

MANAGING SICKNESS ABSENCE

A guide for schools, academies and MATs



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Employer's guide to managing sickness absence

Managing sickness absences involves many aspects of HR policy, monitoring and culture. However, whilst absence management can be a complex topic, there are many simple steps that you can take to ensure that your school remains compliant.

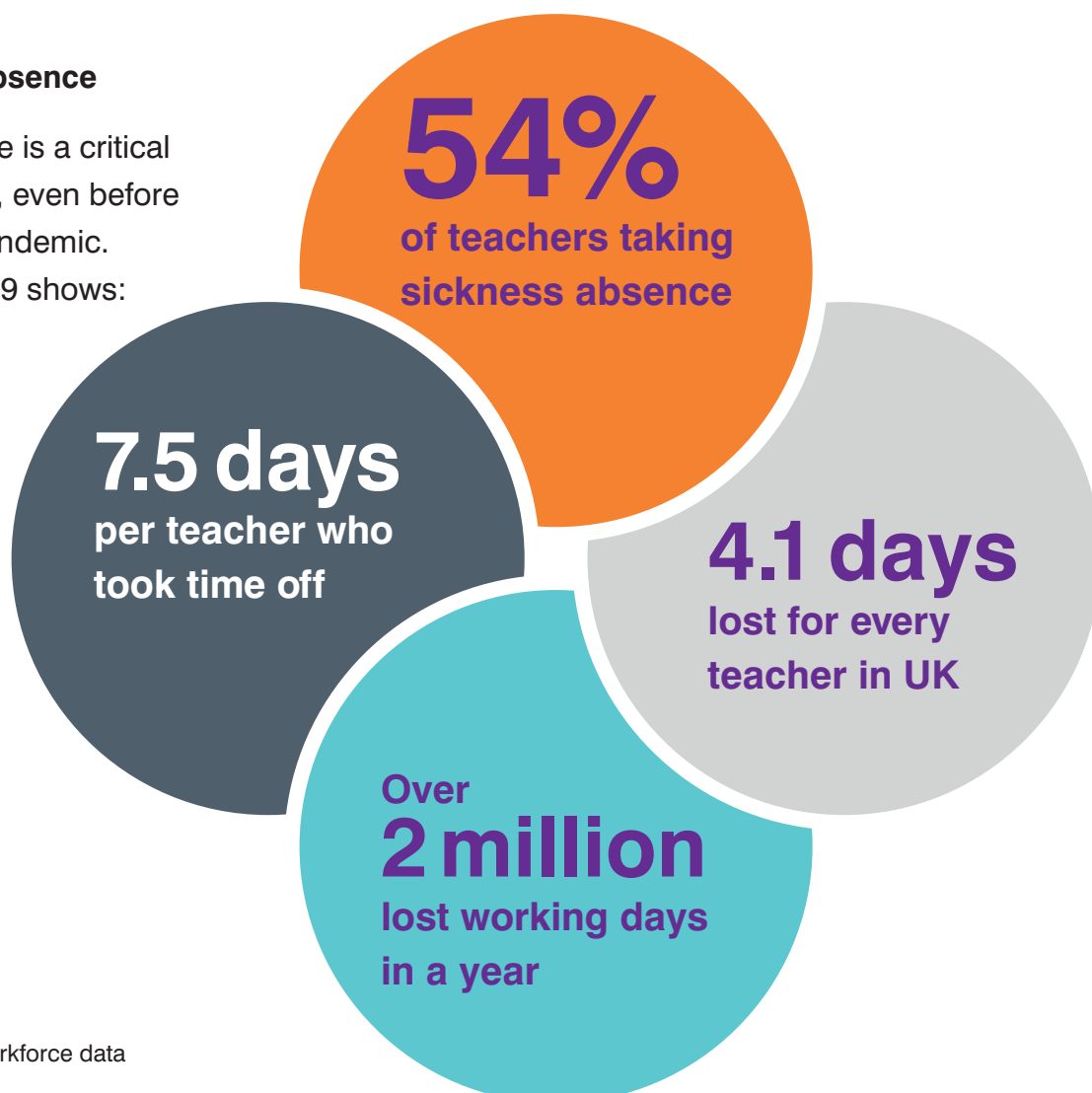
In this guide, we will cover:

- The impact of absence
- Types of absence
- Your obligations as an employer
- Can absences be avoided?
- The cost of getting it wrong
- Examples of absence management scenarios

The impact of absence

Sickness absence is a critical issue for schools, even before the COVID-19 pandemic.

Data from 2018/19 shows:



Source: DfE school workforce data

Understanding types of absence

When we think of absence, sickness is often the first type of absence that comes to mind; however, there are a few different types of absence that you may encounter within your school.

It is also important to treat every employee and every incidence of absence as an individual. Different employees will have different circumstances, which may change throughout their employment. So no two cases may be the same.

The type of absence and the policy it falls under will normally determine whether the leave is granted as paid or unpaid, and each individual's circumstances will be looked at.

Common causes of absence include:

- Stress
- Minor illness
- Mental health
- Recurring/ongoing medical conditions
- Home/family responsibilities or circumstances

In some of these instances, the absence may be very short-term or a one-off occurrence; in others, it may have a long-term impact on the employee. For longer term absences there may need to be a plan put in place to support them through the cause of the absence and allow them to continue to carry out their job where possible if it is safe and in their best interests to do so.

The true cost of sickness absence

The basic cost of absence in schools is approximately £797 per employee for primary schools and £1328 per employee for secondary schools

*Based on CiPD Absence Management Survey

Your obligations as an employer

Under the Health & Safety at Work Act, as an employer, you have a responsibility to protect the health and safety of your employees.

When it comes to absence, this covers several areas and actions that you should take.

Monitoring absences

A good starting point as an employer is to ensure that you are monitoring all occurrences of absences within your school; this will help to spot patterns, but it will also allow you to build a picture of what is happening with your staff.

Keeping a record of all absence management discussions

Record keeping can spot absence trends early on and allow you to put practices in place to address these trends. Outcome letters following meetings and discussions ensure the employee and employer both know what was discussed and agreed. Equally, having a record of discussions and meetings that have taken place will be essential should any absence ultimately lead to some sort of claim or dispute about the way the absence was managed.

Hold back to work meetings after each period of absence

A back to work meeting is an opportunity to be supportive and is an opportunity to discuss the reason for the absence and identify anything that can be done to help them now they are back at work. It is also your opportunity as an employer to confirm that your employee is fit to be back at work; it is your obligation to ensure this.

Keep in contact with absent employees

This can be tricky, so it is best to agree with the employee on how they would like to be contacted (email, phone) and when (time, day of the week, frequency). There is a balance between being supportive and appearing intrusive. Different people and situations will require different approaches, so best to ascertain the best way with the employees at the outset of the absence.

Communicate your policies and apply them consistently and fairly

As an employer, you should have an absence management policy, which should be available to all employees. It is good practice to give your employees access to their policies at the start of their employment, and we would recommend sending a reminder at least annually. In addition, many schools now choose to host their policies on an intranet to be accessible 24/7.

You should also send a reminder when any updates are made to the policy and ensure that staff know it's their responsibility to keep themselves up to date.

Knowing that all employees are aware of the policy and how to access it, it should now be applied fairly and consistently by your management team. Any inconsistencies can lead to unhappy employees and potentially put you at risk of being subject to a discrimination claim.

Although you need the policies to be fairly and evenly applied, everyone is different, and the same illness can affect different people in different ways. So look at the individual circumstances of every person's absence.

Remember the protected characteristics and be sure there has been no discrimination in your treatment of the employee and their absence concerning;

- Race
- Sex
- Disability
- Sexual Orientation
- Age
- Religion/Belief
- Marriage/civil partnership
- Pregnancy/maternity
- Gender reassignment

Where appropriate, seek advice from Occupational Health Professionals

Employers are not medical professionals, so don't rely on the information and 'diagnosis' they are giving you. Instead, seek advice from an Occupational Health service or the employee's doctor. These medical professionals can help inform you what the issue is, when the employee is likely to be fit to attend work and any reasonable adjustments that could be made to support the employee.

Can absences be avoided?

Whilst some absences may be unavoidable, there are some steps that you can take to minimise the risk of absences within your school.

Providing wellbeing benefits to your employees

If you have an Employee Assistance Package (EAP), ensure it is regularly advertised to the staff so they know what support they can get and how to access it.

Flexible working

By giving your staff access to flexible working policies – such as working from home or changing their working hours, you can help to address concerns with employees around work-life balance. For example, there may be instances when an employee is affected by new home or family obligations; being flexible where possible to accommodate this responsibility reduces the risk of absence.

Flexible Working in Schools Government Guidance

The Government has issued non-statutory guidance to help employers in schools develop and implement flexible working policies. Schools and Trusts are encouraged to adopt a flexible working policy which responds to the needs of the staff, and the employer, and addresses the challenges to flexible working in their school.

To access this Guidance document [click here](#)

Training

Holding workshops on subjects such as stress management and a healthy lifestyle can also help with wellbeing and reducing sickness absence. If this is not something you can put on yourself, many Occupational Health providers offer this service.

Attendance incentives

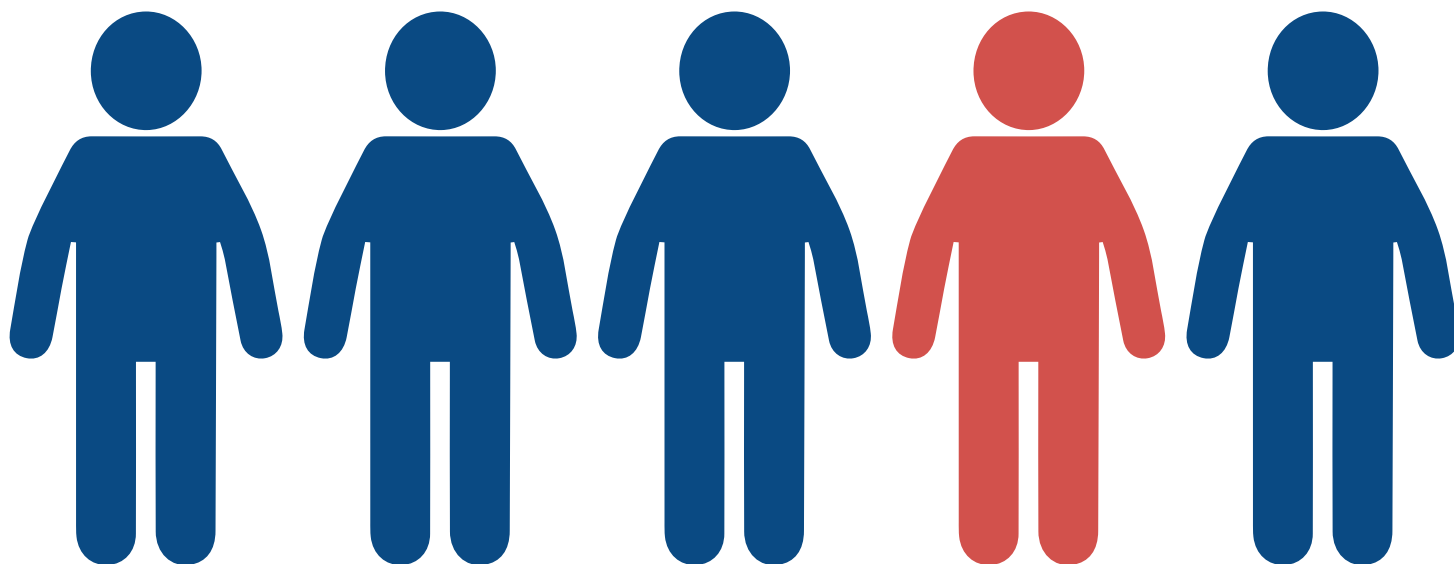
There is some argument against incentivising attendance and whether this may encourage 'presentism'. You need to ensure that the attendance incentives do not discriminate against employees who are affected by disabilities or pregnancies.

However, some employers do incentivise attendance by making it a condition of their rewards and bonus scheme.

Return to work consultations

One of the simplest ways to reduce the risk of absence impacting your school is to hold return to work consultations with affected employees. By doing this, you can assess whether the employee is fit to return to work and be aware of any special provisions that may need to be put in place to support the employee.

However, it also allows you to identify patterns and problems. By looking at the reason for the absence, you can see whether it is likely to affect the employee again or other employees within the school and see what steps you need to take to reduce the risk of that.



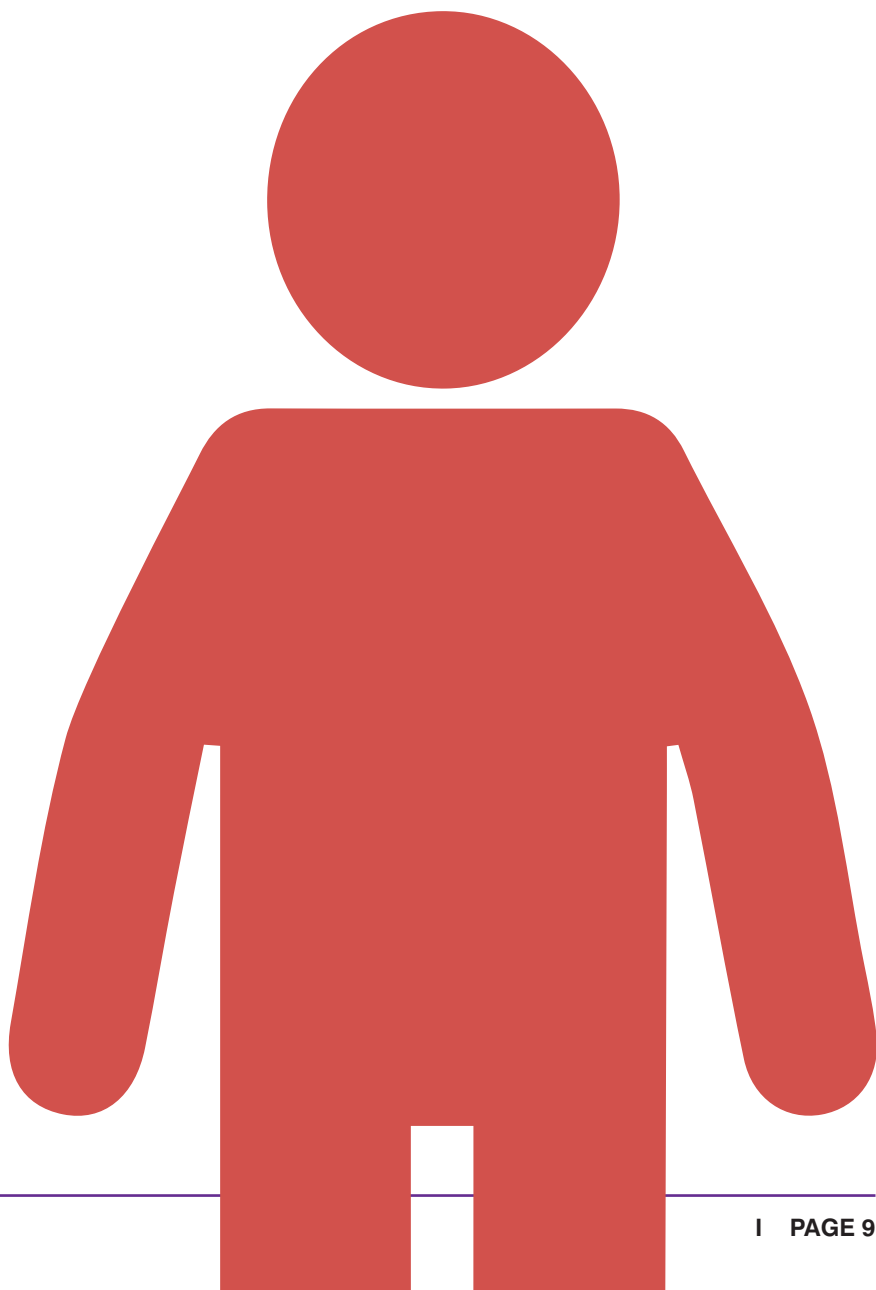
The cost of getting it wrong

There are many potential costs to getting absence management wrong that can have an impact on your employees as well as your school.

The first and most obvious risk is the potential of an employee claiming against the school. This could be on the grounds of failure to comply with the Health and Safety at Work Act, failure to apply the absence policy or even discrimination.

Another potential risk of poor absence management is the impact that it could have on employee satisfaction. Poor absence management can lead to poor morale and wellbeing and ultimately lead to a higher staff churn, which leads to further instability amongst staff and teaching.

Where employees are unhappy, there is a chance of publicly making negative remarks about the school, which can end up being widespread thanks to the media and internet forums and platforms. This is another risk of getting absence management wrong.



Absence Management Scenarios

We work with many schools, supporting them in devising their sickness absence policies and advising on specific cases. Here are a couple of anonymised scenarios, one which ended well and the other which had a less favourable outcome for the employee.

Scenario 1

The scene

A teacher had suffered an ankle injury during a road traffic collision. Although the ankle wasn't broken, it was very badly bruised, and they were taking painkillers. Unfortunately, they were in too much pain to attend the workplace.

The teacher wanted to return to work but was worried about herself and the effect her injury and painkillers may have on her teaching ability.

Advice given by Dataplan Education

We advised the school to refer the employee to Occupational Health for advice on the injury, how long it was projected until they would be fit for work, and any adjustments or advice they could give to support the employee back to the workplace.

Once the report was received, we advised the school on the recommended adjustments to the workplace, which included;

- The employee being able to sit in the classroom with her leg raised
- A teaching assistant assigned to the classroom to support the teacher
- Regular breaks
- A taxi to and from work as the teacher could not drive and found it difficult to access public transport.

We advised the school to bring the teacher back to work on a 4-week phased return, gradually building their duties/responsibilities until they carried out their full role. Regular review meetings with the teacher were held so that they felt fully supported and could advise the school on how the phased return was progressing.

Conclusion

The employee had their phased return extended to 6 weeks and was able, with adjustments in place, to sustain a successful return to the workplace.

Scenario 2

Sometimes no matter how much support is put in place and a correct procedure is followed, you can't account for human nature!

The scene

The employee worked as a midday supervisor and had been absent due to ill health for over a year. They were receiving nil pay. The school had not implemented absence management until reasonably late in the absence. The issue was back pain, and the employee could not sit, stand or walk far before needing to move position or rest.

Advice given by Dataplan Education

We advised the school to follow their absence management policy and procedure and hold absence management meetings with the employee.

We also recommended getting an Occupational Health report to see what the school could do to support the employee in returning to the workplace and looking at any roles to which the employee could be redeployed.

Above all, they needed to keep in regular contact with the employee.

Conclusion

The school followed all the HR advice given and got to the third stage of their absence management process, which can lead to dismissal.

Following further advice, the school met with the employee and a discussion around potential medical retirement was held. However, the Occupational Health report showed no timescale for the employee to resume her role or any other role within the school should one be found.

The employee was keen to go down the medical retirement route; however, the doctors did not authorise this.

Before the school could hold a third and potentially final absence management hearing, the employee went to social media stating how unsupportive the school had been and that it was a bad place to work.

An investigation was started under the school's disciplinary process, and the employee went through to a full hearing where they were dismissed.

If the employee had not reacted on social media and had gone to the third meeting, they would have found out that the school were looking at a potential redeployment. The school had been very supportive considering the absence length and that the employee was not improving health-wise.



About the Author

Nikki Whitaker is Dataplan Education's Commercial HR Business Partner. She has over 25 years of experience in Human Resources Management, spanning both the public and corporate sectors, and is a specialist in the Education sector.



Nikki and her team provide our clients with trusted HR services and consultancy. She strives to present what can be complicated HR issues in a way that is understandable and easy to digest, no matter your background or experience of HR.

We know that HR can be complicated and costly to get wrong, which is why we offer a range of options to deliver the bespoke solution that is needed for your school or MAT.

For tailored advice to your specific needs please get in touch:

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www.dataplaneducation.co.uk/hr