



Personnel Policy

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Date of Review: June 2018

Member of Staff Responsible for the Policy: Headteacher

Date of next review: June 2018

Dissemination of the Policy: All staff and Governors, Website

Purpose and aim of the policy and procedures

Evaluation

Monitoring, Evaluation and Review

References to other policies

PERSONNEL POLICY

Part A Recruitment Policy

Part B Management of Sickness

Part C Stress Management

Part D Leave of Absence

Part E Family Friendly Policy including maternity and paternity leave.

This policy is in line with Gloucestershire County Council's policies and procedures. The policy applies to teaching staff and support staff in Pittville School.

Purpose and aim of the policy and procedures

Managing absence from work is a difficult balancing act. While the school recognises that absence is unavoidable at times, it does cause extra responsibility and stress for other staff and has a detrimental effect upon the education of students. A balance needs to be struck, therefore, between absence for illness or stress where the management has a duty of care for staff, absence for Continuing Professional Development, which is essential to maintain high standards, and a "family friendly policy". As a school we believe education is a partnership between parents, students and school and this is equally true for members of staff. Sympathetic consideration will always be given, therefore, to requests for absence to attend important family events such as graduation, weddings etc. However, such absences need to be balanced against the needs of students within the school.

Management and managers will be sensitive and sympathetic when considering absences and will aim to support staff to ensure they are healthy, fit to work and have a reasonable work/life balance.

Part B Sickness Management Procedures

This policy sets out a framework for:

- a) Dealing with sickness and absence objectively and reasonably.
- b) Developing a consistent approach.
- c) Exploring remedies which:
 - i. assist the individual
 - ii. assist management and staffing providing an effective service.
- d) Compliance with all relevant legislation.

The policy and procedures will be implemented with the intention of:

- a) Monitoring sickness absence trends.
- b) Identifying potential problems at an early stage and adopting a positive and caring approach in assisting employees to overcome these. Management will deal with

sickness issues sensitively and fairly.

Absence problems fall into two main categories:

- a) Frequent and persistent short term absence.
- b) Longer term absence due to ill health.

Notifying school of illness

Staff should phone the school on the number provided when they are off work due to sickness. They should explain the nature of the illness so accurate records can be kept. Teachers should e-mail or ring in cover work for the day which should be passed to the department. Staff should also inform the school if they have a duty that day. For absences of less than 7 days a self-certification form needs to be completed (available from the Head's PA). After 7 days a medical certificate from a doctor must be handed in to the School Office. If staff are aware that they will need a longer absence due to ill health this should be discussed with the Headteacher.

Recording Illness

All absence is recorded, including agreed leave of absence, and this is reviewed by the Headteacher termly, who will report to the Governing Board as required.

Return from Illness

When a member of staff returns from illness their line manager should have a discussion with them. The purpose of the return from work discussion is:

- ◆ To establish the reason for absence.
- ◆ To allow the manager to satisfy themselves that the member of staff is fit to return to work and to discover whether the illness is likely to recur (if so the Head should be informed).
- ◆ To update the person on any significant events which have occurred or information which they need to know.
- ◆ To show the member of staff the manager is concerned about them and their absence.

The return to work discussion should be conducted in a tactful, sensitive and nonjudgemental manner. It is essential that the manager listens carefully to what is being said and does not jump to conclusion. The manager should take care to ensure that the member of staff should not feel threatened or under pressure. At the same time the manager needs to make it clear that the discussion has a serious purpose and that all absence is a cause for concern. See "Return from work interview notes"(Appendix 1)

Frequent and Persistent Short Term Absence

Most absences are due to minor ailments, in some cases unconnected. Often these absences are less than a week.

The national average for absences due to sickness is 7 days per year.

Once a member of staff has been absent for more than 7 days in a year it will be reviewed by the Headteacher (Richard Gilpin) or the Business Manager (Sabran Lintern-Mole). They will discuss with the member of staff the reasons for absence and any support needed. This will be done in a sympathetic and sensitive manner. If necessary a referral to the County Council's Occupational Health Physician would be considered and, if appropriate, this would be discussed with the member of staff and the Headteacher.

Trigger Point Interviews

Trigger Point interviews will be conducted by the Headteacher or the Business Manager when:

- ◆ there has been 3 periods of substantial absence within a period of 3 months and/or
- ◆ there has been 4 periods of substantial absence within a period of 12 months and/or
- ◆ absence has been in excess of 5% (10 days) in one year.

The nature of the absences will be considered looking at factors such as:

- ◆ the reason(s) for the absences
- ◆ the timing of the absences
- ◆ whether the absences are medically certified
- ◆ the staff's previous absence record.

The Head or the Business Manager will approach the interview in the same way as a return from work interview, in a sensitive and non-judgemental way, seeking to clarify reasons and suggest support. In preparing for the interview the member of staff could be provided with guidance notes ("Trigger Point Interviews", see Appendix 2) and be advised that he/she has the right to be accompanied by a Trade Union representative or by another person of his/her choice.

In many cases there will be no need for further action but in some instances, the Head or Business Manager and the member of staff will agree what should be done and an action plan will be agreed. Consideration will be given to a referral to the County Council's Occupational Health Consultant or Occupational Nurse for investigation. Once the school is aware of a concern it is obliged to investigate it as failure to do so would leave the Governors and the LA liable to a challenge of negligence. A note of the interview will be kept in the school's personnel files with the member of staff indicating their agreement (or disagreement) with the content.

Preliminary Investigation

If the periods of absence are frequent, form a pattern, are unexplained, or due to recurring ailments. The Head will look into the circumstances surrounding the absence and determine what further action is necessary. During the interview the member of staff will be informed that:

- ◆ if the level of absence continues it will be necessary to have a further interview to determine an action plan or
- ◆ arrangements will be made for a further interview to take place in order to determine and implement an action plan.

The objective of the action plan is to resolve the sickness absence difficulties in a non-threatening, fair and objective manner. The member of staff may be accompanied by their Trade Union representative or another person of their choice. If the Headteacher or Business Manager has reasonable grounds to believe the member of staff is abusing the system then the matter will be dealt with in accordance with the school's Disciplinary/Capability Procedure.

Fact Finding/Counselling

Following the preliminary investigation outlined above, it may be necessary to investigate the situation further. Should new details come to light, a fact finding interview should be arranged.

The Action Planning Interview

- i. If it is considered necessary to arrange an action planning interview, the Headteacher or Business manager should make such arrangements. The member of staff must be given no less than five working days notice and be informed that he/she is entitled to be accompanied by a Trade Union representative or by another person of his/her choice.
- ii. The action planning interview should involve the following stages:
 - ◆ Both parties should attempt to establish the cause of the absences and to consider action needed to resolve the problem
 - ◆ The Headteacher or Business Manager should ensure that the member of staff is clear about the action agreed and what improvements are required along with details of reviews and time scales.
- i. If it is considered appropriate by the Headteacher or Business Manager, the member of staff may be referred to the Occupational Health Nurse, Consultant Occupational Health Physician or Welfare Counsellor of the Council.
- ii. Following the interview, the Headteacher or Business Manager should write to the member of staff concerned to confirm the outcome of the interview, details of action plan, reviews and time scales, with a copy to the Trade Union representative, as appropriate.

Disciplinary Procedure

If, following the action detailed above, the member of staff's attendance record does not improve to the required standard, the Headteacher or Business Manager should give consideration as to whether the matter should be dealt with in accordance with the school's Disciplinary Procedure.

Long Term Sickness Absence due to Ill Health

a) Definition

For the purpose of this procedure long term sickness absence is defined as a continuous period of sickness absence of three months or more (except in cases such as recuperation after a major operation). Where it becomes apparent that a member of staff's period of sickness may be prolonged, the Headteacher or Business Manager must decide if it is necessary to take any action. This decision will depend on the facts and on:

- The length of the member of staff's absence and how much longer it is expected to continue
- Current and future effects of the absence on operational activities
- The member of staff's length of service and the amount of sick pay to which he/she is entitled and
- Any other relevant personal circumstances.

b) Medical Referral

i. Arrangements should be made for a medical referral to be undertaken in cases of long-term sickness absence. The County Council's Occupational Health Physician has stressed the benefits to all parties of early referrals where absence is certified to be as a result of occupationally related stress. The purpose of the medical referral is to obtain professional advice from the Council's Consultant Occupational Health Physician as to -

- the current state of health of the member of staff concerned,
- the possibilities of a return to work or otherwise,
- the possible length of further absence

- the early indications of the possible need for the school or the County Council to consider providing specific aids, adaptations and adjustments to facilitate a safe return to work.
- ii. On receipt of the Consultant Occupational Health Physician's final report a feedback interview should be arranged by the Headteacher. With long-term absences this would normally at the member of staff's home or another mutually agreed venue may be arranged. (S)he should be reminded of his/her entitlement, and the benefit, of being accompanied by a Trade Union representative or by a person of his/her choice.

At the feedback interview the following points should normally be covered:

- issues detailed in the Consultant Occupational Health Physician report,
- the the Headteacher's assessment of the situation,
- the member of staff's assessment of the situation,
- a discussion of the likely outcome - e.g. return to full duties, special arrangements for return to work,
- determining an appropriate action plan which may result in further meetings.

The action agreed should be confirmed in writing by the Headteachers to the member of staff and a copy sent to the Trade Union representative.

iii. Where it is the opinion of the Physician that the member of staff's health does not allow for a return to the work for which (s)he is employed, a meeting will be arranged to explore with the member of staff and/or his/her representative a number of matters which will include –

- the possibility of the termination of his/her contract of employment and the process to be followed in such cases,
- the right of a second independent medical opinion where the opinion of the Physician is not accepted by the member of staff. (If the member of staff so requests, the school must arrange for him/her to be medically examined by an appropriately qualified medical practitioner; the member of staff's own medical adviser may, upon request, be present at the examination).
- the rights remaining in contract to the member of staff relating to matters such as continued sick pay; and
- the possibility of redeployment of the member of staff to other work within the school and in cases of permanent ill-health the possibility of premature retirement.

c) Possible Outcomes

A member of staff unable to undertake the full duties of his/her substantive post because of ill health/disability.

If it is decided that having followed the procedures detailed above, that the member of staff is unable to undertake the full duties his/her post, either temporarily on their return or permanently, the following options need to be explored in consultation with the school's HR provider

- Disability Discrimination Act 1995 (as amended) - if an member of staff is disabled, employers have to make reasonable adjustments to the working environment to accommodate the member of staff with the disability. These may include one or several of the following adjustments:
 - alter premises
 - allocate some duties to another member of staff
 - transfer the person to fill an existing vacancy
 - alter working hours
 - transfer the person to another place of work
 - allow absences during working hours for rehabilitation, assessment or treatment

- supply additional training
- acquire or make changes to equipment
- alter instructions in reference manuals
- modify procedures for testing or assessment
- provide a reader or interpreter
- provide additional supervision
- redeployment to suitable alternative employment with a trial period.

ii. Member of staff unable to undertake the full duties of his/her substantive post because of permanent ill health or medical incapability

Dismissal on the grounds of medical incapacity –

- Where it is the view of the Consultant Occupational Health Physician that the member of staff is unlikely to be fit to return to undertake the full range of duties of their post within an appropriate time scale (ie by reason of medical incapability), the member of staff will be consulted as to the possibility of suitable alternative employment within the school and within the wider services of the County Council. Dismissal on the grounds of medical incapacity will be recommended to the governors of the school where medical incapability is determined and no immediate prospect of redeployment exists.

Dismissal on the grounds of permanent ill-health

- If the view of the Consultant Occupational Health Physician is that the member of staff is **permanently** unfit for his/her substantive post and no substantive alternative employment is available, the member of staff will be consulted as to the possibility of an application for premature retirement.
- Dismissal on the grounds of permanent ill-health would be considered only where an application for premature retirement has been refused or where the member of staff has decided not to apply.
- In the case where the introduction of pension benefits is approved a mutually agreed date of termination will be sought which does not ordinarily go beyond the exhaustion of sick pay entitlement as provided for under the terms of the member of staff's contract.

All decisions that seek to modify the work of the member of staff or terminate the member of staff's contract will be discussed with the member of staff (and with his/her Trade Union representative or person of his/her choice). Once a decision has been made as to appropriate action, this must be confirmed in writing to the member of staff with a copy to the Trade Union, if required by the member of staff.

Dismissal on the Grounds of Medical Incapacity or Permanent Ill-Health

(i) Where it has been recommended that a member of staff should be dismissed by reason of medical incapability or permanent ill-health, a hearing by a committee of governors appointed for that purpose will be arranged.

(ii) The member of staff and his/her representative are entitled to attend to make representations and submit medical or other evidence and before any decision is taken by the committee. The purpose of the hearing is to hear the Headteacher's case recommending dismissal and the member of staff's response and to decide thereafter.

(iii) A committee of not less than three Governors of the school will consider the case and will determine whether to require the termination of the employment of the employee.

(iv) The member of staff must be given at least 10 working days notice of the date, time and place of the hearing, unless agreed otherwise by all parties, in which to adequately prepare him/herself. All parties should be made aware of the names of witnesses to be called. In

addition, copies of any documents which will be referred to at the hearing should be made available to each party at least 3 working days before the hearing.

(v) The hearing will be conducted in accordance with the school's Disciplinary Procedure (see D20 para.6.4 (d)). The member of staff will be advised orally of the decision of the committee at the conclusion of the meeting and will be provided with written confirmation of the outcome of the hearing within 5 working days of the hearing taking place.

(vi) The member of staff has the right to appeal against the decision of the first committee of governors. The member of staff or his/her representative must submit the appeal in writing, together with the reason(s) for appeal, to the Headteacher within 5 working days of receiving the written confirmation of the outcome of the hearing. The appeal should normally be heard by the Appeals Committee within 10 working days of the receipt of the appeal. The member of staff will be provided with at least 3 working days notice of the hearing.

(vii) The appeal hearing will be conducted again in accordance with the school's Disciplinary Procedure (para. 6.4 (d)). There is no further right of appeal.

Part C STRESS MANAGEMENT POLICY

1. Introduction

1.1 This policy and the accompanying documents have been developed in consultation with head teachers and the recognised trades unions. The aim of the policy is to deal with, and offer guidance in, a range of issues related to the management of stress at work with a view to reducing the incidence of work related stress within the Pittville School.

1.2 Pittville School recognises its duty to ensure, so far as is reasonably practicable, the health, safety and welfare of its members of staff.

This policy, procedure and guidance takes into account the requirements of the Health and Safety at Work Act and appropriate Regulations under the Act.

2. Scope

2.1 The policy and the accompanying documents apply to all members of staff within Pittville School. It has been recommended by Gloucestershire County Council to Schools where Pittville School Governing Body has formally adopted this Policy, Procedure and Guidance. This recommendation recognises the joint responsibility of both the Pittville School Governing Body and Gloucestershire County Council to provide appropriate support and protection to its members of staff.

3. Definition

3.1 Stress is defined as '*the adverse reaction people have to excessive pressure or other types of demand placed on them*' (Health & Safety Executive, 2001).

3.2 Pressure can improve performance, but when demands and pressures become excessive, this can lead to stress. As a result individuals, teams and schools will suffer.

3.3 Work related stress is defined as that which is caused by factors emanating from work practices/environments. The Health and Safety Executive has identified the following factors that can have an impact on stress:

- **Culture** – of the organisation and how it approaches work related stress;
- **Job Demands** – such as workload and exposure to physical hazards;
- **Control** – how much say an individual has in the way they carry out their work;
- **Relationships** – with other colleagues, covering issues such as bullying and harassment;
- **Change** – how organisational change is managed and communicated within an organisation;
- **Role** – whether the individual understands their role and whether the organisation

ensures individuals do not have conflicting roles; and

• **Support, Training and Factors Unique to the Individual** – support from peers and line management, training to enable the member of staff to carry out their duties, and catering for individual differences, e.g. a disability.

Part D **Leave of Absence**

Leave of Absence with Pay

Members of staff can request leave of absence with pay for the following reasons subject to the agreement of the Headteacher and/or the Governing Body. All requests must be submitted in writing to the headteacher.

REASON LEAVE OF ABSENCE

(working days)

1. Death of a near relative Up to 5 days
2. Serious illness of a near relative Up to 5 days
3. Funeral of other than a near relative Up to 3 days
4. Wedding of a near relative Up to 2 days
5. Birth of a child to wife Up to 2 days
6. Attendance at Court As necessary
7. As a member of a local authority or other public body including a school/college governing body other than the teacher's own school. Subject to the prior approval of the Governing Body. With pay up to 18 school days or 36 half days per school year subject to exigencies of the service.
8. As an elected member or appointed member of the teacher's own school governing body. Subject to the prior approval of the Governing Body for appointed members. With pay for up to 6 days or 12 half days per school year.
9. Delegates to teachers' organisations. With pay
10. TA and Auxiliary Forces. With pay with limit of 10 school days per school year.
11. Sporting activities (national level) with pay for participation at national level subject to limit of 10 school days in any one school year. Any extension of this period to be at discretion of the Governing Body.
12. Religious observance days With pay for limit of 3 school days per school year.
13. Interview leave With pay but Head to exercise discretion as to frequency and level.
14. External examiner (for meetings). With pay.
15. Magistrates With pay up to 18 school days each school year (to be taken in full days).
16. House removal One day with pay (but two days with pay if head teacher considers it justified).
17. University
 - a) for revision
 - b) for examinationOne day with pay for each day of examination. With pay
18. Visiting school when appointment secured under another authority (eg to deal with appointment of staff to new school) With pay

- ◆ Head teachers may also, at their discretion, grant leave of absence with pay to members of their teaching staff for one school day each school year for any other reason.
- ◆ The definition of a near relative shall normally be taken to include spouse, son or daughter, parent. It may be extended to include other relatives at the discretion of the Governing Body to whom, in these circumstances, application should be made through the Headteacher.
- ◆ The Governing Body may approve all applications for leave of absence with pay in respect of headteachers.
- ◆ The Governing Body may approve extensions of leave of absence with pay in excess of the scales set out above.

Staff will be granted discretionary leave of absence by the Headteacher with the agreement of the Governing Body in line with the school's family friendly policies for the following:

- a) graduation or equivalent ceremonies
- b) two events for children in school per year (eg prize-givings, nativity plays)
- c) the first two days of a child's illness in an emergency until appropriate child care can be arranged (it is assumed that child care will be shared by both partners equally)
- d) emergency medical appointments
- e) hospital appointments or medical appointments for the member of staff where it is not possible to arrange such appointments after school or in holiday times.
- f) serious illness of a member of the family. The Headteacher will use his discretion in this instance but generally paid leave will be given during emergencies and for attendance at the hospital but not for caring for the member of the family at home.
- g) where a member of the family has to be taken to a hospital or medical appointment which cannot be arranged for after school or in the holidays.

Leave of Absence Without Pay

Headteachers may grant up to three days leave of absence without pay per school year for whatever good reason they may think fit. The Governing Body shall be informed of all approvals so given.

The Governing Body may approve leave of absence without pay for headteachers, and may approve leave of absence without pay for any member of staff in excess of three days.

The Governing Body will approve leave of absence without pay to teaching staff standing as Parliamentary Election candidates from either the date of the issue of the Writ or the dissolution of Parliament until the declaration of the poll. The contract of service of a successful candidate will be deemed to have been terminated from the date of election.

Leave of absence without pay may be granted for the following reasons:

- a) routine medical appointments
- b) visits to university open days with children
- c) more than 2 occasions of attendance at children's events
- d) holidays which extend beyond the normal times or failure to get back in time for school (unless taken as Time Off In Lieu by support staff).
- e) appointments with vets (if cover required by teaching staff)
- f) transport problems (if cover required)
- g) caring for a member of the family at home (after first 2 days to arrange care)

Time off in Lieu (TOIL)

Support staff can agree TOIL for overtime hours worked. The line manager must agree that the overtime was necessary and could not have been carried out in normal working hours. The Headteacher will agree TOIL if appropriate.

Some support staff (but not Teaching Assistants) may negotiate leave during term time. This must be agreed with the Headteacher and Governing Body.

Teaching assistants should not have leave of absence during lesson times except in the circumstances agreed in the policy. As they are working with students who need their support TOIL should not be taken while these students are in school. Teaching Assistants should be paid for overtime if agreed in advance and deemed necessary by the line manager (eg attendance at meetings).

Leave of Absence with or without pay must be requested in writing and returned to Headteacher or the Business Manager who will seek the approval of the Headteacher and/or the Governing Body. All leave of absence will be recorded by the Headteacher

Monitoring, Evaluation and Review

This policy will be reviewed as it is deemed appropriate, but no less frequently than every 2 years. The policy review will be undertaken by the Headteacher, or nominated representative.

Linked Policies

Child protection policy
Staff Conduct Policy
School Handbook