

Sickness Absence Policy

Summary:

The school aims for a high level of attendance in order to deliver services efficiently and effectively.

- Employees are responsible for their own attendance at work.
- The line manager is responsible for managing absence fairly and in a consistent manner.

Quick Glance

- [Who does this policy apply to?](#)
- [What is the reporting process for employees who are absent through sickness?](#)
- [Is a doctor's fit note required?](#)
- [What is fit for work?](#)
- [What happens if the fit note says the employee may be fit for work?](#)
- [What is the sick pay benefit?](#)
- [What happens if the absence is due to an injury sustained at work?](#)
- [Should the manager refer to Occupational Health \(OH\)?](#)
- [Can employees be referred to Fit for Work?](#)
- [Can a manager refer an employee to OH?](#)
- [What happens if the medical advice is a phased return to work?](#)
- [Can the school contact an employee whilst they are off sick?](#)
- [What if an employee is sick during a school closure period?](#)
- [What if an employee wants to return to work against the advice of the doctor's fit note?](#)
- [Does the school conduct return to work meetings?](#)
- [What is the purpose of return to work meeting?](#)
- [What will happen if an employee does not follow the reporting procedure?](#)
- [What about ill health retirement?](#)
- [Can an employee be dismissed for being sick?](#)
- [Will an employee's disability be taken into account when dealing with their absence?](#)
- [Is there any support available for employees with a disability?](#)
- [What happens if an employee's disability means they can't do their job?](#)
- [If an employee is not sick but needs time off for an emergency, what should they do?](#)
- [Can an employee have surgery that is not medically required e.g. cosmetic surgery and receive occupational sick pay?](#)
- [What happens if an employee is absent as a result of an accident for which a third party is liable?](#)
- [Are there any other circumstances in which sick pay may be withheld?](#)
- [What happens to an employees annual leave entitlement during long term sick?](#)

Who does this policy apply to?	It applies to all school staff
What is the reporting process for employees who are absent through sickness?	<p>The line manager must be informed as soon as possible but in any case before the normal start time or as determined by the school.</p> <p>If an employee is sick for more than three consecutive days they must ring and up-date the manager on the fourth day.</p> <p>A self certification needs to be completed for any absence up to seven calendar days.</p> <p>For absences of eight calendar days or more, the employee must obtain the appropriate document from their doctor and provide this to the manager and ring and speak to the manager on the eighth day.</p>

	<p>The employee should then continue to update the manager and maintain continuous fit note/return to work plan cover.</p> <p>Failure to follow the reporting procedure may result in suspension of sickness pay.</p>
Is a doctor's fit note required?	A self certification must be completed for the first seven days from day eight onwards, a doctor's fit note/return to work plan must be submitted until the employee is fit to return to work.
What is "fit for work"	It is a government scheme intended to complement employers existing occupational health provision by allowing employers and employees to seek advice and GPs to refer employees for an assessment. It gives employers and employees access to independent and objective advice to support a sustained return to work and prevent sickness absence occurring. The scheme is voluntary for both employees and employers. Further information can be obtained from www.fitforwork.org
What happens if the fit note says the employee may be fit for work?	<p>The doctor will provide guidance on the fit note on the level of fitness. With the employee's agreement the doctor may also refer the employee to the Fit for work scheme which could provide a return to work plan giving the employee further advice on managing their health The fit note/return to work plan is sent to the manager as normal. The manager will discuss with the employee whether or not any guidance can be accommodated wholly or with some adjustment, bearing in mind the needs of the school/service. If for any reason it is not possible to accommodate the return to work at this stage, the employee will remain off sick.</p> <p>If the school is able to accommodate the advice/guidance the employee must return to work. Should they refuse, the school will need to consider taking action under the Conduct Policy.</p>
What is the sick pay benefit?	<p>Provided the requirements of the policy are followed sick pay will be received in line with the employee's conditions of service. Failure to follow the requirements, may result in suspension of sickness pay.</p> <p>Sick pay includes, where appropriate, statutory sick pay and will not exceed normal pay. It will be paid for the following period of absence dependent on length of service: <u>For support staff in any rolling 12 months' period</u></p> <ul style="list-style-type: none">• First year of service one month's full pay and (after completing four month' service) two months' half pay.• Second year of service two months' full pay and two months' half pay.• Third year of service four months' full pay and four months' half pay.• Fourth and fifth year of service five months' full pay and five months' half pay.• After five years service six months' full pay and six

months half pay.

Teachers in any year 1 April – 31 March

- First year of service full pay for 25 working days and after completing four months' service half pay for 50 working days.
- Second year of service full pay for 50 working days and then half pay for 50 working days.
- Third year full pay for 75 working days and half pay for 75 working days.
- Fourth and subsequent year of service full pay for 100 working days and half pay for 100 working days.

- For the purpose of the sick pay scheme, "service" includes all aggregated teaching service with one or more local education authorities

What happens if the absence is due to an injury sustained at work?

Occupational sick pay for absence as a result of an accident at work, confirmed by an approved medical practitioner is treated completely separately to pay for normal sickness absence. However all sickness absences are reckonable for entitlement to Statutory Sick Pay.

Should the manager refer to Occupational Health (OH)?

Managers should refer employees to the school's OH service if they feel their input would be helpful, particularly if:

- They have had a total of eight or more days' absence (whether on one occasion or accumulated over several occasions) during the last 12 months.
- Absence is related to mental illness or musculoskeletal issues.
- The school becomes aware that the employee has a medical condition that is likely to result in long term absence.
- Absence continues for more than four weeks.

Can employees be referred to Fit for Work?

The GP is able to refer to this government scheme if they feel it would help to promote a return to work. Majority of referrals will be made by the GP however, if an employee has been absent for 4 weeks the school may also refer employees to the scheme if they feel it would complement existing occupational health services. Participation in the scheme is totally voluntary and if the employee agrees a case manager from the scheme will provide an assessment and a return to work plan including occupational health advice and guidance on overcoming any obstacles to a successful return to work, they may also contact the school to get further information. The employee should discuss the return to work plan with the manager and it can be used to cover sickness absence instead of a doctors fit note.

What happens if the school refers an

The school ask for the employee's consent for OH to contact

employee for Occupational Health (including Fit for Work) advice?

their doctor to access information from their medical records. The details provided by the doctor are entirely confidential to OH and will not be shared with anyone else.

The purpose for requesting this information is simply to allow OH to have a full picture of the medical situation. This helps to ensure that any advice subsequently provided by OH to the school regarding the effect of the employee's health on their employment is based on the full facts of the situation, rather than what otherwise might be an incomplete picture. However, the employee does have a legal right to refuse consent for OH to contact their doctor or, if they do provide consent, to see and comment on the report before their doctor sends it to OH. The school will only be able to make decisions about an employee's employment based on the information they have.

The manager uses the advice and guidance from OH to discuss managing the employee's health and/or return to work and to help make informed decisions about the potential effect on their employment.

An employee who unreasonably fails to co-operate with their employer in the appropriate management of their sickness absence may have their contractual sickness pay suspended.

What happens if the medical advisers recommend a phased return to work?

Where a short (normally no longer than two to four weeks) period of rehabilitation is recommended by OH or the employee's doctor, the school will in discussion and agreement with the employee, implement it (wholly or in part) if possible, giving due consideration to the needs of the school/service. It may be unsafe if the employee is partially fit to attempt to return to normal duties but for rehabilitation can attend work, with appropriate support, during their sickness absence. In these circumstances the employee normally continues to submit fit notes and will receive normal entitlement to sick pay.

The manager may use their discretion to agree an appropriate arrangement for a phased return depending on the situation and with reference to the guidance, available to managers, linked to the [Attendance Policy](#). This policy together with the guidance (MGN- Attendance) provides useful information for the informal and formal management of attendance).

The purpose of a phased return is:

- To allow the opportunity to return to work in a structured way when the employee has recovered. This helps to build stamina and confidence for a full return to work after a long period of absence.
- To allow the employee to experience a gradual return to work to enable them to test their ability to do the job

in relation to the medical condition.

- To allow the head teacher (or Chair of Governors - in the case of a head teacher) managers and OH provider to assess the employee's actual level of fitness reached and the advisability and timescale for a return to normal duty.
- To allow the school to meet its obligations under the requirements of the Equality Act 2010.

Where the school is being asked to consider longer periods of rehabilitation, the school may agree a temporary adjustment to the employee's contract of employment.

Can the school contact an employee whilst they are off sick?

Yes. Regular contact should be maintained during any period of sickness absence and this could reasonably include a meeting with the employee.

What if an employee is sick during a school closure period?

The employee should continue to submit fit notes/action plans if sick during closure periods.

What if an employee wants to return to work against the advice of the doctor's fit note?

Where a doctor's fit note says the employee is not fit but during the period of the fit note they feel recovered sufficiently to return to work, the employee should contact the manager to discuss. In considering a return to work the employee and manager will undertake a risk assessment. Any early return to work should be confirmed in writing.

Does the school conduct return to work meetings?

Managers will discuss sickness absence with the employee on their return to work and may ask the employee to attend a return to work meeting after any period of sickness absence but particularly when:

- short term absence totals eight days accumulated over the last 12 months, or
- a single period of absence is more than 14 consecutive calendar days

What is the purpose of a return to work meeting?

The purpose of the meeting is to:

- welcome the employee back to work
- ensure fitness to return, particularly following a prolonged period of absence
- clarify the cause of the absence – if not already done
- together address any problem that may be causing or contributing to the absence

- agree priorities for the post-absence period
- agree any initial support that may be needed when the employee returns

What will happen if an employee does not follow the reporting procedure?

The absence will be unauthorised and dealt with as a conduct matter. Sickness pay will be suspended.

What about Ill Health Retirement?

Employees who are members of the Teachers Pension Scheme (TPS) or the Local Government Pension Scheme (LGPS) can be considered for ill health retirement.

All ill health retirements have to be explored with medical advice from OH, as there are very specific criteria around ill health retirements which only the OH doctor can apply.

Can an employee be dismissed for being sick?

Sickness absence is managed through the [Attendance Policy](#) and the aim is always to secure sustained improvement in attendance at work. However, poor attendance or an inability to carry out the role can result in dismissal.

Will an employee's disability be taken into account when dealing with their absence?

The school will comply with The Equality Act (2010) and seek to make reasonable adjustments to support employees in their job. When appropriate, advice will be taken from OH and HR.

Is there any support available for employees with a disability?

Yes. The Access to Work Service offers financial and practical assistance to people with a disability to try and enable them to continue in work.

Contact the [Access to Work Service](#) through Jobcentreplus. More information can be found on this website: <http://disabilityrightsuk.org/access-work>

What happens if an employee's disability means they can't do their job?

If an employee cannot do their current job after reasonable adjustments have been fully explored the school will seek redeployment. However if no suitable employment is available the employee may be dismissed. For permanent disability, the school may seek advice from OH in respect of ill health retirement.

If an employee is not sick but needs time off for an emergency, what should they do?

Sick Leave is not appropriate however leave may be taken under the '[Authorised & Special Leave Policy](#)', which covers compassionate leave and family care leave.

Can an employee have surgery that is not medically required e.g. cosmetic surgery and receive occupational sick pay?

No, occupational sick pay will not be paid for non-essential surgery such as cosmetic surgery unless it is deemed necessary on medical grounds by a GP or other medical practitioner. Evidence of this is required before occupational sick pay will be issued. Statutory sick pay will be issued if a fit note is provided regardless of the reason for the cosmetic surgery. In the unfortunate event that there are complications

What happens if an employee is absent as a result of an accident for which a third party is liable?

after the cosmetic surgery resulting in the member of staff being unfit for work for longer than normal (i.e. post surgery infection) then normal occupational sick pay will apply for the excess recovery period.

Are there any other circumstances in which sick pay may be withheld?

The employee should advise the school immediately. The school will expect the employee to provide details of any settlement of a claim for damages related to the injury/condition which has caused the absence and may require the employee to pay back part or all of the sick pay paid but this amount will not exceed any damages recovered.

If, in the opinion of the governing body, the injury/condition has arisen due to the employee's misconduct, if they have failed to comply with the conditions of this scheme or have behaved in a way prejudicial to their recovery, sick pay may be suspended. In this case the employee will be allowed to meet with the governing body to respond to the concerns.

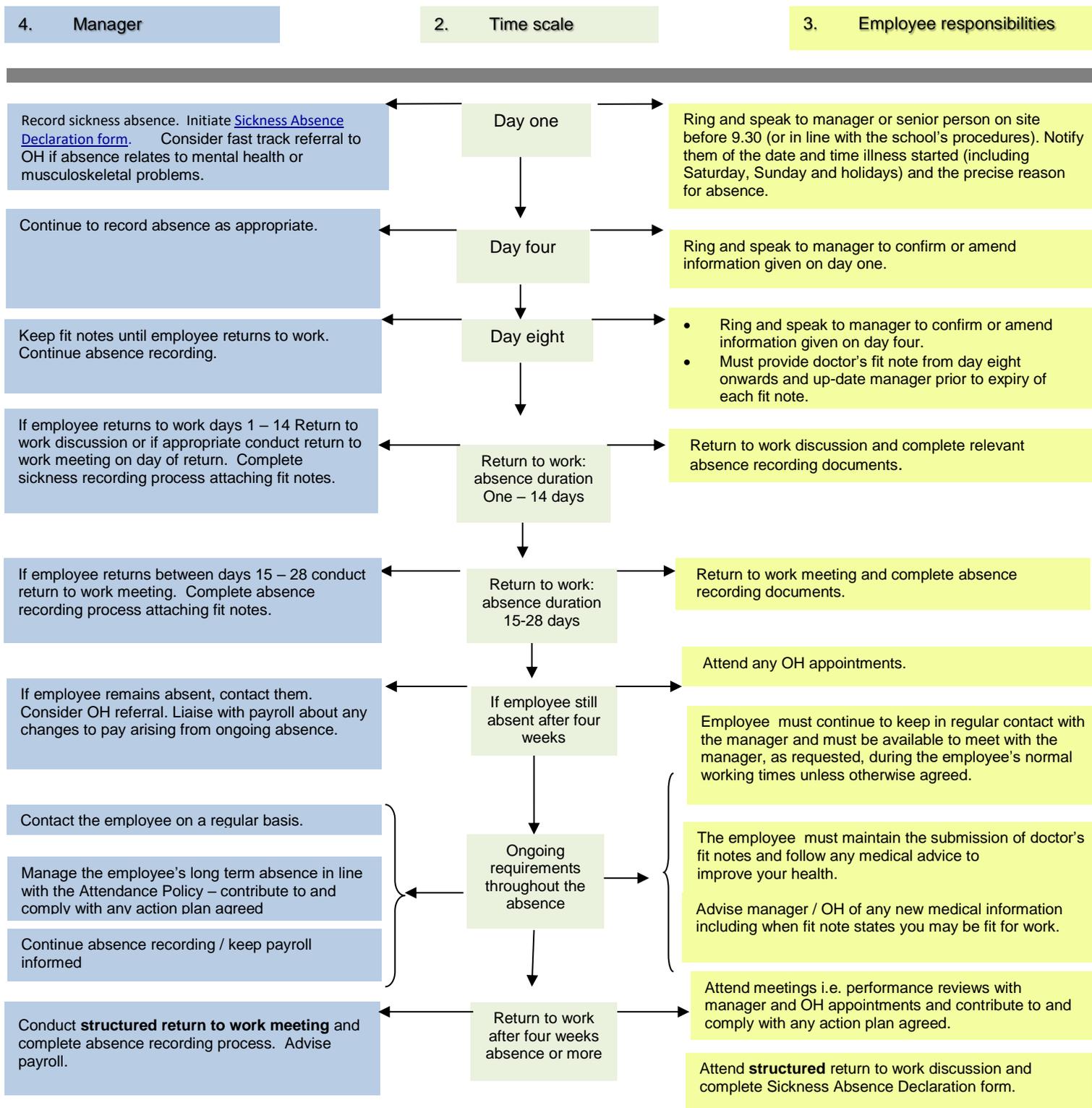
What happens to an employees annual leave entitlement during long term sick?

You can reclassify some or all of the absence as sick leave provided your manager is satisfied you have complied with the sickness absence reporting procedure and you provide a doctor's fit note confirming the nature and duration of your illness.

This can be a little complicated and the position may vary depending on the circumstances.

Under the Working Time Regulations you are entitled to carry-forward any unused part of your 'statutory' annual leave entitlement (20 days per year). The 8 day bank holiday entitlement can be carried over at the discretion of your manager.

Flowchart
1. Sickness absence from work
Manager and employee responsibilities during sickness absence



Note: Reporting sickness absence

In certain cases it may be necessary to warn an employee that failure to notify sickness absence as outlined above will result in loss of pay and / or exclusion from the relevant sick pay scheme and that formal action may also need to be taken under the Attendance Policy.