



Southernly Point Co-operative Multi-Academy Trust

MANAGING SICKNESS ABSENCE POLICY

Equality Impact Assessment

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| The EIA has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken.* | |
| The EIA has not identified any conflict with the Trust's co-operative values. | |
| Adjust the policy to remove barriers identified by the EIA or better promote equality. | |

*Inclusive of protected characteristics

| Provenance | Date |
|--------------------|-----------|
| Working Party | Dec 2016 |
| HR checks | June 2017 |
| Union Consultation | Aug 2017 |
| Trustees | Sept 2017 |
| Implementation | Oct 2017 |

| Review Date |
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| |
| October 2020 |
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| To be read in conjunction with: | |
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Self Help **Self Responsibility** **Equity** **Equality** **Democracy** **Solidarity**
Social Responsibility **Honesty** **Openness** **Caring for Others**

Southerly Point Co-operative Multi-Academy Trust

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 school depends on a reliable, motivated and healthy workforce. Managing sickness properly enables the school to care for its employees appropriately and maintain our high standards for learners. As part of the Trust values, we aim to deal with absenteeism in an effective and sensitive way.
- 1.2 The 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 school 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.

3. REPORTING SICKNESS ABSENCE

For employees of the MAT executive team, for cover administrator or Head Teacher read CEO.

3.1. Reporting your absence to your line manager

If you are absent due to sickness you must speak to your line manager to let them know of your absence. It is important that you speak to the cover administrator in person by the school's agreed time [see staff handbook] so they can properly record your reasons for absence and discuss any support needed or 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.

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 Headteacher/cover administrator and staff should stay in touch in a reasonable way during sickness absence. When you first report your absence, you should state how long you may be off. This will help to determine how often you should then call your school, or they may call you, to 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 your cover administrator daily to enable them to effectively provide cover.
- 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 your cover administrator on your health and the need for cover.
- If you have been signed off work for two weeks, you should contact your cover administrator again 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 cover administrator.
- If the school is not kept appropriately informed, they will need to contact you in order to ensure the smooth running of the school.

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 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. 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 the payroll department.

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 cover administrator. 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 cover administrator. Sickness certification is required to receive payment during sickness absence.

During prolonged absence from ill health or continuous or recurring absences, the 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 an Occupational Health consultation to take place. It is an expectation that staff will co-operate with the Occupational Health process.

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 must inform the cover administrator as soon as reasonably practicable. The 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.

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 necessitate the reallocation of an alternative employee with similar academic expertise. Co-operation will be required where cover arrangements are in place.

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:

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

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 Cover Administrator

- 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.
- To progress the matter without delay where they are concerned or dissatisfied with the employee's explanation of the absence.
- 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.

4.2.2 Staff Members

- To take all reasonable steps to maintain / improve attendance at work
- To notify their Headteacher / cover supervisor of any absence in line with the school's 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 Undertaking Sickness Interviews

A return to work interview is an opportunity for the line manager to ascertain the reason for the sickness absence and the likelihood of the sickness re-occurring. 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. See Appendix 2 for Return to Work Interview form. 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.

4.4 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 or appropriate senior leader. If you suspect an employee may be suffering from alcohol, drug and or / substance misuse, please consult the Head Teacher or appropriate senior leader. 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 school. The school 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 school 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 school may hold meetings in their absence.

5.2 Occupational Health Referral

Where a staff member has been absent for, or signed off for four weeks the line manager should request the staff member to attend a formal meeting to review the absence. 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 school will balance the length of time the employee has been absent with the future prognosis and expected return date. If there is 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 - 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 school may agree a phased return to work if this can be reasonably accommodated. A phased return will normally be for 2 - 4 weeks but may be extended to a maximum of 6 weeks in exceptional circumstances.

6. MANAGING INTERMITTENT ABSENCE

6.1 Absence Triggers

Monthly sickness trends will be monitored by the Trust management team. Absence triggers are 5 one off occasions in a year or 10 days' absence.

Where intermittent absence is high the line manager will meet with the staff member to discuss their attendance at work and to see how the Academy can support the staff member. 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 or appropriate senior leader if absence is, or may be, related to a disability.

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?

6.3 Formal Meetings

Formal Meeting – first stage

If absence is persistently high the Head Teacher or appropriate senior leader 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

If a warning is given the staff member can appeal against the decision in writing or by email to the Head Teacher or Chair of Governors within five working days.

Formal Meeting – second stage (possible final warning)

If absence levels continue to be high the Head Teacher or appropriate senior leader 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 or by email to the Head Teacher or an appropriate senior leader within five working days.

Formal Meeting – third stage (possible dismissal)

If absence levels continue to be high the staff member should be invited to a formal meeting with the Head Teacher 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 or by email to the Chair of Governors within five working days. Dismissal and appeal against dismissal will follow the Trust's Dismissal procedure. (See Appendix 1)

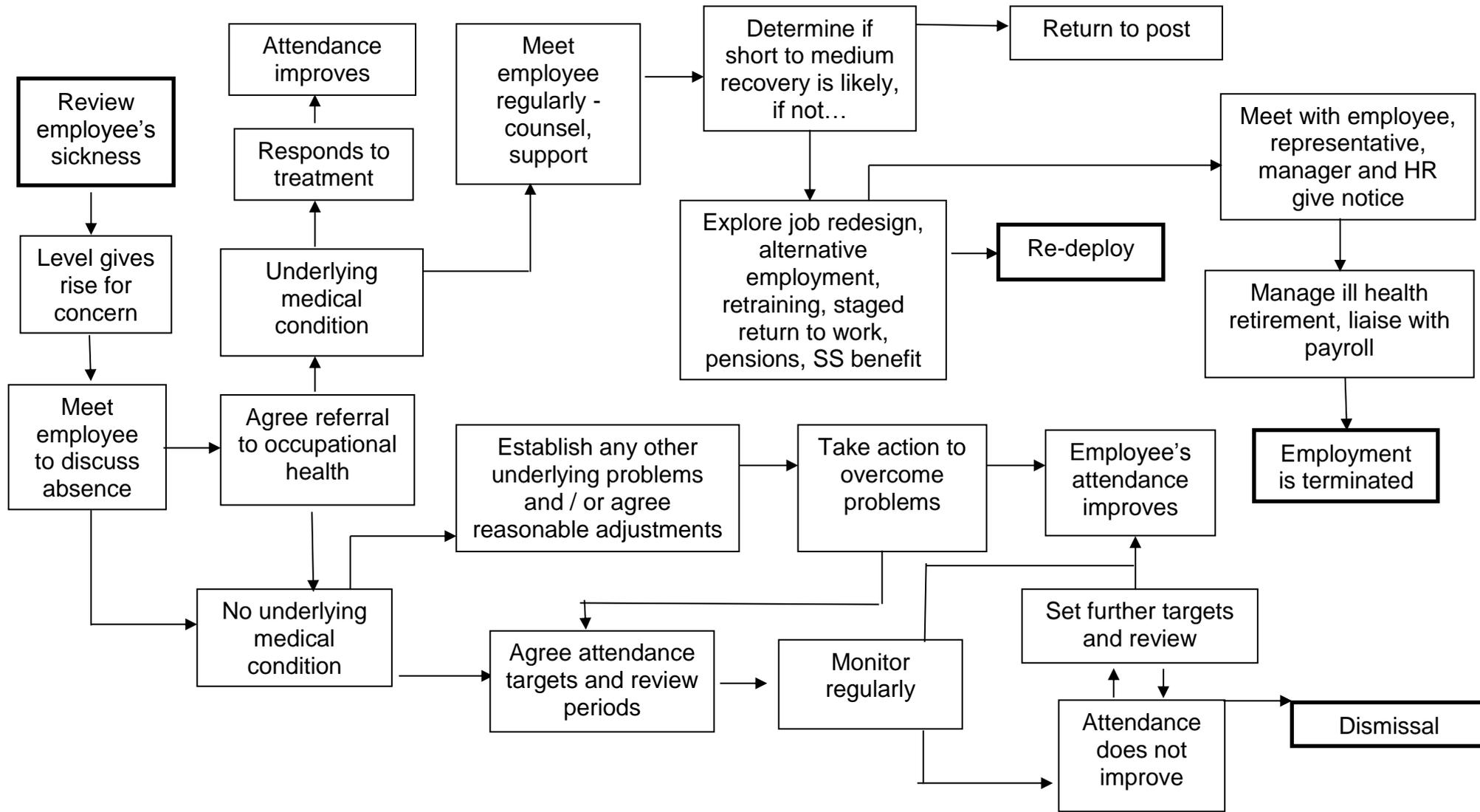
7. ABSENCE RECORDING

- 7.1 All absence is recorded.
- 7.2 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.
 - 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.
 - 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 line manager 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, 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 Head Teacher or appropriate senior leader. Early referral is encouraged to prevent the development of chronic problems, as proactive management can promote positive outcomes.
- 8.2 The Head Teacher or appropriate senior leader must inform the employee concerned that they are to be referred to the Occupational Health service for assessment and why. The Head Teacher should liaise with the HR Consultant 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.
- 8.3 Once an appointment has been agreed employees are expected to attend the Occupational Health service appointment when asked to by the school. Whilst the school accepts the need to change appointments, failure to attend without notice or on a second occasion with notice may result in disciplinary action. After the employee has been seen by Occupational Health services a response will be returned to the Head Teacher. A copy is retained on the employee's record.

SICKNESS ABSENCE – GENERAL PROCESS



PROCEDURE TO BE FOLLOWED AT DISMISSAL OR APPEAL HEARINGS

The Chair should introduce all those present to the employee and explain the role of each person at the hearing, including clarification of the role of both the accompanying person and any advisor to the panel and/or Headteacher/Senior Member of staff presenting the case

The Chair should also remind those present of the purpose of the meeting and the procedure to be followed.

- The Senior Member of Staff /Headteacher will present his/her case in the presence of the employee concerned (and his/her representative).
- The employee (or his/her representative) and the panel may ask questions of the Senior Member of Staff /Headteacher.
- The employee and/or representative may ask questions of the Senior Member of Staff and then the Panel may ask questions.
- The employee (or his/her representative) will present his/her case in the presence of the Senior Member of Staff/Headteacher.
- The Panel and the Senior Member of Staff /Headteacher may ask questions of the employee (or his/her representative).
- If, at this stage, the Panel decides that further evidence is required, the hearing may be adjourned at this stage for the evidence to be made available.
- The Senior Member of Staff /Headteacher will then sum up his/her case. No new evidence may be introduced at this stage.
- The employee (or his/her representative) will sum up his/her case. No new evidence may be introduced at this stage.
- The Senior Member of Staff /Headteacher, the employee (and his/her representative) will then withdraw.
- The Panel, together with the HR Advisor, will deliberate in private. Either party may be asked to return to clarify a point of uncertainty. If this occurs, then both parties shall be recalled together.
- The Panel will reach a conclusion on whether dismissal is justified or whether a further opportunity for the colleague to improve their attendance is required
- The decision is normally conveyed orally by the Chair, in the presence of both parties and will be confirmed in writing within 5 School days.
- The Panel may, particularly after a lengthy hearing, adjourn and reconvene at another time to consider its decision.

**RETURN TO WORK INTERVIEW**

Name:

Line Manager:

Absence record for previous 12 months:

Current Period of Absence:

Any other attendees:

Date of Meeting:

Reason for Sickness Absence:

Comments:

In what way did the illness prevent you from working?

Comments:

Did you seek medical advice on your problem? Yes/No

(If yes, have you had any specific advice that could impact on your ability to undertake the duties of your post?)

Comments:

Do you now feel fit and well for work? Yes/No

(If no, Line Manager should decide whether to send the member of staff home and/or to seek advice from GP)

Comments:

Is there an Underlying or Recurrent Medical Problem? Yes/No

Comments:

Have any trigger points been reached? Yes/No

(5 or more occasions within 3 terms; absence totalling 10 days or more; recurring pattern)

Comments:

Is any further action required? Yes/No

Has Attendance Improvement Plan been set? Yes/No

(if yes, attach details)

Comments:

Need for Referral to Occupational Health? Yes/ No

Comments:

Details of support offered

Any further comments

Medical certification checked? Yes/No

(Self-certification form to be completed for absences of less than 7 days, and/or Doctor's note submitted for absences over 7 days)

Signature of staff member _____

Signature of line manager _____