



POLICY FOR MANAGING EMPLOYEES ATTENDANCE AND SICKNESS ABSENCE AT BOLTON BY BOWLAND AND GRINDLETON CHURCH OF ENGLAND PRIMARY SCHOOLS

(Developed in accordance with the guidance and model procedure for schools provided by LCC Education and Cultural Services Directorate)

Introduction

Good attendance enhances the service delivered by schools, minimises staffing difficulties and ensures best value to the school. Managers of a school have an essential responsibility to monitor attendance, to control absence levels, to encourage good attendance and to support employees with difficulties. This policy is intended to create an understanding amongst all employees at the school of the importance of good attendance to the operation, performance and image of the school and to show a commitment to achieving and maintaining a high level of attendance by the application of procedures which can be seen to be fair, consistent and open and within which the Trades Unions/Professional Associations are encouraged to participate.

This policy addresses the following areas in order to achieve significant improvement to levels of attendance:

- Appointments/Induction
- Monitoring
- Notification Procedures
- Management Action

The procedures relating to long term absence due to sickness and the medical referral procedures are set out in a separate document.

A commitment to high attendance can be reinforced in a variety of ways through:

- The setting of a school policy in relation to attendance and a commitment to pursue action to achieve this from the school's senior management team and governing body
- Introduction of management and monitoring procedures
- Positive promotion of good health
- Genuine concern and interest in the health and well-being of employees.



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Policy Statement

Bolton by Bowland and Grindleton CE Primary Schools are committed to achieving and maintaining a high level of attendance from all employees through the application of good management practice. The Senior Leadership Team will monitor overall levels of sickness absences regularly and will arrange for confidential reports to be submitted to the Resources Committee of the Governing Body for either school. Action will be taken, in accordance with the guidelines adopted by the school, to deal with unacceptable levels and frequency of sickness. All employees must understand the importance of good attendance and ensure that any sickness absence is kept to a minimum and that during any such absence they do not undertake any activity which is incompatible with the illness or which may delay recovery.

Reason for Absence

Most of the reasons given for absence will relate to illness, but there may be other reasons for absence. In these instances, the Senior Leadership Team needs to establish the reasons which may make people feel unable to attend. Some causes of absence may be a symptom of a problem within the school or a domestic difficulty for the employee. Managers should know their employees and be mindful of this when tackling attendance issues and deal with problems sympathetically.

Appointment Process

The selection committee will be aware of previous attendance history. Information will be obtained in a fair and open way through:

References

- Ask about the incidence and length of any period of absence within the last 2 years together with reasons for any period exceeding 10 working days.
- Request details of absences for reasons outside the employee's control (e.g. road accident). In considering this information, have regard to particular difficulties when considering applications from disabled persons in the light of the employer's responsibilities under the Disability Discrimination Act.
- Ask for details of any 'live' disciplinary warnings for punctuality and attendance.
- A copy of this policy statement will be made available to all existing employees and new appointments to posts at the school. All applicants for posts and referees will be informed of the school policy statement on attendance. An outline of policy and procedures will also be included in the Staff Handbook.



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Interview

- Ask specific questions during the interview including questions on the reasons for absences. Refer to the school commitment to achieving good attendance records.

Induction

During the induction period the importance of good attendance will be reinforced as a positive aim of the school together with advice on the correct procedure to follow if employees are unable to attend work, i.e. the notification procedure and consequences if that procedure is not adhered to.

For non-teaching employees subject to probationary periods, prior to confirmation of appointment, carefully review any periods of absence (extending the probationary period where necessary), or, in extreme cases, take steps not to confirm the appointment.

Nominated Person

The nominated person within school is the Head teacher. The Head teacher will be sensitive to accessing confidential attendance and sickness records. The Head teacher will carry out the following functions for all employees for whom she has responsibility:

- Be aware of the absence record of each person
- Be the contact point for monitoring/notification procedure
- Ensure that employees are aware of and comply with the absence reporting arrangements
- Conduct discussions with employees in respect of all absences when they return to work
- Seek to assist employees in need of support
- Refer to the Senior Leadership Team and Governing Body's Resources Committee cases which are a potential cause for concern in accordance with 'trigger points' adopted by the school.

The following 'trigger points' have been adopted by the school and are consistent with current LCC practice:

Per Annum: 10 days absence and/or 4 periods of absence in a rolling period of 12 months.

NB Some absences related to specific illnesses will be known in detail to the school and may require reference to the long term sickness procedures.



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Monitoring and Recording

Accurate records and meaningful, statistical information are vital to the process of managing attendance. All nominated persons should be able to answer the following questions:

- How much absence exists in my school with employees for whom I am responsible?
- What form does it take? (Patterns of/reasons for absence)

Records will be kept to establish whether patterns of absenteeism exist. This information can be used to determine trends in sickness absence, e.g. persistent higher levels of absenteeism at certain times as well as potential problem areas where the frequency of attendance is unsatisfactory and may require particular attention. Appendix A sets out examples of methods of analysing sickness absence.

The Senior Leadership Team and the Governing Body's Resources Committee will receive termly reports on levels of sickness absence within the school.

Absence of the Head teacher

The Assistant Head teachers will be the nominated people in respect of the Head teacher and, together with the Schools' Personnel Team, will undertake the monitoring.

Any issues of concern will be referred to the Senior Area Personnel Officer who will liaise with the Chair of Governors regarding further action to be pursued under these guidelines.

Notification Procedures

The school will ensure that internal arrangements are in place for the appropriate documentation relating to sickness absence, including medical certificates, to be provided to the school office for the completion of returns which must be submitted to the appropriate Schools' Personnel Team for payroll processing.

The Schools' Personnel Team will require details of absence for payroll purposes. They should be notified that an employee is absent and/or has returned from absence on the absence return/time sheet. The Head teacher will ensure that all employees are aware of procedures to be followed when reporting their absence.



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What should happen if an employee does not attend for work?

1st working day:

- Employees must speak to the Head teacher, Deputy Head teacher or School Office by 7.45am to enable alternative staffing arrangements to be put in place.
- Employees must give brief details of reasons for absence/likely duration and whether it is related to an accident or injury at work.
- It is appreciated if employees update school on a daily basis, by 3.00pm at the latest, where the duration of absence is unknown.

After 3 days:

- If the absence is continuing, employees must make further contact with the Head teacher regarding absence and giving, if possible, an indication of likely return date.

NB For all absences beyond 3 days (including weekends) employees must complete a Self-Certification Form upon return.

After 7 calendar days (including weekends):

- Doctor's statement must be forwarded to the Head teacher prior to forwarding to the school office.

Longer term absence:

- During periods of long term absence, employees have a responsibility to keep the school informed of progress through the Head teacher. The school should maintain contact and, if necessary, by agreement, visit the employee. Care should be taken not to pressurise or harass employees, bearing in mind the nature of the illness.

Return to Work Discussion

Following a period of sickness or unauthorised absence, employees must, immediately before or upon returning to work, report to the Head teacher who will:

- Be aware of the sickness record of the employee (an example of a monitoring form is attached to these procedures)
- Discuss the reason for absence.
- Seek to establish underlying problems and if the employee is seeking help elsewhere.



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- Be sensitive to the reasons for absence and be in a position to offer support/advice/practical assistance- this may require referral to other sources, e.g. Employee Welfare and Counselling Service, Teacher Associations/Trade Unions.
- Ensure the employee is fit enough to return to full duties.
- Brief the employee on current work issues.

By seeing all employees after each absence this shows:

- Commitment to the management of attendance.
- That an explanation is expected.
- That the school is being consistent.

The Head teacher will need to:

- Ensure that this discussion is conducted in private, at a convenient time.
- Be aware that most employees are absent for reasons beyond their control and the 'return to work' discussion will be supportive and informal. In other instances, it is an opportunity to point out the frequency/pattern of absence which may be leading to concern.

In the case of absences by the Head teacher there will, where necessary, be liaison between the Deputy Head teacher, the Schools' Personnel Team and the Chair of Governors regarding the absence.

Head teacher Discussion

Following the referral of an employee to the Head teacher where the repeated short term absence is viewed as a cause for concern, i.e. the amount/frequency of absence breaching the 'trigger points' adopted by the school, the Head teacher and Deputy Head teacher /Governor should arrange a meeting with the employee, who may be accompanied by a representative of their choice, who may be a Trade Union/ Association representative, at which they are:

- Informed of the level/frequency of absence and the effects on the operation of the school and on other employees
- Given an opportunity to explain the absence and identify reasons- where appropriate constructive help will be offered. In particular, attention will be drawn to the Employee Welfare and Counselling Service and the support available through Trade Unions/Teacher Associations
- Where appropriate, be made aware that their absence level is unacceptable; that improvement is necessary and that continued absence will lead to formal warnings and possible dismissal. A date will be set when the situation can be reviewed.



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- The outcome of the discussion will be set out, in writing, to the employee to ensure clarity (with a copy for his/her representative, if necessary).
- The position will be monitored and reviewed. A date will be set for review.

Where no satisfactory improvement is achieved and there remains cause for concern, the matter will proceed to the formal procedure.

NB In conducting the interview with the employee, regard should be made to the issues set out in Appendix B.

Further Action

Absence levels/patterns giving cause for concern will usually fall into 3 categories:

- Repeated short term absence.
- Long term absence due to permanent incapacity.
- Longer term absence where condition is not of a permanent nature.

These cases will be dealt with under the Repeated Short Term Absence Procedure or under the separate Long Term Sickness Procedures.

In circumstances where there are reasonable grounds to believe that the employee is abusing the sickness absence scheme, normal disciplinary procedures will be applied. Examples of such circumstances include:

- Failure to follow the sickness notification arrangements without good reason.
- Failure to provide medical certificates when required to do so.
- Falsification of self-certification or medical certificates.
- Undertaking other employment or engaging in any activity incompatible with the illness or which may delay recovery or aggravate illness.

REPEATED SHORT TERM ABSENCE PROCEDURE

Introduction

Notes:

1. It is important to give the employee every opportunity to involve their Trade Union/Professional Association representative during this procedure.
2. In the case of absences relating to health problems, there may be a need to consider alternatives to maintain employment (see Long Term Sickness Procedures).
3. Advice should be sought, as necessary, from the Schools' Personnel Team.



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Repeated short term absence may arise from a health problem, domestic or health related difficulties or may be unjustified. Each case will need to be considered on an individual basis having regard to:

- The nature of the illness or disability.
- Frequency and pattern of absence.
- Overall absence record.
- Operational needs of the school.
- Impact of the absence on other employees.

Where necessary, professional help should be sought to deal with specific problems. (Other procedures may need to be followed, e.g. dealing with alcohol or drug related problems, HIV/AIDS.)

It is not necessary to obtain medical evidence confirming the employee's condition when first applying this procedure. In instances where short-term, unrelated illnesses are the reasons for absence, there is nothing to be gained by obtaining a doctor's opinion. If, however, the illnesses indicate that there could be an underlying cause which has not already been addressed, then medical evidence may indicate a course of action which could result in an improvement in attendance. For initial advice in relation to this procedure, it is suggested that head teachers consult with the Schools' Personnel Team.

The overriding concern is the extent to which absence, attributable to illness, is affecting the operation of the school. It is inevitable, therefore, that this procedure be applied to all employees with genuine health problems and the various steps as set out should be handled sympathetically.

If it becomes clear, at any stage in the application of this procedure, that permanent incapacity to carry out the appointed duties on ill health grounds is the underlying issue, then these guidelines will be suspended, independent medical advice sought and the normal Long Term Sickness Procedures followed. Similarly, an employee, whilst not permanently incapacitated, may be absent due to a specific condition (e.g. hysterectomy, broken leg) which may result in a lengthy absence, but which is obviously finite and where the application of formal procedures is not appropriate. The purpose of this procedure is to provide a framework within which managers are able to exercise discretion according to the particular circumstances of the absence.



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It must be recognised that the final outcome of a process for dealing with repeated short term absence may, in some circumstances, be dismissal. Whilst warnings or cautions may, initially, seem incompatible with sickness absence, they are essential when the end result may be termination of that employment. There comes a time when any reasonable employer is entitled to decide that termination of employment is the only reasonable course of action, providing that the employee has been given sufficient warning that this may be the outcome if attendance does not improve and that a period of time over which to improve attendance has been specified and exhausted to no avail.

Any decision to terminate employment arising from this procedure must be preceded by:

1. A review of the employee's attendance record and reasons for absence.
2. A medical report.
3. Opportunity for the employee to make representations regarding sickness absence.
4. Appropriate warnings that dismissal may occur if attendance does not improve within a specified period.

This process is separate from normal disciplinary procedures.

Medical Report

An employee may be required to submit to an examination by the Authority's nominated Medical/Occupational Health Adviser where that employee is considered to be unable to perform his/her duties as a consequence of illness.

An opinion may, in some instances, be helpful when dealing with difficulties associated with dealing with persistent sickness absence and some General Practitioners/Occupational Health Units are willing to carry out independent medical examinations at short notice. Details are available from the Schools' Personnel Team Leader. The GP used should not be the employee's own doctor. Arrangements for this should be made through the Schools' Personnel Team Leader.

When referring an individual for an independent medical report, the arrangements set out in the Long Term Sickness Procedure should be followed.

Any medical report, when received, should be fully taken into account in deciding future management action. The contents of the report will be shared with the employee concerned unless the doctor specifies otherwise.



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Formal Action Procedure

Set out below is a procedure of 3 stages, which should be followed if formal action is considered necessary. It is intended to provide fair and effective arrangements with clarity of the rights and responsibilities of School Management, employees and the Professional Associations/Trade Unions. It is stressed that there must be consistency of approach and standards in dealing with all employees' absence issues.

Normally the stages below would be followed sequentially. However, if an employee has progressed through some stages and action has ceased following satisfactory attendance within the review period and, if within a 12 month period of the date of the satisfactory review further action is again considered necessary, the procedure may be recommenced at the appropriate stage. Where there has been a 12 month period of acceptable attendance any subsequent action would recommence at Stage 1.

In conducting any interviews with employers within this procedure, regard should be had to the issues set out in Appendix B. Employees have the right to consult and to be accompanied by a representative (including a Trade Union/Professional Association representative) at any interview carried out under these procedures.

If any employee considers that he/she has been treated unfairly or inconsistently under this procedure, he/she has the right to pursue a grievance under the school's Grievance Procedures. It should be noted, however, that the submission of a grievance will not result in the procedure being halted.

Stage 1

The employee should be invited, in writing, to an interview with the Head teacher. The invitation should state the absence details and the opportunity to consult and to be accompanied by a representative of his/her choice. A reasonable period of notice of the meeting should be given, e.g. 5 working days.

At Interview:

- Draw attention to absence pattern, the reasons given for absence and the implications for the school.
- Discuss, to clarify, underlying causes and seek to deal with these again drawing attention to the Employee Welfare and Counselling Service and the support from Professional Associations/Trade Unions.
- If there is no acceptable explanation, the employee is issued with a formal written warning that
 1. level of attendance is unacceptable
 2. improvement is essential over a specified period, e.g. 12 weeks, half term, term
- Agree review period; fix review interview date.



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- Inform the employee that further deterioration in absence frequency/levels during review period, exceeding that in the previously monitored period, will result in review date being brought forward and that continuing unacceptable absence will lead to action under the next stage of the procedure.

Following Interview:

- Confirm outcome, in writing, with return slip to acknowledge receipt of the warning. Remind that further deterioration over previous levels will result in the bringing forward of the review date and that continuing unacceptable absence will lead to action under the next stage of the procedure.

End of Monitoring Period:

- If, at the end of the review period, attendance has improved and is within acceptable levels, no further action should be taken other than to confirm, in writing, to the employee concerned that attendance is now considered to be satisfactory and to advise the employee that if further action is deemed necessary under this procedure, within the following 12 months, such action may begin at Stage 2 of this procedure.

Stage 2

If there has been no acceptable improvement after Stage 1, then a further interview with the Head teacher should be held. Invite the employee to attend, setting out in the letter absence details including the review period, the reason for the interview and the right for the employee to be accompanied by a representative of their choice.

At Interview:

- Draw attention again to absence patterns including the review period.
- Discuss again to clarify underlying causes and seek to deal with them, involving Employees' Welfare Service or other agencies as appropriate.
- Remind of the implications of continued excessive absence, e.g. effect on pupils, other employees, budget implications, etc.
- If no acceptable explanation, issue a final written warning that:
 1. Level of attendance unacceptable.
 2. Significant and sustained improvement needed.
- Agree further review date and set targets for improvement.
- Inform that, if no significant and sustained improvement, outcome could be recommendation for dismissal on the grounds of incapacity to maintain an acceptable level of attendance.



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Following Interview:

- Confirm final written warning, in writing, with return slip to acknowledge receipt.
- Remind of possible outcome if significant and sustained improvement not achieved.
- Remind that further deterioration over previous levels will result in bringing forward of review date.

End of Monitoring Period:

- At the end of the further review period, if the attendance has improved to within acceptable levels, then no further action should be taken other than to inform the employee, in writing, of this fact and to advise the employee that if further action is deemed necessary under this procedure, within the following 12 months, such action may begin at Stage 3.

Stage 3

If there has been no acceptable improvement after Stage 2, then a final interview with the Head teacher should be held. The Head teacher should discuss the circumstances of the case with the Senior Area Personnel Officer, prior to arranging any further meeting with the employee and his/her representative.

If there is no current medical report available, then an independent medical opinion should be obtained through the Schools' Personnel Team prior to the interview.

NB Whilst every effort will be made to ensure the medical venue is mutually convenient, in extreme cases, where the employee either refuses to attend the medical or does not attend on more than one occasion, progression to Stage 3 should not be unduly delayed. In such circumstances, the employee should be informed that the Governing Body will have to proceed without the benefit of a current medical report for reference.

The letter inviting the employee to attend the interview should:

- Set out the attendance record including that over the review period.
- Advise of the right to be accompanied by a representative of his/her choice.
- Specify the reason for the interview.
- State that a recommendation to the Governing Body for dismissal could be the end result of the meeting.

At Interview:

- Consider any new information regarding ill health or change in nature of sickness absence.



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- Consider medical advice (suspend interview if further advice thought necessary arising from interview discussion).
- Following consideration of any representations, Head teacher makes a final decision regarding the submission of a report, which may recommend termination of employment, to the Attendance and Dismissal Committee of the Governing Body. Any appeals against dismissal would be to the full Governing Body, excluding members of the Attendance and Dismissal Committee.

Following Interview:

- Confirm outcome, in writing, with return slip to acknowledge receipt.
- Pursue arrangements for meeting of Attendance and Dismissal Committee. (See Appendix C)



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- *Figures should be calculated in respect of all days absence/availability for both full and part time employees.*
 - *Each employment category will have to be calculated separately- Possible working time available excludes average annual leave, weekends, statutory and extra-statutory holidays.*
 - *This figure can be broken down by department/employment category.*
 - *Short term and long term absence percentages can be calculated by viewing all absences of for example 3 weeks or less as short term.*
- b. Average number of separate absences per employee irrespective of duration.
(Frequency Rate)
This indicates whether absence is due mainly to long term or short term absence.

Number of spells of absence in a period

Total number of employees

NB

- *This figure can be broken down by department/employment category to provide more meaningful comparison.*
- c. Number of employees who had any period of absence over the period shown as a percentage. (Individual Frequency Rate)
This indicates whether absences are spread or concentrated with a small number of employees.

Number of employees having one or

more periods of absence in the period × 100

Number of employees

APPENDIX B

CONDUCTING INTERVIEWS



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NB Employees should be informed of their right to be accompanied by a representative of their choice in a formal interview situation.

In conducting an interview with employees in relation to sickness absence, the following should apply:

- Conduct it in private, ensure that the conversation cannot be overheard and maintain confidentiality.
- Keep a written record of the interview. Provide copies for the employee and his/her representative.
- Ensure you explain the process.
- Be prepared with absence dates, etc.
- Be sensitive and courteous. This is a potentially stressful situation for both parties. Some types of illness may require sensitive handling.
- Have regard for and respect the emotional state of the employee.
- Ask open and direct questions, i.e. questions that need answering with more than 'Yes' or 'No'. For example, 'What does your doctor say?' is better than 'Have you seen your doctor?'
- Listen to explanations offered.
- Keep an open mind- the absence may be due to other reasons.
- Be prepared to be helpful but firm.
- Get the employee to talk with you. Remember, you are trying to solve a problem.
- If it gets heated or over-emotional STOP. Allow time for recovery. If necessary, meet again on another day.
- However justified you think it is, do not adopt an aggressive approach.
- Find joint solutions if you can. Try to share the problem.
- Close the interview by agreeing your action plan.



APPENDIX C

GOVERNING BODY ATTENDANCE AND DISMISSAL COMMITTEE

PROCEDURE FOR CONSIDERATION OF REPEATED ABSENCE AND TERMINATION OF EMPLOYMENT ARISING FROM ABSENCE

General Principles

1. Any consideration of termination of employment should be pursued in consultation with the Director of Education and Cultural Services as in the case of all dismissals, other than where the Chair of Governors has delegated authority. In the case of Voluntary Aided and Foundation schools, any consideration of termination should take place in accordance with the Governing Body's dismissal procedure. Confidentiality should be maintained as is the case in any dismissal process.
2. The employee has the right to attend and/or be represented by a friend or representative of a trade union/professional association, at any meeting convened under these procedures. In addition, the employee may be accompanied by a scribe whose function is to take written notes to serve as a private record for the employee.
3. The Head teacher, when presenting a report at any meeting convened under these procedures, has the right to be accompanied by a friend or representative of a professional association to act as adviser (not as the presenter of the case).
4. At any meetings convened under these procedures, the Director of Education and Cultural Services or his nominee, normally the Senior Area Personnel Officer, is entitled to attend. In the case of VA and Foundation schools with full delegation, this will apply where advisory rights have been accorded to the Director of Education and Cultural Services. Where advisory rights have been accorded to the Diocese, a Diocesan Officer is entitled to attend.
5. The power to adjourn meetings convened under these procedures rests with the Chair of the meeting. Both parties will be allowed the facility of adjournment which will not be unreasonably refused.
6. Any reports presented to the Governing Body under these procedures will not be dealt with by the full Governing Body, but by a committee of the Governing Body set up for that purpose comprising no fewer than 3 governors. The GB will empower the Disciplinary Committee to sit as an Attendance and Dismissal Committee with delegated powers to deal with matters under both the Short Term and Long Term Absence Guidelines. The Committee will be empowered to consider and determine matters arising from ongoing temporary incapacity and repeated short term absence and to consider and determine matters where an employee does not accept a recommendation to seek infirmity benefits.



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7. Any review of, or appeal against, a recommendation for termination of contract will be referred to the full GB, excluding members of the Attendance and Dismissal Committee of the GB who made the recommendation.

Procedure at the Hearing of the Attendance and Dismissal Committee of the Governing Body

1. The Attendance and Dismissal Committee will meet as soon as practicable, once a decision has been taken to submit a report to the GB.
2. The employee will be informed in writing that a report is being submitted to the Attendance and Dismissal Committee and that the employee should be present and may be represented by a friend, legal or professional association/trade union representative, to respond to the case. Where the employee fails to attend and no reasonable explanation is forthcoming, the matter may be considered in his/her absence.
3. The Head teacher will prepare a report for the Attendance and Dismissal Committee setting out:
 - The absence record of the employee over the relevant period (depending upon the nature of the absences) with any patterns/frequencies highlighted which are considered to be relevant.
 - All correspondence confirming action taken.
 - A current medical report (where this is available) and any further medical advice relevant to the case.
4. The Clerk to the Governors will give written notification of the date, time and place of the hearing to the employee and his/her representative together with a copy of the report to be placed before the Committee at least 10 working days prior to the date of the meeting.
5. The employee may, if he/she wishes, submit to the Clerk to the Governors any documents concerning the report for circulation to members of the Committee prior to the meeting.
6. The case on behalf of the school management will be put by the Head teacher, or other appropriate person, e.g. an officer of the Authority (the presenter of the report) and witnesses may be called to support the case.

Where an employee does not attend the hearing or is not represented but submits written representations, 7-10 should be omitted.

7. The employee and/or his/her representative and members of the Attendance and Dismissal Committee will be entitled to question the presenter of the report and any witnesses.



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8. The employee and/or his/her representative will present a statement of case and present any documents to the Committee and will be entitled to call witnesses to support the case.
9. The presenter of the report and the Committee will be entitled to question the employee and any witnesses who have been called.
10. The presenter of the report will have the opportunity to make a closing statement to the Committee and, thereafter, the employee and/or his/her representative will have a like right.
11. At the conclusion, the presenter of the report, the employee, his/her representative and any witnesses will withdraw and the Committee will reach a decision in private. Advice given by the Director of Education and Cultural Services/Diocesan Officer or their representatives must be considered by the Committee. Should any parties need to be recalled to clarify any points of uncertainty, all parties should return notwithstanding that the point giving cause for concern relates to one party only.
12. Following their deliberations, the decision of the Committee will be conveyed orally to both parties and, subsequently, be confirmed in writing, within 2 working days, informing the employee of their right of appeal, which must be exercised within 10 working days of written confirmation of the decision.
13. In the event of the Committee recommending that termination of contract is an appropriate course of action, the matter will be referred to the full GB, excluding members of the Committee, for determination. This should not take place before a period of 10 working days has elapsed, during which any appeal must be lodged. In the case of support employees, the Committee may determine termination of contract.

Appeal Procedures

1. Any appeal against the decision of the Attendance and Dismissal Committee will be referred to the Appeals Committee. In the case of a recommendation for dismissal, this will be to the full GB, excluding members of the Attendance and Dismissal Committee. Appeals will be dealt with by way of rehearing and the order of proceedings will be in accordance with section 6-11 as above. In the case of VA and Foundation schools, the Appeals Procedure will operate in accordance with their adopted procedures for dismissal.
2. The Clerk to the Governors will give written notification of the date, time and place of the hearing to the employee so as to arrive no later than 10 working days before the date of the meeting and the employee will receive, by that time, a copy of the report and statement(s) (if any) which are to be considered by the Appeals Committee/GB.
3. The employee may submit any documents concerning the decision of the Attendance and Dismissal Committee. These should normally be made available to the Clerk to the



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Governors as soon as possible before the date of the meeting, so that they may be circulated with the report and statements.

4. A copy of the report and statements will be forwarded to members of the Appeals Committee/GB prior to the hearing.

5. The Appeals Committee/GB will have the power to confirm, or alter, the decision of the Attendance and Dismissal Committee.
6. The decision of the Appeals Committee/GB will be final and no further right of appeal or hearing will be allowed under these procedures. The decision will be conveyed orally to the employee at the conclusion of the appeal.
7. The GB will notify the Authority in writing within 5 working days of the meeting of any determination to dismiss and the reasons for it. The Authority will, within a period of 14 days (excluding weekends and public holidays) of the receipt of notification inform the employee of the termination of their contract of employment having regard to any notice to which they are entitled. In VA schools the GB will be responsible for informing the employee of the termination of their contract.

NB Employment Tribunal

Nothing in these procedures will restrict an employee from exercising statutory rights under employment law.