to maximise the manager potential and make arrangements.

The role of a Board of Governor is to adopt and promote the managing attendance at work policy within your setting.

An important part of this function is to support the Principal to manage attendance matters fairly and consistently.

Managing attendance of staff can often be emotive and support for Principals should not be overlooked.

The Board of Governors help to ensure that the Principal has made every staff member aware of the relevant managing attendance procedure and what is expected of them.

It is good practice that wellbeing and attendance updates form a standing agenda item for all Board of Governor meetings. This will embed the grounds in creating a positive attitude towards the wellbeing of all staff and will emphasise the importance of managing staff attendance.

The Board of Governors should nominate a designated governor responsible for health, wellbeing and attendance. This governor should ensure that any matters associated with staff health and wellbeing are being managed, supported and progressed appropriately.

The role of the Education Authority in regard to the Managing Attendance Procedure is to advise and support management in managing their own staff wellbeing and attendance.

The EA will ensure provision of Occupational Health services and advise management on rehabilitation, risk assessments and reasonable adjustments and at all times to support the promotion and implementation of the attendance procedure in all workplace settings.

The onus is on the EA to ensure that Boards of Governors, management and staff are trained on the managing attendance procedure and are confident in their role of implementing the procedure where needed.

### **Module 3: Return to Work Interview**

The Return to Work Interview is an opportunity for the manager to Welcome the employee back to work, letting them know they have been missed, if they feel missed, they will feel valued.

If there are any inconsistencies with the dates or details of an absence then this can be rectified at the RTW meeting; the employee can be updated on any changes or issues that may have occurred during their absence – changes in work or staffing changes;

The RTW Interview provides an opportunity for the employee to raise any remaining health or other issues they may have and that might need your support with;

It is an opportunity for the manager to offer help, providing signposting to Inspire the Confidential counselling service and the EA HealthWell Hub.

### **Module 4: Managing Attendance Trigger Points**

Within the EA Teaching and Non-Teaching Attendance Policies there are a number of trigger points which highlight absence concerns and requires management action. This procedure encourages dialogue and ensures problems are addressed promptly. We recognise that when staff become ill and require support, monitoring sickness absence is vital

When a staff member reaches a trigger point an absence interview should take place.

#### **Teaching Staff trigger points**

It is important to note that the chairperson of the BOG's is responsible for managing the attendance of the school principal. The chair as line manager should engage appropriately and apply the attendance procedure in the event of any sickness absence.

Teaching staff triggers occur when there is more than 6 casual day's absence in a 12 month rolling period or if the teacher enters a long term absence which is a continuous absence of 4 weeks or more.

#### **Non-Teaching Staff trigger points**

Non-teaching staff triggers start when staff have more than 8 casual day's absence in a 12 month rolling period; if staff have more than 3 periods of absence in excess of 3 days within a 12 month rolling period; when a staff member enters a long term absence which is a continuous absence of 4 weeks or more or when a staff members absence rate is 5% or more.

#### **Work Related Stress**

When any staff member is experiencing work related stress it is not appropriate to refer to the Occupational Health service as a first step. It is crucial that management instead respond

swiftly/ to undertake a meeting to discuss and address the stressors and seek to resolve matters.

In some cases the manager may be connected within the stress concern and therefore it may not be appropriate for them to be involved at this stage, they should seek a suitable replacement to take the meeting for example another manager from the service, a BOG or a Vice Principal.

If you are unsure of how to progress an absence case advice can be sought from Human Resource Services

## **Module 5: Absence Interview Meeting**

Hi and welcome to our guidance video on absence interview meetings. During this session you will discover the importance of undertaking absence interviews if a staff member's absence level or pattern presents a concern. How and when to conduct an absence interview and what matters need to be addressed at the meeting and how to work together to propose a way forward.

The purpose of conducting absence interview is to assess, manage and review staff sickness absence with a view to making necessary improvements. This formal meeting provides a method for managers to address staff attendance in a supportive, sympathetic and helpful manner.

This meeting typically takes place once the staff member has returned to work, however the procedure makes allowances for occasions when a meeting during an absence may be required.

We will now discuss each stage of the absence interview meeting. In step one the staff member should be asked in writing to attend the meeting and advised that they may be accompanied by a trade union representative or work colleague.

Step 2. You welcome the staff member into a quiet and private environment. This will aid discussions and allow the opportunity to openly address concerns. The meeting enables you to explain the significance of regular, reliable and sustained attendance. In some cases it may be appropriate to highlight the effect their absence may have on the team or service. The meeting provides the opportunity to establish the current health status of the staff member and whether there is an underlying cause for absences, such as a difficulty at work, a more serious health condition, or a domestic or personal problem. Depending on the nature of the absences you may need to consider the requirement for a reasonable adjustment where disability is involved. Another consideration may be if a medical referral to occupational is required, occupational health can help inform the best ways for you to support your member of staff and for them to support themselves at this time. During this meeting you can support improved attendance by highlighting the level of improvement that is required. By jointly developing an

action plan to improve attendance you increase the likelihood of positive change. Like all good action plans we recommend implementing a monitoring period for review, perhaps quarterly or as required. It is fundamental that during this meeting you clarify the consequences of continued unsatisfactory and unsustainable sickness absence. Your staff member should be made aware that in some cases having no improvement in attendance may potentially lead to a formal escalation process. This could be through a formal disciplinary channel in line with the disciplinary procedure or through the ill health termination procedure.

Step 3, following this meeting a note of the discussion and any action proposed should be prepared and forwarded to the staff member for their agreement. This might include an introduction of reasonable adjustments, risk assessments, monitoring arrangements, a medical referral or consideration of ill health retirement or potential movement to disciplinary action if attendance does not improve.

Having an open discussion and plan in place increases the chances of your staff member successfully reducing their sickness absence and remaining in work healthy and happy. At all time you need to ensure that discussions with staff regarding their absence is managed sensitively and remain confidential. All notes compiled during this meeting need to be stored confidentially and both manager and staff member need to be aware of the next steps. Communication with your staff member is the most fundamental action you can take in discussing way to improve sickness absence. Therefore, you can take the opportunity to allow them the space to talk, reassure them that you are there to actively listen and develop a way forward. You will need to be conscious that your staff member may not wish to openly discuss personal problems in any detail. This meeting also allows the opportunity to sign post your staff member to the confidential counselling service Inspire along with directing them to our interactive EA HealthWell Hub which is packed full of valuable health and well being resources and support. In many cases with the right discussions and support in place things will improve and escalation will not be required. However, where unsustainable sickness absence levels persist you should accept escalation is likely. Rest assured the Human Resources department are available to guide you and provide expert advice on any course of action under consideration.

## **Module 6: Occupational Health Support**

This short guidance video will provide you with an introduction to Occupational Health process. By the end of this video, you will have a clear understanding of OH referrals and the key stages involved.

This will be achieved by

- Outlining the purpose of the OH process
- knowing when to best engage the OH process
- and raising awareness of the benefits of using the service effectively

The purpose of OH is to provide independent advice to both employee and employer. The main objectives of OH are:



- To identify and help prevent illness caused by work
- To advise on the fitness of an employee to do their job
- To improve and maintain the health of the workforce to the mutual benefit of both employee and employer

There is a number of reasons why you as a line manager might engage the OH process.

The main reason for referring an employee to occupational health is to help resolve a situation where an employee's health might be affecting their fitness to carry out their job or their job may be adversely affecting their health in some way. Alternatively, you may have concerns regarding their health and with their agreement believe that an occupation health referral is required to obtain medical and support.

A trigger point as defined in the MA procedure has been met. However, meeting a trigger point should not automatically invoke a referral to OH. Management should in the first instance meet with the staff member to discuss areas of concern. This will also give management an opportunity to establish what support, adjustments or actions they could agree to support their staff member while at work or to return to work.

This list is not exhaustive and there are various reasons to warrant the desire to invoke a medical opinion. If you take a member of staff who has returned to work following a period of sickness absence with the reason being chronic back pain. As a manager you may have concerns around lifting, bending and stooping. Occupational Health will not only be able to advise you as manager in regard to your staff members fitness for work but also advise both parties in regard to reasonable adjustments or personal care issues around manual handling. Another reason may be when a staff member has been absent from work for a period of time with indication of a possible return to work. Occupation health will be able to give management advice or an update with regards to the likely length of sickness absence due to illness or injury.

There are some occasions when a referral to occupational health is less appropriate. A trigger point being met may indicate areas of concern; however, this should not automatically invoke a referral to occupational health. Management should in the first instance meet with the staff member to discuss areas of concern. This will also give management an opportunity to establish what support adjustments or actions they could agree to enable their staff member to remain at work or to return to work.

When a staff member cites stress the manager should not automatically make an OH referral. It is important that management meet with the staff member and establish what is causing the stress, don't assume you know.

In the case of WRS the issues causing sickness absence may not be directly medical and therefore OH will likely recommend for management to enter into dialogue with their staff

member to discuss and resolve the work-related issues. It is also an opportunity for management to offer support to staff by way of sign posting

- this could be to Inspire the free and confidential counselling service
- Health Well Hub
- Flexible working options i.e. temporary variation of contract, career break, job share, changes in working pattern.

The EA is committed to actively supporting the health and well-being of all members of staff. It recognises that we are all individuals, therefore support may be different depending on many contributing factors.

Occupational health is an independent provider whose role it is to provide impartial advice regarding fitness for work to the staff member and the manager. This advice is aimed at assisting staff to be well and fit for work as soon as recovery allows or based on adjustments. Occupational health should be viewed as a support tool for staff and management.

Staff will discuss their current health with the occupational health clinician and how it can impact on their duties. The occupational health clinician will review all the circumstances relating to the referral and provide both the manager and the staff member with fair and objective about the staff member's health and fitness for work both in the short and long term.

### **Module 7: Completing an Occupational Referral Form – Guidance Video**

As a line manager it is not only important to know when to make an occupational health referral but also to know how to fill out and complete a referral form effectively to maximise the support provided by the occupational health clinician.

To do this it is important that you

- Know what an OH referral is and the benefits
- You know how to complete each section of the OH referral form effectively
- And that you have a clear understanding of the role of the OH clinician

Occupational health referrals sit within the Managing Attendance procedure for both teaching and support staff. This process shouldn't be seen as a stand-alone mechanism when managing sickness absence but rather as a support tool within the procedures.

By the time you get to a point when you are considering referring your staff member to occupational health you will have already engaged in discussions regarding their sickness absence.

The occupational health clinician will provide you and the employee with professional and impartial advice on a range of topics including the likely length of the sickness absence, rehabilitation and the implementation of a return to work plan, advice around reasonable

adjustments and the implications of Disability legislation. OH can also advise in relation to reducing health risks linked to the working environment.

Support can also be sought in relation to personal health problems that impact on work. Referrals linked to other formal procedures such as disciplinary and advice around fitness for work or if a return to work is not expected for the foreseeable future, whether it would be appropriate to consider ill health termination.

This list is not exhaustive and that is why it is important as the referring manager that you complete the OH referral form effectively.

As the referring manager you will have to complete the various sections within the Occupational Health referral form.

To help you do this I will take you through each section on the referral form and explain the importance and benefits of dedicating the time and putting in the effort at this stage in the process.

The first part of the Occupation Health referral form requires the referring manager to confirm that they have discussed Occupational Health with their employee and explained the reason or reasons for the referral. This is an important step and ensures that the staff member is not surprised or alarmed when they are contacted by HR Services advising them of their appointment date and time.

Failure to discuss the referral process with your staff member could result in ill feeling and waste valuable time as the OH clinician will have to undertake the necessary explanation. It is also important to note that if your staff member fails to attend the OH appointment your school or service will be levied with the cost.

An advice leaflet for employees is also available which includes information and FAQ's and will hopefully alleviate any fears or concerns a staff member may have about attending an OH appointment. This leaflet will be available as an additional resource and a copy should be given to your employee.

Up-to-date and accurate employee information is vital as this information will not only be used by HR Services to locate the individual on the HR system but the occupational health provider will also use information such as name and date of birth to cross reference when setting up a personal record or matching to an existing record.

The job title and job location are both important as an employee may be employed in more than one post and in more than one location. Therefore, it is important that you indicate which post and location you are referring to.

It is vital that before you forward the completed referral form to HR Services that you have checked with your member of staff that the contact telephone number and personal email address are correct.

Your staff member should be advised that HR Services will confirm the details of the Occupational health video appointment to the email account stated on the referral form therefore, the email address provided should be a personal email address. If due to a technical issue the video appointment is unable to take place the Occupational Health clinical will ring the employee on the telephone number provided on the referral form.

As previously mentioned, failure to attend the OH appointment will result in your school or service incurring a cost.

The next part of the occupational referral form requires you as the referring manager to tick the relevant box or boxes. This choice will be dictated by discussions you have had with your staff member. E.g. an employee may be on long term sick leave and has now reached a stage whereby they may want to consider ill health early retirement therefore you will need to tick the box *Employee is on long term sick leave, advice on progress required* and also tick the box *Request for ill health termination*. This will set the agenda for the OH assessment and give the OH clinician a clear direction when discussing medical history and how work may impact on the employees' health and therefore their fitness for work.

If your staff member is on sick leave, state the date current absence began along with the reason: This simply requires you to enter the date on which your employee went on sick leave and the reason stated on the GP statements of fitness for work known as a fit note. From this information the OH clinician will be able to ascertain important information to inform their advice.

Providing relevant background information is a key part of the OH referral form. A quality referral form should contain adequate, relevant and factual information about the individual and their job role to fully inform the OH clinician.

It is vital that you provide sufficient background information. Which should include The post title and a short summary of the job. This could include details of how much time the staff member spends on various tasks for example 50% of their time is spend doing desk based work, 20% at meetings, 30% marking and preparing paper based assignments or in the case of a Grounds Maintenance employee 50% using a ride on lawnmower, 30% using vibrating tools, and 20% manual handling.

Also Include details of meetings and correspondence you've had with your employee during their period of sickness absence.

Give a history of sickness absence stating dates and reasons  
Mention outcomes of previous OH referrals, if applicable

It is also important that you outline actions already taken by management to address issues.

This is also your opportunity to ask any questions in addition to the 9 generic questions included in the OH referral form.

Additional questions can be specific to your staff member's job role and how their health impacts directly on their ability to do their job.

It is important that you as the line manager provide your contact details on the OH referral form and not that of the School secretary or your PA. This will ensure that GDPR regulations are being complied with and that upon receipt of the medical report HR Services can share a copy with the line manager as soon as possible.

As the referring Manager you need to be aware that a completed OH referral form contains sensitive, personal data regarding your employee and as such should be processed in accordance with data protection legislation and medical confidentiality guidance. Your staff member has the right of access to the referral document. Therefore, you should ensure the all information contained within the referral form is factual and not your personal opinion. You may wish to express your personal concerns, if applicable.

All information contained in the referral form will be discussed with the employee during the consultation. Any details omitted will be less likely to be addressed.

You can also seek advice to support your referral from HR Services.

Finally, before submitting the referral form to HR Services check it over one last time and ensure you have given the OH Clinician adequate background information and that any additional questions are clear and concise.

An effectively completed referral form will increase the likelihood of receiving an enlightening value for money OH report with clear medical advice on how to progress the support for your staff member and their attendance.

## **Module 8: Supporting Staff with Disabilities**

The Disability Discrimination Act defines disability as 'a physical or mental impairment which has a substantial and long-term adverse effect on a person's ability to carry out day to day activities.'

'substantial' is more than minor or trivial, e.g. it takes much longer than it usually would to complete a daily task like getting dressed

- 'long-term' means 12 months or more, e.g. a breathing condition that develops as a result of a lung infection

To satisfy the definition, the substantial effects must last, or be likely to last, for one year. This means that most short term, event specific types of illness are unlikely to qualify as a disability. An example of this might be stress or depression due to bereavement.

The definition of disability will include many health issues such as bad backs, stress, skin disorders, and mental ill health. Certain illnesses will be covered from the point of diagnosis such as multiple sclerosis, Parkinson's and cancer.

The Disability Discrimination Act requires employers to consider Reasonable Adjustments e.g. phased return to work, flexible working, adjusted duties, or the removal of a particular element of work.

As there is a legal requirement to consider reasonable adjustments under the Disability Order, failure to do so could lead to a civil claim for negligence being made by the employee. It is good practice for employers to take reasonably practicable steps to prevent disability discrimination from occurring.

When faced with these challenges the first steps should be for the line manager and employee to discuss needs and options. The employee is well placed to provide information on how their illness impacts and subsequently how they could best be supported at work. In addition, support can be sought from the GP, Occupational Health or Employers for Disability NI.

In 2020 The Education Authority formed the Disability Employment Support Service (DESS) within the Equality and Diversity Unit to support managers and staff in cases of disability and reasonable adjustments. Broadly this service will:

- Support employees in Schools and EA Corporate Services who have, or who acquire a disability
- Support the employment of people with disabilities
- Support and build the capacity of line managers\principals to support their staff

For any queries on Reasonable Adjustments please contact the DESS team in the first instance.

## **Final Thoughts**

Ensure that all staff and those who are responsible for managing attendance are aware of the correct procedures and, where appropriate have, received adequate training;

Always keep accurate records of absence (including details of all meetings and conversations);

Be aware of the possibility that a disability is causing the employee's absence and be prepared to make or consider reasonable adjustments -seeking support from the EA DESS team as appropriate;

Always follow appropriate EA procedures and remember by applying the MA procedure you will be ensured that all staff are treated fairly, consistently and with sensitivity during times of illness.

For further information or advice on any aspect of Managing Staff Attendance please contact staff in HR Services, Health and Wellbeing team or DESS Team as appropriate. For other guidance information and signposting please see the attached Managers Toolkit that accompanies this training.