



# Hemingford Grey SCHOOL

## Sickness Absence and Sick Pay Policy

Date policy was last reviewed and approved:	<b>April 2019</b>
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This Policy is based on a Judicium model template from August 2016

## **HEMINGFORD GREY PRIMARY SCHOOL**

### **SICKNESS ABSENCE AND SICK PAY**

This policy applies to employees of the School only. It does not form part of any employee's terms and conditions of employment and is not intended to have any contractual effect. The School reserves the right to amend this policy at any time.

#### **1. SICKNESS ABSENCE NOTIFICATION AND CERTIFICATION REQUIREMENTS**

For absences not known in advance, the following steps should normally be taken when informing absence and upon returning to work after an absence.

In the event of unplanned absence (e.g. illness, emergency) **ALL** staff members must telephone their line manager. If the telephone is not answered, a voice mail must be left. Please do not leave a text message. Please follow up all absence notifications with an email to the school office email address so administrative procedures can be followed.

Please give the following information:

- the fact of their sickness absence;
- the reasons for it;
- its expected duration;
- the action the employee is intending to take e.g. visiting their G.P, seeking advice from a pharmacist etc; and
- any scheduled work that needs to be completed.

#### **Senior Leadership Team**

**(Including Office Manager, SENDco, Senior Midday Supervisor, Site Manager)**

- Telephone Headteacher between 7am and 7.30am. Please do not ring before 7am.
- Head will contact Deputy to arrange the appropriate cover.

#### **Teaching Staff**

**(Including HLTA)**

- Telephone Phase Leader between 7am and 7.30am. Please do not ring before 7am.
- Phase leader will contact Deputy to arrange the appropriate cover.

### **Teaching Assistants**

- Telephone Headteacher between 7am and 7.30am. Please do not ring before 7am.
- Headteacher will contact the teacher with whom the TA is working on that day. If there is a need for a named child to be supported, Headteacher will ask Phase Leader to arrange.

### **Office Staff**

- Telephone Office Manager between 7am and 7.30am.
- Office Manager will inform Headteacher of absence.

### **Midday Supervisors**

- Telephone office AND Senior Midday Supervisor between 7am and 8 am. Please do not ring before 7am.
- Senior Midday Supervisor will arrange cover.

### **Cleaning Company**

- Telephone Site Manager and School Office before 3:00pm.
- Site Manager will inform Headteacher.

This protocol must be followed by all staff for all short notice absences. The employee must contact the school office by the end of the school day to update the school on whether he/she will return to work the following day.

In the event of planned, unavoidable absence (e.g. Hospital appointment, funeral), a request must be put in writing via the absence request forms located in the office. Please note, this is a request and will be considered against the school absence policies.

Staff absence is recorded by the Office Manager and monitored by the Headteacher, Governing Body and the school's HR provider.

Each member of staff receives an attendance report at the end of the academic year.

Please ensure you have read the following Absence Policies:

- Additional paid and unpaid leave of absence
- Annual leave
- Managing sickness absence
- Sickness absence and sick pay
- Time off for dependants

#### **1.1. GENERAL NOTIFICATION REQUIREMENTS APPLICABLE TO ALL STAFF**

Text messages, e-mails or messages left with colleagues will not satisfy the School's sickness absence notification requirements and may result in any absence being deemed to be unauthorised (and hence subject to disciplinary action) and in the forfeiture of sickness payments, if any, that the employee would have otherwise been entitled to.

Notification must be by the employee him or herself unless his or her incapacity is such that this is not possible in which case the employee should authorise a family member or friend to contact the School in his or her stead.

## **2. DURING SICKNESS ABSENCE**

It is essential that employees keep the School updated on the circumstances of their absence and its estimated duration and employees are required, where they have not indicated a likely return date on the first day of their sickness absence, to telephone the School on each subsequent day of absence.

Where an employee's sickness absence lasts more than seven calendar days the employee is required to notify the Head teacher of the fact and a Medical Certificate stating that he or she is not fit for work and the reason(s) why, completed and signed by a medical practitioner must be forwarded to the school office to cover the period of absence. Thereafter Medical Certificates or a Fit for Work plan must be submitted for any continued sickness absence on a weekly basis, or at those intervals determined by the employee's medical certificate or Fit for Work plan itself.

## **3. COMMUNICATION WITH THE SCHOOL AND CONDUCT DURING SICKNESS ABSENCE**

During any period of sickness absence employees may be required to respond to any enquiries from the School during normal working hours, to attend meetings or receive home visits from authorised School personnel to discuss their condition and to liaise with Occupational Health, where the School considers this is required.

## **4. ARRANGEMENTS FOR RETURN TO WORK**

If an employee's doctor provides a certificate stating that he or she "may be fit for work", or if the employee received a Fit for Work plan which indicates the employee can return if such a plan is followed, the employee should inform the Headteacher immediately. The School will discuss with the employee any additional measures that may be needed to facilitate a return to work, taking account of medical advice and any Fit for Work plan. This may take place at a Back to Work interview on the employee's return to work after a period of sickness absence or prior to a return to work being agreed as appropriate.

On return from a period of sickness absence of less than 7 days, employees are required to complete a sickness absence self certification form and submit this to the school office.

Employees may be required to attend a Back to Work interview on or prior to their return to work after any period of sickness absence. This will usually be held by the employee's line manager or the Head teacher and during the meeting the reasons for the employee's absence will be discussed and the employee's Medical Certificate(s) or any Fit for Work plan as appropriate will be considered.

## **5. FAILURE TO COMPLY WITH THE ABOVE**

Failure to comply with the School's sickness absence notification and certification procedures above may result in rendering the employee's absence unauthorised and hence subject to disciplinary action which may result in the delay or forfeiture of payments for sickness absence that the employee might have otherwise been entitled to had they complied.

## **6. REQUIREMENT FOR MEDICAL OR OCCUPATIONAL HEALTH REPORT**

From time to time it may be necessary for the School to require the employee to be examined by and obtain a medical or occupational health report from an employee's doctor, a medical practitioner nominated by the School or an occupational health adviser to gather information about the employee's medical condition, its probable effect on the employee's future attendance at work or ability to do his or her job. Employees are required to co-operate with the School in obtaining such information and should be aware that failure to do so may constitute a breach of the terms of his or her contract of employment with the School and result in the School having to proceed with sickness absence management without the benefit of specialist advice on the basis of the existing information available.

## **7. ACCESS TO MEDICAL REPORTS ACT 1988**

Employees have certain rights under the Access to Medical reports Act 1988. Should the School find it necessary to obtain a medical report concerning an employee's fitness for work or any other relevant matter the employee will be asked for his or her written consent. At the time of the request the employee will be advised of his or her rights under the Act.

## **8. MANAGING SICKNESS ABSENCE POLICY**

Long term or frequent absences may, in certain circumstances, lead to the termination of the employee's employment with the School in accordance with the School's Managing Sickness Absence policy.

## **9. STATUTORY SICK PAY**

Employees who are absent from work because of sickness will normally be entitled to receive Statutory Sick Pay (SSP) from the school provided they meet the relevant criteria. Once the criteria have been met, SSP is not normally payable for the first three days of sickness absence, unless the employee has been absent and in receipt of SSP within the previous eight weeks. Thereafter the School will normally pay SSP at the statutory rate in force for a maximum of 28 weeks to employees who are eligible for SSP and who have satisfied the School's sickness absence and notification requirements above. The School reserves the right to withhold payment of SSP where an employee fails to follow the correct procedure.

If two periods of incapacity from work of four or more days (PIW) occur within 56 days of each other they are linked to form one PIW. Each PIW has an entitlement of 28 weeks payment and SSP is paid on a daily basis, in respect of qualifying days, which are those days normally worked.

## **10. SCHOOL SICK PAY**

The School also operates a School Sick Pay Scheme in accordance with the national conditions of service for teaching staff and the national conditions of service for National Joint Council (NJC) staff. All payments made under this Scheme will include SSP payments where they fall due.

### **10.1. TEACHING STAFF:**

Teaching staff are entitled to the following sick pay in respect of bona fide sickness absence notified and certified in accordance with the required procedure set out above:

During the first year of continuous service	Full Pay for 25 working days and after completing 4 calendar months' service, half pay for 50 working days
During the second year of continuous service	Full pay for 50 working days and then half pay for 50 working days

During the third year of continuous service	Full pay for 75 working days and half pay for 75 working days
During the fourth and subsequent years of continuous service	Full pay for 100 working days and half pay for 100 working days

For the purposes of the above scheme:

- “working days” means teaching and non teaching days within “directed time” or in the case of a Head-teacher, normal working days; and
- “a year” is deemed to begin on 1 April and end on 31 March.

The above entitlement will be pro-rated for part-time employees.

### **10.2. SUPPORT STAFF:**

Support Staff on NJC Conditions for Local Government Services are entitled to the following sick pay in respect of bona fide sickness absence notified and certified in accordance with the required procedure set out above.

During the first year of continuous service	1 month’s full pay and after completing 4 months service, 2 months half pay
During the second year of continuous service	2 months full pay and 2 months half pay
During the third year of continuous service	4 months full pay and 4 months half pay
During the fourth and fifth year of continuous service	5 months full pay and 5 months half pay
During the sixth and subsequent years of service	6 months full pay and 6 months half pay

For the purposes of the above, one month means the employee’s normal working days over the period of a calendar month. The above entitlement will be pro-rated for part-time employees.

The employee’s length of service for the above purposes will be calculated from the first day of sickness absence.

For the purposes of the above scheme a “year” is deemed to be a rolling 12-month period.

The calculation of School Sick Pay will take into account any previous payments of School Sick Pay made in the year (as defined above in relation to Teaching and Support Staff) immediately before the first day of the current sickness absence.

Employees should claim any Social Security sickness benefits such as invalidity or incapacity benefits to which they may be entitled and are required to notify the School of any such payments which the School will deduct from the employee's School Sick Pay.

The rules of the School Sick Pay Scheme do not imply that termination of employment may not take place before payment of School Sick Pay has been exhausted.

### **11. SICKNESS ABSENCE AND DISCIPLINARY OR GRIEVANCE OR PERFORMANCE ISSUES**

The School reserves the right to suspend any or all payments of sick pay where the timing of the sickness absence for such reasons e.g. stress, depression, anxiety etc. coincides with any disciplinary or performance or grievance issues. So if you are at work or have disciplinary or performance issue/investigation and/or hearing or any adverse decision has been received and you then go "sick" with stress, depression, anxiety etc., sick pay may or will be suspended until management is satisfied that the illness was not in any way triggered by any of the matters above i.e. that the medical condition or absence was not causally or temporally related.

### **12. SICKNESS ABSENCE AND ANNUAL LEAVE**

While it is recognised that during a period of sickness absence, time away from home for example going on holiday or visiting family may be therapeutically helpful, you are required to seek prior approval from the School. A decision to take time away from home during a period of sick leave without giving prior notice to the School may result in a loss of your Occupational Sick Pay during that period.

If, during that period you would prefer not to be required to respond to school enquiries, attend meetings or receive home visits, we can discuss treating this period as annual leave or unpaid leave, at the School's discretion.

Please note that the requirements in your employment contract regarding requesting annual leave will continue to apply during any period of sickness absence.

Please refer to the School's Annual Leave Policy for further details relating to this.