

MANAGING SICKNESS ABSENCE POLICY

1. BACKGROUND

- 1.1** From time to time employees may suffer ill health and it is essential that we care for them during this time. The quality of provision, the effectiveness of our services and our overall performance as a Special Partnership Trust depends on a reliable, motivated and healthy workforce. Managing sickness properly enables the Special Partnership Trust to care for its employees appropriately and maintain our high standards for learners. As part of the Special Partnership Trust Values we aim to deal with absenteeism in an effective and sensitive way.
- 1.2** The Special Partnership Trust will act within the law at all times when managing absence, and will always seek to make reasonable adjustments to retain staff and support attendance. The question which has to be determined in every case is whether the employer can be expected to wait any longer, if so, how much longer? Every case will be different, depending upon the circumstances.

2. INTRODUCTION

- 2.1** The aim is to provide a procedural framework to clarify the approach the Special Partnership Trust will take in addressing absenteeism and to assist managers with managing periods of absence of employees and supporting employees effectively to return to work.
- 2.2** Managing sickness is not about punishing or penalising employees for being ill. It is about ensuring sickness absence is dealt with sensitively, fairly and effectively. There can be many causes of absence requiring different approaches. Where the absence is related to a registered disability, we would indicate this on our Absence Management System and would take this into consideration when reviewing attendance.

3. REPORTING SICKNESS ABSENCE

3.1. Reporting your absence to your line manager or designated officer

If you are absent due to sickness you must speak to your line manager/designated officer to let them know of your absence. It is important that you speak to the your line manager/designated officer in person so they can properly record your reasons for absence and discuss any support needed and work which needs to be covered. There will of course be exceptional circumstances such as if you are in hospital when someone else will need to phone on your behalf. They will inform the designated officer and your absence will be recorded. You should speak to your designated officer before your scheduled start time if practicable in order that alternative arrangements can be made to cover your duties (if special circumstances prevent you from contacting the academy before the start of work then within 2 hours of your start time).

3.2 Staying in touch

It is important to stay in touch when you are absent from work through sickness. It is difficult to give an exact procedure for keeping in touch but the general principle is that the Headteacher/managers and staff should stay in touch in a reasonable way during sickness absence. When you speak to the designated officer to first report your absence you should state how long you expect to be off. This will help to determine how often you should *contact the school*. The designated officer or your line manager may call you, for an update on your sickness and expected return to work date for example:

If you expect your absence to be less than 3 days then you should update *the* designated officer daily to enable the academy to effectively provide cover.

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- If you expect that you will not be back for at least 4 days then you should ring in on the day before your return to update the designated officer on your health and the need for cover.
- If you have been signed off work for two weeks you should contact the designated officer or your manager in the second week of absence to update on your health and return to work.
- If you are signed off work for more than 1 month you should agree a timescale for contacting your Head teacher/line manager

3.3 Payment

If you are absent from work through reasons of ill health you are entitled to a period of Statutory Sick Pay (SSP). The level and amount of SSP is dependent on government rules at the time of absence. The Special Partnership Trust also has an occupational sick pay scheme where generally you will benefit from a period of fully paid leave followed by a period of half-paid leave. The length of full and half-paid leave will depend on your length of service and adherence to the rules of the policy. For full details see the Staff Sick Pay Scheme which can be found at Appendix A to this policy. If you are absent from work for a period, which exceeds your full and half pay entitlements you may be eligible to a further period of state benefits (Statutory Sick Pay). If at any time you wish to know your remaining entitlement please contact your designated officer or the current payroll provider – contact details of which can be obtained from your Finance Officer.

3.4 Medical Certification and Medical Opinion

If your sickness is for more than four days but less than eight days (including weekends and bank holidays) you must complete a self-certification form and return it to the designated officer. If your absence is for eight days or more, then you must obtain a medical certificate from your GP or other appropriate Doctor and send this to the designated officer. Sickness certification is required to receive payment during sickness absence.

During prolonged absence from ill health or continuous or recurring absences, the Special Partnership Trust may seek an independent medical opinion as to the capability to fulfil your contract of employment. Where this is the case, you will be approached with a request for an independent medical practitioner to contact your GP to enable consultation or a second medical examination to take place. Consenting to such requests and attending Occupational Health appointments is a requirement of the occupational sick pay scheme. Non-compliance may result in the suspension from the occupational sick pay.

3.5 Infectious Diseases

If you are aware that you are suffering from, or in contact with somebody who is suffering from, an infectious disease, you should inform the designated officer or your line manager as soon as reasonably practicable. The Special Partnership Trust may at its discretion and after taking appropriate medical advice require you not to attend your workplace in order to prevent the spread of the disease. If you would otherwise have attended work you should work from home in these circumstances and any period of absence will be fully paid and will not count towards sickness benefit periods.

3.6 Sickness Cover for Teaching Staff

In the event of a staff member being unable to carry out their planned teaching duties through ill health, cover arrangements may involve the request of an alternative employee with similar academic expertise.

4. ABSENCE MANAGEMENT PROCEDURE

4.1 General

For the purposes of this document we have categorised absence into 3 types that predominantly occur. The types of absence are:

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- Long-term absence.
- Short-term intermittent absence.
- Unauthorised absence.

The designated officer's responsibility alongside the Headteacher is to assess what effect absence has on the individual's ability to attend work to undertake normal day-to-day duties, NOT to have a discussion with the individual about the validity of the illness. In terms of dealing with absence each case should be taken on its merits. Further information or clarification, advice or guidance is available from the Special Partnership Trust HR Advisor.

It is necessary, in order to manage absence effectively, to have appropriate information sources that allow you to identify quickly the nature and type of absence that you are dealing with.

4.2 Roles and Responsibilities

Below is a list of responsibilities and who should undertake them:

4.2.1 Manager/Headteacher

- To ensure that employees' attendance records are up to date.
- To ensure that employees follow the notification procedure when reporting in sick.
- To ensure that appropriate notes recording the date and time of discussions are kept, together with any action agreed and kept on file. A standard SPT template will be used across the Trust to record absence and keep a summary of calls/actions, a copy of this template is included in Appendix B. (to be created).
- To progress the matter without delay where they are concerned or dissatisfied with the employee's explanation of the absence by following the appropriate policy or procedure.

4.2.2 Business Manager/Designated Officer

- To keep records of all meetings produced by line management up-to-date and available from the employee's personnel file.
- To analyse on a regular basis reasons for absence, since these may be symptomatic of underlying causes and may give positive courses of action.

4.2.3 Staff Members

- To take all reasonable steps to maintain / improve attendance at work
- To notify their line manager of any absence in line with Special Partnership Trust policy
- To engage in the absence management process in a timely way including returning consent forms, attending occupational health appointments and attending meetings

4.3 Training in Managing Sickness Absence

It will be a requirement for all those who manage employees to attend a training course in Managing Sickness Absence arranged by the Special Partnership Trust.

In addition, managers should also familiarise themselves with this document and ensure that staff members know their responsibilities when reporting in sick.

4.4 Undertaking Sickness Interviews

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A sickness interview is an opportunity for the manager to ascertain the reason for the sickness absence and the likelihood of the sickness re-occurring. **A Return to Work Interview Template is included in Appendix C.** Furthermore, the manager must be assured that the employee is well enough to work and whether that work is on normal day-to-day duties or on an adjusted role. A Return to Work interview should be conducted after a member of staff has had over 3 consecutive days of absence. The general factors that occur with each type of absence that you are likely to deal with are as follows:

- Establishing the reasons for absence.
- Analysis of the information for the records in order to determine incidence patterns, levels etc.
- Obtaining a suitable medical opinion where appropriate.
- The necessary requirements to follow procedure.

4.5 Other Considerations

From time to time employees may experience difficulties in balancing work and home pressures, leading to sickness absence. If managers become aware that such factors may be causing sickness absence, please contact the Head Teacher. Staff also need to be aware of the **Special Partnership Trust's Supportive Policy**. If you have a concern about an employees welfare, please consult the Headteacher or the CEO of the Trust. It is essential for this process to be managed effectively and consistently.

5. MANAGING LONG TERM ABSENCE

5.1 Absence Management Meetings

As a guide, long-term absence can be defined as where a member of staff is signed off work for a period of four or more weeks. When a member of staff is absent from work it is important that they engage with the Academy. The Academy has a responsibility to consult staff about their absence and to ensure meetings are offered at times and venues that are suitable and staff have a responsibility to attend such meetings. The Academy will seek to consult with staff about their health issues and any reasonable measures that can be put in place to facilitate a supported phased return or full return to work; however, if a member of staff unreasonably refuses to attend meetings the Academy may hold meetings in their absence. It is also a condition of the Occupational Sick Pay Scheme that staff members do not unreasonably refuse to attend meetings including those with Occupational Health

5.2 Occupational Health Referral

Where a staff member has been absent for, or signed off for four consecutive weeks the line manager should invite the staff member to attend a formal meeting to review the absence. For management of intermittent absence, see point 6. Advice may be required from the Occupational Health service regarding:

- Likelihood of return to work.
- Capability on return.
- Adaptations that will require you to plan for on their return to work.
- Timescales of return to work.
- Support for an early but safe return to work.

In some cases, it may be necessary to try to adapt the job and put in place reasonable adjustments such as a supported phased return to work or lighter duties

5.3 No reasonable expectation of return within a reasonable time scale

In respect of long term absences the Academy will balance the length of time the employee has been absent with the future prognosis and expected return date on a case by case basis. If there is

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no reasonable expectation of return within a reasonable time scale it may be appropriate to consider termination of employment on the grounds of ill health.

5.4 Distinct Possibility of Return

When handling long-term absence that has a distinct possibility of return, these may well be ‘one-off’ absences where the reasons are clearly known (such as surgery) and these should be monitored and referrals to the Occupational Health Department should be considered in relation to the timeliness of the individual’s return.

5.5 Phased Return

Where an employee is signed as fit for some work and a phased return by their doctor the Special Partnership Trust may agree a phased return to work if this can be reasonably accommodated. A phased return will normally be for 2 - 4 weeks and for a maximum of 6 weeks unless agreed by the Headteacher, Deputy Headteacher or HR Advisor. During a phased return to work the manager and employee may agree a progressive increase in hours or duties. Payment for the phased return to work period will be in line with our Sick Pay Scheme. (i.e. If your phased return is during the period of “full pay” entitlement you will continue to be paid at full pay. If your phased return is during a period of “half pay” entitlement you will be paid at half pay until such time as your hours worked exceed your pay entitlement. At which point you will be paid for hours worked. Your line manager/designated officer will record the agreed hours/period of your phased return and notify payroll.

6. MANAGING INTERMITTENT ABSENCE

6.1 Absence Triggers

Monthly sickness trends will be monitored by the Special Partnership Trust management team. Absence triggers will be based around the “Bradford Scoring Factor”. The Bradford Scoring Factor relates to the 52 weeks preceding the last period of absence. This is one indicator, other factors may equally be relevant and attendance over a longer period of time will also be taken into consideration.

The Bradford Scoring Factor identifies persistent short-term absence for employees, by measuring the number of spells of absence, and is therefore a useful measure of the disruption caused by this type of absence. It is calculated as follows:

‘The number of ‘spells’ of absence squared, multiplied by the number of days absent.’

$S \times S \times D$

Where S = number of spells of absence in 52 weeks taken by an individual and

D = number of days of absence in 52 weeks taken by that individual

For example:

10 one-day absences: $10 \times 10 \times 10 = 1,000$

1 ten-day absence: $1 \times 1 \times 10 = 10$

5 two-day absences: $5 \times 5 \times 10 = 250$

2 five-day absences: $2 \times 2 \times 10 = 40$

Where intermittent absence is considered high (because there is evidence it is impacting on the classroom or running of the school), the Headteacher will meet with the staff member to discuss their attendance at work and to see how the Special Partnership Trust can support the staff member.

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The aim of informal absence management meetings is to help the staff member to improve their attendance at work. At all times during the absence management process managers must take into account the need for reasonable adjustments for staff with a disability and for staff whose absence is pregnancy related. Managers should take into consideration the need for independent medical advice and speak to the Head Teacher, Deputy Head Teacher or HR Advisor if absence is, or may be, related to a disability.

As identified by ACAS, the Bradford Scoring Factor is an established way of monitoring Short Term Sickness. It quickly amplifies the situation of staff members who are absent frequently for short periods making it easier to monitor. As such, it enables the Leadership Team to intervene early to identify if there are any underlying reasons for this frequency of absence.

Trustees have set an 'alert' within the Bradford Scoring Factor to aid the monitoring process.

If a staff member reaches a Bradford Scoring Factor of 250 (or above), they will be invited to a formal meeting (First Stage) with the Headteacher to discuss the issues that have resulted in this score. For further information please see section 6.3 below.

6.2 Related episodes

Intermittent absences which are related to one reason may require a referral to Occupational Health to consider:

- What is the long-term effect of the employee's condition in respect of their ability to fulfil their contractual obligation?
- Is this condition likely to feature as a recurrent part of the employee's employment?
- Are the current levels of absence likely to continue if the employee's employment continues?
- Is the condition exacerbated or affected by the nature of the work the employee does?
- Would a move to alternative employment reduce the level of absence that the employee is experiencing?
- Can any reasonable adjustments be made to help improve attendance at work?

NB: Occupational health referrals will be captured in the Staff Welfare Policy

6.3 Formal Meetings

Formal Meeting – first stage

If absence is persistently high (see 6.1) the Headteacher should invite the staff member to a formal meeting. The staff member has a right to be accompanied by a Trade Union representative or work based colleague. An HR Consultant may also be present in formal meetings in a supportive capacity. The staff member should be given the chance to outline the reasons why absence levels are so high. Outcomes of a first formal meeting may include:

- a referral to Occupational Health
- an agreed change to working hours or times
- a request for flexible working
- targets for attendance
- agreed reasonable adjustments for a disability
- a formal capability warning

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If a warning is given the staff member can appeal against the decision in writing to the Headteacher within five working days;

Formal Meeting – second stage (possible final warning)

If absence levels continue to be high (see 6.1) the Headteacher should invite the staff member to a formal meeting to discuss absence levels. Outcomes of the formal meeting may be

- a referral to Occupational Health
- an agreed change to working hours or times
- a request for flexible working
- targets for attendance
- agreed reasonable adjustments for a disability
- extension of formal warning
- a final capability warning

If a warning is given the staff member can appeal against the decision in writing to the Head Teacher within five working days.

Formal Meeting – third stage (possible dismissal)

If absence levels continue to be high (see 6.1) the staff member should be invited to a formal meeting with a Headteacher/CEO to discuss absence levels. Outcomes of the formal meeting may be

- a referral to Occupational Health
- an agreed change to working hours or times
- a request for flexible working
- targets for attendance
- agreed reasonable adjustments for a disability
- Dismissal

Where dismissal is the outcome the staff member can appeal against the decision in writing to the Head Teacher within five working days. Dismissal and appeal against dismissal will follow the Special Partnership Trust Dismissal procedure.

7. ABSENCE RECORDING

- 7.1 Absence data is recorded on an Absence Management Database (currently Capita SIMMS). We would also indicate on our Absence Management System where the absence is related to a registered disability and this would be taken into consideration when reviewing attendance.
- 7.2 It is the responsibility of Headteachers/Heads of School to keep ongoing records of all correspondence and conversations related to absence. It is important when recording or keeping data relating to either sickness or accident reports that the requirements of the Data Protection code of practice are adhered to.
- 7.3 As a rule when considering records and information kept on employees managers should ensure that they can justify having the information and using it for a relevant purpose, this can be done by following the key benchmarks the code of practice states:
 - Ensure that the holding and use of sickness and accident records satisfies a sensitive data condition.

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- Only disclose information from sickness or accident records about an employee’s illness, medical condition or injury where there is a legal obligation to do so, where it is necessary for legal proceedings or where the employee has given explicit consent to disclosure and authority from the HR Advisor.
- Do not make the sickness, accident or absence records of employees available to other workers, other than to provide managers with information about those who work for them in so far as this is necessary for them to carry out their managerial roles.

8. OCCUPATIONAL HEALTH SERVICE REFERRALS

- 8.1 If an employee is having difficulty carrying out their normal duties because of health problems it is sensible for either party to initiate communication at an early stage to prevent chronic problems. Discussions should take place between the designated officer and employee to see if there are any simple adaptations that can be made to ease the problem, as it may be a difficulty which can be easily dealt with through mutual agreement. Dealing effectively with absence and health problems, which affect the employee’s capacity to work and/or capability to perform their role/responsibilities, often requires intervention from an Occupational Health service. The service provided from Occupational Health is to give managers advice in respect of employees that are absent from work due to illness long-term or regularly on a short-term basis. Referrals will be arranged through the designated officer. Early referral is encouraged to prevent the development of chronic problems, as proactive management can promote positive outcomes.
- 8.2 The manager must inform the employee concerned that they are to be referred to the Occupational Health service for assessment and why. The manager should contact the designated officer who will liaise with the HR Advisor to complete the referral. Information on the relevant past history and sickness absence details should be provided, together with the full name, date of birth, address, contact details and job description. A copy of the referral will be sent to the employee.
- 8.3 Once an appointment has been agreed employees have a duty to attend the Occupational Health service appointment when asked to by the Special Partnership Trust. Whilst the Special Partnership Trust accepts the need to change appointments, failure to attend without notice or on a second occasion with notice may result in disciplinary action including suspension of occupational sick pay. If, for any reason, the employee finds it difficult to attend the appointment, they should discuss this with Occupational Health (in advance of the meeting date) to see if alternative arrangements or venues can be agreed. After the employee has been seen by Occupational Health service a response/report will be returned to the designated officer. A copy is retained on the employee’s record and a copy is sent to the employee.

9. SICKNESS DURING ANNUAL LEAVE

- 9.1 Employees who are on sick leave will accrue the appropriate statutory minimum holiday entitlement
- 9.2 The Special Partnership Trust will comply with all statutory requests to reinstate holiday if a staff member becomes sick whilst on holiday.

Note: For the purposes of this policy document – ‘designated officer’ refers to the person who has been given the responsibility of recording/managing absence within the Academy