



Sickness Absence Monitoring NEU guidance for members in England & Wales

All organisations experience staff absence. Managing absence fairly is, therefore, essential. This document provides information about the operation of absence monitoring/management procedures so that members are better informed about what to expect.

What we say

When you read through this document you may have questions about what happens in your particular school or workplace, and there may be collective issues that affect other members. In most circumstances, you should initially discuss the matter with your workplace rep, as they will know whether similar concerns have been raised by other members. If you do not have a rep at the moment, it would be a good idea to get members together to elect one. Further advice on this is available at: neu.org.uk/becoming-a-rep

Although you may sometimes feel that you are the only person affected by or concerned about a particular issue, in reality this is seldom the case. Any difficulties you may experience are likely to be linked to wider conditions at your workplace and as a member of the NEU you have the advantage of being able to act collectively with your colleagues. This should give you the confidence of knowing that you have the weight of the union behind you.

What are absence monitoring/management procedures?

As well as setting out what should happen when someone is sick, including reporting requirements, such procedures set out what will happen when absence levels have begun to cause concern to school management, which is the aspect most likely to cause concern to NEU members. In many cases this will arise when a particular 'trigger point', in terms of number of periods of absence or total days' absence over a set period, has been reached.

Why are they used?

For many years successive governments have been pursuing initiatives aimed at reducing absence rates across the whole of the public sector. This emphasis has led to the introduction of absence monitoring procedures in the vast majority of local authorities and academy trusts.

The NEU does not accept that widespread abuse of sick leave arrangements is taking place in schools and colleges, and does not, therefore, consider that there are good reasons for the introduction of absence monitoring procedures in these settings. In order to protect members, however, the NEU will seek to ensure that the procedures used are agreed with the NEU and applied as fairly as possible.



How do absence monitoring procedures work?

It is advisable to familiarise yourself with the absence monitoring procedure in place in your school/college. By so doing, you will become aware of the reporting requirements in place when you are off sick, for example, you will know when a self-certificate or doctor's note is required. You will also become familiar with the different stages of the procedure.

Informal stage

Most absence monitoring procedures include an informal stage whereby head teachers offer informal advice or counselling following concerns about a teacher's attendance record. A timetable for improvement may be set out.

Formal stage

The formal stages of the procedure are likely to commence once a particular trigger point has been reached. A formal interview is likely to be held at which the reasons for the absence will be discussed and ways of assisting the teacher's return to work will be explored. Any period of monitoring, which is established, and any date for a further review meeting, should be recorded in writing and a copy given to the teacher.

Further action

Absence monitoring procedures usually distinguish, in terms of the action to be taken following such interviews, between cases where employees are suspected of unjustified absence and cases where absence is accepted to be genuine, whether frequent intermittent absence or long-term absence.

Where an employee is suspected of unjustified absence, procedures will generally provide for action to be taken according to the terms of the disciplinary procedure. Where absence is accepted to be genuinely for reasons of sickness, procedures will usually provide for the employee's absences to be monitored over a specified further period, and where necessary, for further medical evidence to be obtained. Following this, a further interview will usually be held to consider the case. In cases of long-term medical problems, the case should be dealt with under a separate procedure for long-term ill health cases. It should not be dealt with as a disciplinary matter.

What are my basic entitlements if my employer decides to move to dismissal?

Whatever procedure is used, there are a number of basic principles that should be observed:

- Notice of formal interviews
You are entitled to adequate advance notice of any formal hearings. You should be provided with all relevant evidence well in advance of any hearing.
- Representation
You should be entitled to be accompanied by a friend or union representative at any formal absence monitoring interview. There is a statutory right to representation in such cases. You should insist upon this right where you are pressured into attending an early interview.



- Appeals
Absence monitoring procedures which seek to replace a disciplinary or capability procedure should provide for a right of appeal during the formal stages. If you are unhappy about the way in which you are being treated during the informal stage of the procedure you should consider invoking the grievance procedure.
- Conduct of formal interviews
The senior leadership team (SLT) at your school/college should recognise that you might be unwilling to discuss personal details about your condition with a particular individual. You should not, for example, be afraid to request an interview with a senior member of staff of the same gender.

Absence monitoring and sick pay entitlements

Teachers are unlikely to welcome either the form filling or the perceived intrusion associated with the use of absence monitoring procedures. In particular, absence monitoring procedures sometimes seek to require teachers to complete forms or submit medical certificates which are in addition to those required under the teachers' sick pay scheme.

Failure to comply with the reporting and form filling requirements of such procedure cannot result in teachers being denied sick pay in accordance with their contractual entitlements. It might, however, lead to action being threatened under the disciplinary procedure as well as further action under the absence monitoring procedure. See the NEU guidance on sick pay and sick leave for details of the reporting requirements of the teachers' sick pay scheme (Teachers' Sick Leave and Sick Pay Entitlement) available on the union website at: neu-org.uk

What should I do next?

If further advice is needed, contact your NEU workplace rep in the first instance. If there is no NEU rep in your workplace, or the peripatetic nature of your employment makes contact with a workplace rep difficult, contact the NEU Adviceline in England on 0345 811 8111, NEU Cymru in Wales on 029 2046 5000 or NEU Northern Ireland on 028 9078 2020.

Further contact details may be found at: neu.org.uk/contact-us

Further information

NEU guidance available at: neu.org.uk

Fit Notes

Teachers' Sick Leave and Sick Pay Entitlement

Medical Assessments while in Employment

Health Enquiries and Applicants for Work

Medical Reports

Making Work Fit