

## Local Negotiating Committee for Teachers – Agreement No.6

### **Guidance for Head Teachers on the use of the Supporting Employee Wellbeing Policy in Relation to Teaching Staff**

**Agreed at LNCT -**

**Approved by Committee – November 2019**

**Revised to ensure compliance with Supporting Employee Wellbeing Policy reviewed in 2019**

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#### **1. Introduction**

- 1.1 This document sets out the procedure to be followed by Head Teachers when managing the attendance of employees following periods of absence.
- 1.2 The guidance has been developed to provide a departmental procedural summary of the Supporting Employee Wellbeing Policy. The Supporting Employee Wellbeing Policy, supporting Procedures and information notes should be read in conjunction with this guidance. These documents can be downloaded from the intranet under HR online: <https://intranet.west-dunbarton.gov.uk/people-technology/hr-online/core-employment-policies/supporting-employee-wellbeing-policy/>
- 1.3 Further support or advice on supporting employee wellbeing issues is available from the Strategic HR team.

#### **2. Supporting Employee Wellbeing**

- 2.1 West Dunbartonshire Council recognises the value of its employees and is committed to ensuring that employees are supported to deliver and continuously improve the varied services the council provides. To do this promoting employee health and attendance at work is essential and the Council is committed to creating and maintaining a culture where regular attendance at work is the norm.
- 2.2 There are various supports to assist with this process, e.g. HR, occupational health, employee counselling, access to work. All of these support functions should be considered to support the employee in the best way possible.
- 2.2 It is important to manage wellbeing and absence in an empathetic and supportive fashion focusing on the needs of the individual as well as the service they provide. Flexibility should be considered at every stage, reviewing what the individual is able to do, assessing if they are able to work in another way or with adjustments should they wish to do so.

In the event that these flexibilities are not appropriate regular contact should be agreed to ensure that the employee is kept up to date and feels supported during their absence.

2.2 The responsibility for the management of absence lies with the Head Teacher, although this may be delegated to a nominated officer in line with undernoted Scheme of Delegation.

Level of Action	Teaching Staff in a Secondary School	Teaching Staff in a Primary School with Depute Head Teacher	Teaching Staff in a Primary School with NO Depute Head Teacher
1st Attendance Advisory Note	Principal Teacher	Depute Head Teacher	Head Teacher
Appeal	Depute Head Teacher	Head Teacher	Head of Service
2nd Attendance Advisory Note	Principal Teacher	Depute Head Teacher	Head Teacher
Appeal	Depute Head Teacher	Head Teacher	Head of Service
3rd Attendance Advisory Note	Head Teacher	Head Teacher	Head Teacher
Appeal	Head of Service Or nominee	Head of Service /or nominee	Head of Service/ or nominee
Final Attendance Advisory/Dismissal	Director Or nominee	Director/ or nominee	Director /or nominee
Appeal	Council Appeals Committee	Council Appeals Committee	Council Appeals Committee

### 3. Process

#### Reporting and Recording Keeping

- 3.1 An attendance record should be maintained for all employees and kept updated with absences. The workforce management system (HR21) is used to record this information for all staff, along with manual records. This system should be updated the date the absence commences and the date the absence ends,
- 3.2 Employees are required to make contact with the school on the 1<sup>st</sup>, 4<sup>th</sup> and 8<sup>th</sup> working day of absence. Due to the operational requirements of schools, individuals are required to contact the school/establishment as early as possible before their normal start time, to enable cover arrangements to be made.
- 3.3 If an employee reports that they are unable to attend work due to work related stress the HeadTeacher (nominated officer) should immediately issue them with a Stress Risk Assessment form and in line with advice from Strategic HR. Guidance on the Stress Management process is available from HR online on the intranet.
- 3.4 Head Teachers (or nominated officer) should ensure that a confidential case file (paper or electronic) is kept when managing an employee's absence. This should include all correspondence with the employee, notes of any meetings, outcome letters and any appeal documentation. Templates for correspondence are available from the HR Online on the Intranet.

### Contact during Absence

- 3.5 It is important that the Head Teacher (nominated officer) maintains regular contact with employees who are absent from work. This ensures that the Manager has the most up to date information related to the absence, can plan temporary cover to ensure continuity of service, and also ensure the employee feels supported and does not feel isolated.

Refer to section 2.2. of the Supporting Employee Wellbeing Procedure for guidance on the timescales for contact.

### Return to Work

- 3.6 Regardless of the reason for the absence a return to work discussion will be held, by the Head Teacher (nominated officer), after **every** occasion of absence in order to confirm the employee's fitness to return; offer any help and further support where appropriate and pass on information regarding workload, etc. before countersigning the self-certificate/return to work discussion form.
- 3.7 The return to work discussion should take place **on the day** the employee returns to work or as soon as practicably possible thereafter if the Head Teacher (nominated officer) is unavailable. Details of the discussion should be recorded using the Return to Work Discussion form, and held securely by the Head Teacher (nominated officer). The online RTW discussion form is available from the HR Online Page on the intranet.
- 3.8 At the return to work discussion, the employee should be informed if they have reached a standard (detailed below). Upon reaching this standard, this is a prompt for the manager that a Back to Work Wellbeing Support Meeting should be scheduled:
- 4 occasions of absence in a rolling 12 month period or;
  - 8 days in a rolling 12 month period. \*

\* Number of days will be pro-rated for part time workers as follows:

No of Days Worked Per week	Standard/Prompt
2	3 working days
3	5 working days
4	6 working days
5	8 working days

### Back to Work Wellbeing Support Meetings

- 3.9 Back to Work Wellbeing Support Meetings will be arranged when an employee has reached a standard within the Supporting Employee Wellbeing Policy. Wellbeing Support Meetings should also be arranged at appropriate intervals during a period of long term absence to keep in touch with the employee and ensure they are supported throughout their absence.
- 3.10 Guidance on conducting an Wellbeing Support Meetings is contained within section 2.4.2 of the Supporting Employee Wellbeing Procedure.
- 3.11 Head Teachers (nominated officers) should seek advice from Strategic HR where an employee reaches the following stages.
- 3<sup>rd</sup> Attendance Advisory Note
  - Final Attendance Advisory Note
  - Long Term Absence

3.12 Strategic HR will normally be in attendance at meetings from the 3<sup>rd</sup> Attendance Advisory point and onwards. At **all** Wellbeing Support Meetings employees have the right to be accompanied as set out in the Supporting Employee Wellbeing Policy (see section 2.4.2 of the Supporting Employee Wellbeing Procedure).

## 4. Occupational Health

- 4.1 A referral for a medical opinion from Occupational Health Services should be made in the following circumstances:
- Where an employee's absence exceeds or is likely to exceed 21 calendar days
  - Where there are concerns over a pattern of absence or unacceptable levels of shortterm absence
  - If an employee indicates that they are suffering from stress or musculo-skeletalcondition an immediate referral should be made
  - Employee's health is affecting their ability to do their job
  - If the employee reaches a 3<sup>rd</sup> Attendance Advisory Note of the Supporting Employee Wellbeing Policy
  - If the employee reaches Final Attendance Advisory Note of the Supporting Employee Wellbeing Policy
  - At any other time if required
- 4.2 Where it is decided that the employee should be referred to Occupational Health, the Head Teacher (nominated officer) should contact the employee to inform them and explain the reasons for the referral. Contact can be made through a meeting, by telephone or by letter.
- 4.3 The Head Teacher (nominated officer) should complete an Occupational Health referral form and if needed contact a member of HR to discuss. The referral should contain factual details and provide as much information as possible to enable Occupational Health
- 4.4 If an employee's absence is considered as short-medium term (anything under 21 days) it may be appropriate to refer them to Occupational Health to determine on-going supports. This will be dependent on the individual circumstances of that absence, with further advice sought from HR.

### Attendance Advisory notes and discretion

- 4.5 As detailed in the policy an employee should understand the reason that an Attendance Advisory note has been issued. Dependent on the individual circumstances the Head teacher (nominated officer) may feel that it is not appropriate to issue an attendance advisory note. In such circumstances the Head teacher (nominated officer) in consultation with HR and their Chief Officer will consider whether it is appropriate to apply discretion, using a Discretion Request form. Further guidance on the use of discretion is available in appendix 2 of the Supporting Employee Wellbeing Policy.
- 4.6 Should an employee wish to appeal the issue of an Attendance Advisory note they have theright to do this and should submit the appeal within 10 days of receiving the Advisory note.

### Policy Application

- 4.7 The Supporting Employee Wellbeing policy provides a mechanism to ensure that

employees are treated in a fair and transparent manner and for this reason Wellbeing Support Meetings and Back to Work WSM meetings will be convened in line with the policy. However it is also important to review the facts of every individual case and make decisions based on the information available. Every individual will have a particular set of circumstances and will require a support and management approach tailored to their needs. The policy should not be something that an employee is processed through but a framework to support and manage employees, meeting the needs of their situation.