Pathways School

Sickness Absence Management Policy & Procedure

Policy Monitoring

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Signed by:

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Date of next review: September 2027

This policy will be reviewed at least annually and following any concerns and/or updates to national/local guidance or procedure.

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1. Introduction

The governing body and school are committed to the health, safety, and wellbeing of all staff. The school aims to encourage all its staff members to maximise their attendance at work whilst recognising that, from time to time, staff members may be unable to come to work due to ill health. The school also recognises the significant impact of ill-health and sickness absence on costs and the quality of teaching and learning to pupils and expects all staff members to make every effort to attend work.

It is essential that both senior leadership team (SLT) members and staff members have a shared understanding of the actions that must take place at the time of sickness absence, be clear on the levels of attendance required and the action that will be taken where this is not achieved. Effective communication between SLT members and staff members at all stages of the process is therefore a key requirement.

Focusing on staff members' wellbeing, providing them with a healthy work environment to support them to maintain their physical and emotional wellbeing is an important priority for Pathways School. This policy and procedure has clearly defined stages to ensure that efforts have been made to support the staff member and where the level of sickness absence is having an adverse effect on service delivery. The informal stage of the procedure is to ensure a focus on early intervention to prevent sickness absence from escalating and impacting service delivery.

2. Purpose

The Sickness Absence Management Policy and Procedure aims to ensure that sickness absence is managed in a fair, consistent, supportive, and effective way so that operational, teaching and learning standards are maintained. The policy may be amended at any time in consultation with the trade unions.

3. Scope

This policy applies to all school staff members on permanent, temporary and fixed term contracts, excluding those within their probationary period (see 4, below), and 'as and when' workers. It does not apply to agency workers, interims, or consultants. This policy applies only to sickness absence; there is separate Leave of Absence Policy.

4. New staff members on probation

Decisions about unacceptable sickness absence levels of staff on probation and decisions about their continued employment need to be made within shorter timescales. However, the staff member standards and reporting and certification requirements contained within the Sickness Absence Management Policy & Procedure apply to staff members on probation and they should be used as a general guide when carrying out sickness absence reviews.

5. Roles and responsibilities

HEADTEACHER

The Headteacher is responsible for the management of absence of all staff members and must inform all staff of the school's sickness absence reporting procedure. However, where there are many staff members, the Headteacher may nominate SLT/Managers to undertake the return-to-work contact for specific groups of staff.

- To proactively manage sickness absence in line with the policy and procedure and process guidance, taking personal responsibility and ownership for reducing sickness absence within their teams.
- To maintain regular contact with staff members who are absent from school and keeping them informed of any relevant changes/updates. The Headteacher and staff member will agree, at the start of the absence (or as soon as practicable), the purpose, method, and frequency of contact during the period of absence. This should reflect the staff member's individual circumstances and wishes. Where the staff member indicates that contact is unwelcome or distressing, the HT should minimise direct contact to only what is essential (e.g. statutory or safety requirements) and may agree an alternative point of contact, such as a nominated colleague.
- To ensure a Return-to-Work interview is conducted with staff members following any period of sickness absence on each occasion of absence. Records to be updated. Where practical, the Return-to-Work interview should be completed on the first day of return to school, or as soon as reasonably possible.
- To act promptly when a sickness trigger point is met.
- To undertake suitable risk assessments for work activities, review and ensure all identified actions are completed.
- To ensure documents related to sickness absence are completed in full and all relevant details are received from the staff member.
- Ensure any personal information relating to an individual's health and/or wellbeing, is handled sensitively and kept in confidence.
- To recommend the schools Employee Assistance Programme (EAP) in appropriate sickness absence cases.
- Identify if Occupational Health referral is required, agree and complete the referral process with the staff member.
- To pay due regard to the statutory duty to consider 'reasonable adjustments' to the work or working environment as required by the Equality Act 2010.
- Identify and arrange appropriate Health & Safety training if required.
- Always fostering a culture of well-being.
- The Headteacher will maintain records of staff member absences to monitor the level of attendance of all staff members.

Concerns for staff members who are still at work

- Where the Headteacher or appropriate manager is concerned about an individual's health, either mental or physical, perhaps due to deteriorating performance or uncharacteristic behaviour, and the staff member is still at work, the Headteacher/Manager may ask to speak to the staff member on an informal welfare basis.
- Furthermore, a Governing Body or Headteacher must take emergency action when they consider a staff member may have become medically incapable of performing duties if this puts at risk the health, education, safety and welfare of pupils. In such circumstances, advice must be sought from the HR Advisory Service.

STAFF MEMBERS

- To be familiar with and understand the school's Sickness Absence Management Policy & Procedure.
- To make every effort to attend work as per the contract of employment.
- **Staff members must notify the school by 7.00am, in accordance with the agreed reporting arrangements, on the first day of their absence from work due to sickness or ensure someone else does this for them as soon as possible (see appendix 1).**
- To be honest about the reasons for absence and use alternative school absence provisions where applicable. Such as compassionate leave, parental leave, etc. in agreement with their manager when these are more appropriate to the circumstances.
- The normal reporting and certification procedure applies if a staff member falls sick on the day either side of a school closure period. If there is a cost to the staff member to obtain a certificate, the school will reimburse this payment.
- Remaining in regular contact with the manager during sickness absence and updating any change of contact arrangements. The Headteacher and staff member will agree, at the start of the absence (or as soon as practicable), the purpose, method, and frequency of contact during the period of absence. This should reflect the staff member's individual circumstances and wishes. Where the staff member indicates that contact is unwelcome or distressing, the HT should minimise direct contact to only what is essential (e.g. statutory or safety requirements) and may agree an alternative point of contact, such as a nominated colleague.
- To attend Return-to-Work interviews as arranged by the manager and to make reasonable effort to attend meetings relating to sickness absence as requested.
- Providing relevant medical documentation including self-certification (under 7 days calendar days) and Statement of Fitness for Work / Fit Note for absences of 8 calendar days or more.
- Staff members must provide Fit Notes to cover any period of absence of over 7 calendar days. Failure to do so without a reasonable explanation may result in the staff member's sick pay being stopped from when the sickness required certification and absence being classed as unauthorised in accordance with the Disciplinary Procedure.

- Irrespective of the length of absence, a medical certificate should be submitted where the sickness absence continues or falls within annual leave, bank holidays and during notice periods.
- To attend appointments with the schools Occupational Health Service provider when refer. Missed appointments or cancellations less than 5 days prior to the appointment time may incur a substantial cost which would be recovered from the school.
- Take all reasonable steps in identifying ways to improve their health, work or welfare issues contributing to their absence, including work-related stress.

6. Sickness Absence Triggers

To deal with sickness absence in a fair and consistent manner, while considering each case on its own merit, Pathways School reviews absence against several different triggers. The reason for establishing sickness triggers is to ensure that a staff member is supported when encountering health problems that result in their sickness absence. It also supports the schools' aim in reducing the number of days lost through sickness.

The sickness triggers are set out below. However, managers are advised to apply them depending on individual circumstances. This particularly applies when a staff member has an underlying medical condition that constitutes a disability, under the Equality Act 2010, where the manager has to consider an extension to the trigger points further to OH advice.

However, it is important to note that the targets must be realistic and support the aims of the school.

Whether or not a condition meets the definition is a legal question. In some cases, it will not be obvious whether this is the case, and managers should adopt a common-sense approach in deciding whether to extend a trigger point.

Even if a staff member is off sick when the triggers for action have been reached, it is still necessary to consider the situation proactively and staff members must be invited to attend meetings under this procedure. Managers must ensure that they advise staff members of this. The school can and must always continue to take proactive steps, even if the staff member is still absent, to aid a safe and effective return to work.

When setting the appropriate review, targets will be dependent on the individual circumstances of the staff members, their condition and level of absence accrued.

The trigger points are only a guide to assist the Headteachers/managers and may not be automatically applied in all cases. Consideration can be given to act at an earlier or later stage depending on the circumstances. When reviewing absences against the trigger points it may be necessary in certain circumstances for the Headteacher / manager to use their discretion on what the trigger points are and consider an extension to the trigger points as a reasonable adjustment resulting from OH advice.

This particularly applies when a staff member has an underlying medical condition that is covered under the Equality Act 2010.

Sickness Absence Triggers

Pathways School has adopted the following sickness triggers to monitor its staff members:

- 10 working days of sickness absence in any 12-month period or
- 3 periods of sickness absence or at least 6 working days in any 3-month period or,
- a pattern of sickness absence (e.g. Fridays and Mondays or close to school holidays)

The above triggers apply to both full time and part-time staff members regardless of the hours worked

Absences can be considered under the following categories:

Frequent Short-Term Absence:

This is typified by short periods of sickness, which are repeated at regular or frequent intervals over the year. There is a general inability to attend work regularly.

There tends to be no underlying medical condition causing the absences, and general and diverse ailments will be evident.

Long-Term Absence:

This is where a staff member is absent from work for more than 4 consecutive weeks.

Pattern of Absence:

If a staff member successfully reaches the end of their monitoring period and recuring pattern emerges, wherein they consistently take sick leave immediately after successfully completing the monitoring period, such behaviours may be deemed as an abuse of the sickness absence procedure.

Consequently, the staff member maybe subject to progression to the next stage of the procedure, instead of initiating the process from the start.

At every stage of the procedure managers need to consider measures to support the staff member to return to work, including medical redeployment and phased return.

Ill health retirement can also be considered throughout this process.

7. The return-to-work Interview

After all periods of sickness absence (including single days) the Headteacher should enquire about the staff member's health, welfare and period of absence at a Return-to-Work interview.

Discussions should normally take place face to face and on the day of return, but this may not always be possible, and alternative arrangements may need to be made at the Headteacher's discretion.

In addition to discussing the staff member's health, welfare and reasons for absence, the review should also consider any underlying medical condition that fall under the Equalities

Act 2010 that may be the cause of the absence and support that may be given to the staff member.

This meeting is a good opportunity for the manager and staff member to discuss the reason for the absence, offer any support or assistance available, and to remind the staff member of their obligations under this process.

This meeting can also enable the staff member to discuss sensitive medical issues that may affect their attendance or work performance and can then be addressed as appropriate.

Information from Return-to-Work Reviews may form part of discussions at a later stage under the procedure.

Consideration should be given to determine if medical advice from the school's Occupational Health provider is necessary for support purposes, including whether any reasonable adjustment may be required for the role.

8. Formal Stage One

Before a formal stage meeting is scheduled it may be advisable to refer the staff member to occupational health to seek advice on what support or reasonable adjustments may be required. Once this information is obtained it can be discussed at the formal stage meeting.

If the level of attendance has breached the triggers outlined in this policy, a stage one meeting should be arranged within reasonable time. *The stage one meeting is a signal to start a conversation, never as proof of a problem on its own.*

At the stage one meeting the Headteacher will:

- Consider the causes of the sickness absence and its effect on work, considering medical advice.
- Explain policy on sickness absence including the focus on whether the staff member can give regular and efficient service.
- Explore any work, welfare or domestic problems or other explanation offered and establish any supportive actions that the employer can take and make a referral to the Occupational Health Service if appropriate.
- Discuss and agree with the member of staff any additional support that will help them achieve an acceptable level of attendance.
- Place the staff member on a monitoring period lasting for *up to 12 months* (normally two to three school terms). A review meeting may be convened earlier if further concerns arise during this period.

If a member of staff is on long-term sickness absence it is essential to maintain contact.

The Headteacher will write up the outcome of the meeting **within 5 working days of the meeting**. The letter will advise on expected attendance level, any reasonable adjustments to the monitoring period, and trigger points set, including a return to- work date if the staff member is still absent from work. This is usually at the end of the current fit note.

9. Formal Stage Two

Stage two is reached in the following circumstances, either:

- When the initial monitoring period has failed to achieve a satisfactory reduction in the level of absence such that it falls below the defined trigger points.

OR

- The staff member has not returned to work at the specified date following the end of their fit note.

OR

- The initial improvement achieved at the end of the monitoring period at Stage One has not been sustained (see pattern of absence).

A Stage Two meeting will be arranged by the Headteacher to review the staff member's sickness record. The outcome will depend on the circumstances of the case but will typically include setting a further monitoring period and trigger points for improved attendance.

Further actions may also include:

- Agreeing reasonable adjustments to working arrangements if applicable.
- Further referral to Occupational Health.
- Considering other types of support that may be available and/or appropriate.
- Explore the option of medical redeployment or ill-health retirement if applicable.

The staff member will also be advised that their employment is at risk and failure to reduce their level of sickness absence will result in them moving to Stage 3 of the procedure where a decision to dismiss may be made. This will be confirmed in writing. The Headteacher will write up the outcome of the meeting **within 5 working days of the meeting**.

A record of the review will be placed on the staff member's personnel file.

10. Formal Stage Three

If a satisfactory level of attendance has not been achieved and triggers for action set breached, the procedure will result in progression to Stage 3.

Stage 3 involves the consideration of a staff member's future employment considering their absence.

Progression to stage 3 may result in the dismissal of the staff member.

The relevant committee of the governing body will conduct a meeting and hear the case. This will be made up of 3 governors and an independent member co-opted for the purposes of the hearing.

During the stage 3 meeting, the relevant committee of the governing body will assess the staff member's ability to provide regular and efficient service after hearing from both the manager and the staff member.

Where there is a pattern of absence, the relevant committee of the governing body will take sickness absence history of up to 3 years into consideration when deciding on the ability to provide regular and efficient service.

This includes exploring reasonable alternatives to dismissal, a possible further monitoring period, redeployment, phased return or ill health retirement.

It is important that all medical information is up to date and thoroughly reviewed to ensure a comprehensive assessment of the case. In all cases, an up-to-date Occupational Health report should be available for consideration.

The decision reached should consider the school's needs and, whenever possible, the staff member's interests.

The procedure for this meeting is attached as Appendix 3.

If at this stage, the relevant committee of the governing body, having taken into consideration the medical opinion and the information submitted by the staff member, assesses that the absence level is unacceptable, the staff member may be dismissed.

In cases where dismissal is not the outcome of the hearing, the relevant committee of the governing body may decide to set a further monitoring period and trigger points as outlined in this policy and convene another hearing if attendance does not improve within a set monitoring period. If there is further absence during the monitoring period and trigger points reached, the stage three hearing may be reconvened, where dismissal is a possible outcome of the hearing.

The outcome letter must be sent to the staff member within 5 working days from the date of the hearing being held and informed of the right to appeal if dismissal is the outcome.

11. Appeal

Where the outcome of a Stage 3 hearing is dismissal, the staff member has the right to appeal. The appeal will be heard by an Appeals Committee made up of 3 governors and a independent member co-opted for the purposes of the appeal.

Staff members should be advised that any appeal against dismissal must be lodged in writing with the Chair of Governors within 10 working days of receipt of the written decision.

No governor or co-opted independent member who sat on the original Stage 3 hearing may sit on the Appeals Committee, and no member of the Appeals Committee may have had any other prior involvement in the case. The Headteacher, the Chair of Governors, and any governor who is also an employee of the school may not sit on the Appeals Committee.

The appeal will consider whether the correct procedure was followed and whether dismissal was a reasonable response in light of the evidence and medical information available. The decision of the Appeals Committee is final.

Appeal meetings should be held within 20 working days of receipt of appeal.

The appeal hearing pack should be shared with all parties a minimum of 5 working days before the hearing date.

The decision of the panel will be conveyed to the individual in writing within 10 working days of the appeal hearing.

The decision of the appeal panel will be final, i.e.; there will be no further internal right of appeal.

Grounds for Appeal

The grounds of appeal should relate to one or more of the following:

The procedure

An appeal can be lodged on the grounds that the sickness procedure was applied unfairly or inaccurately.

The facts

An appeal can be lodged where the staff member believes that the facts of the case did not support the decision made; that the facts considered were not relevant; that the facts were not substantiated; or where there are new facts/evidence which needs to be considered that has come to light after the hearing.

The decision

An appeal can be lodged where the staff member feels that the sanction received is disproportionate considering the evidence/mitigating circumstances presented.

12. Sickness absence and grievance complaint

When a grievance is raised that relates to the Sickness Absence Management Policy, it will be considered as part of these proceedings and will be considered as part of any hearing or appeal.

If the grievance does not relate to the management of sickness absence, it will be dealt with separately through the Grievance Policy & Procedure and without delay to any sickness absence proceedings.

13. Unauthorized Absence – AWOL (Absence without leave)

Any staff member who fails to follow the school's Sickness Absence Policy and Procedure may be subject to action under the school's Disciplinary Policy.

Any unauthorised absence is misconduct, and the school reserves the right to stop pay.

Where pay is to be stopped the school will notify the staff member one week in advance.

14. Fit Notes

To reduce pressure on doctors, particularly GPs, the Department for Work and Pensions (DWP) and the Department of Health and Social Care (DHSC) have proposed that nurses, occupational therapists, pharmacists and physiotherapists should be able to certify and issue fit notes.

These new rules came into force from 1 July 2022, lifting the requirement that only doctors can issue the notes.

For anyone who has been off work with illness for more than seven days, a fit note provides evidence to the school about their absence and any relevant advice on how to support them to remain in or return to work.

The fit note may include adjustments for the manager to consider facilitating a return to work, such as phased return to work, amended duties, altered hours and workplace adaptions. In some cases, managers may need to discuss and explore medical redeployment opportunities with staff members.

Staff members will be expected to return to work following the expiry of their fit note. Generally, they will not be required to get a confirmation of their fitness to return to work.

There may however be circumstances where a staff member will be asked to provide a medical certificate stating that they are fit to work, for example where they have been absent for a substantial period or there is concern in relation to their fitness.

In such circumstances, a staff member may be medically suspended pending the provision of the relevant medical information or Occupational Health advice.

15. Confidentiality

Sickness absence records are confidential; the information disclosed during the process must be treated with sensitivity, confidentially and kept securely in accordance with GDPR. Disciplinary action will be taken for any inappropriate handling or processing of personal data.

16. Staff member health and wellbeing

It is widely accepted that returning to work can be beneficial for someone who has suffered stress, anxiety, or other mental health related illness.

Attendance at work is usually positive for an individual's overall wellbeing and it is acknowledged that the longer that a staff member is away from the workplace the more difficult it can be for them to return to work.

Head teachers / managers, therefore, will support return to work following any stress, anxiety, or other mental health related illness by ensuring a workplace Stress Risk Assessment (SRA) is completed, in place and any concerns raised by the staff member are considered, and where possible, addressed in line with the HSE Management Standards for Work Related Stress as a framework.

17. Occupational health services

OHS provides specialist advice on preventing or resolving health problems which can affect the staff member's ability to attend work or do their job effectively.

A referral to OH can be made at any time if the line manager or staff member is concerned about the impact of the staff member's health on their performance or attendance. They do not have to wait until the staff member has reached a Trigger Point, or they are absent from work before seeking advice.

Staff members must give consent before an OH referral is made.

Employers are entitled to make reasonable enquiries in relation to a staff member's health and ability to attend work, and it is therefore a reasonable expectation that staff members will engage with the employer's Occupational Health Service provider.

Failure to do so will result in the school taking decisions based on the information available.

18. Phased return

A doctor or occupational health will recommend a phased return where they believe the staff member may benefit from a gradual increase in their working hours.

A doctor or occupational health will recommend altered hours where they believe that a staff member will benefit from a change to the hours that they work, in order for them to return to work. This does not necessarily mean working fewer hours.

A doctor or occupational health will recommend amended duties where they believe a staff member may be able to return to work if their duties are amended to take into account their condition.

A doctor or occupational health will recommend workplace adaptations where they believe a staff member may be able to return to work if their workplace is adapted to take into account their condition.

Phased Reduction in Hours

A phased reduction in hours should not be for a period of more than 6 weeks during which time the staff member will receive their normal pay.

If a longer period of phased reduction in hours is advised, after the initial 6 weeks, the staff members' pay will be reduced to reflect the hours that they work. The staff member and payroll will be notified of this reduction.

19. Pandemic

The school will review and provide guidance considering government guidance on how sickness absence is managed in relation to national pandemics when they arise.

20. Medical Redeployment

A staff member may be moved to a different role either on a temporary or permanent basis when they are unable to continue in their current role.

The staff member will be placed on the medical redeployment register for a 12-week period for the opportunity to seek suitable alternative employment with support from the headteacher.

Where a suitable alternative role is identified through the medical redeployment process, the staff member will be paid at the new rate of pay from the start of their new role following a successful 4-week trial period.

Any change of hours will attract payment in line with the new hours. If the trial is unsuccessful, the staff member's absence will continue to be managed through the Sickness Absence Management Policy, and this may result in dismissal.

21. Medical Suspension

A medical suspension occurs when the head teacher / manager or Occupational Health have concerns about a staff member's ability to perform their job. In such cases, the staff member will be asked to stay at home while these concerns are investigated or until the risk to their health and safety is resolved.

This should only happen in exceptional circumstances, and efforts should be made to keep the suspension period as short as possible and explore other options.

For example, if a staff member is not in a suitable condition to work but insists on doing so. It is important to note that medical suspension is not a substitute for taking sick leave.

During a medical suspension, the staff member will continue to receive their regular pay as specified in their contract. Before suspending a staff member, the head teacher / manager should:

- Discuss their concerns with the staff member, consider seeking further advice from Occupational Health or the staff member's GP if necessary.

- Consult with Human Resources, and make sure that requiring the staff member to stay at home is the only reasonable option.
- The suspension checklist should be completed by the headteacher / manager.

Head teachers / managers must review the suspension every 15 working days and write to the staff member.

If there is a disagreement between Occupational Health and the staff member's GP regarding the best course of action or the staff member's fitness for work, a decision will need to be made by the head teacher / manager based on the circumstances and medical information and advice available.

If a suspension becomes necessary, the staff member should be provided with a suspension letter that clearly states the reasons for the suspension and the expected duration.

During the suspension, the staff member has certain rights and obligations. They should be available and contactable during normal working hours, providing contact details to a designated point of contact such as their manager or HR.

The staff member should be reminded of their obligations regarding sickness notification and annual leave arrangements.

The staff member should be kept informed and updated about the reasons for their suspension, ongoing developments, and an estimate of how much longer it is expected to last. Open communication is key during this time.

Before the staff member can return to work following the medical suspension, they must obtain Occupational Health Clearance or GP clearance. This ensures that their health and fitness to resume their duties have been assessed and approved by the appropriate medical professionals.

22. Ill-Health Retirement

Where appropriate, ill-health retirement should be considered as part of the process. If granted ill-health retirement, the staff member's pension will be released early.

The staff member and employer should work together to make the relevant application.

23. Pregnancy related sickness absence

Sickness absence related to pregnancy or miscarriage will not count in relation to trigger points but will be reviewed and recorded as sickness absence for sick pay entitlement and support purposes.

Head teachers / managers should arrange informal supportive meetings should staff be on long-term absence.

If a staff member goes off sick within 4 weeks of the expected week of childbirth, for pregnancy related reasons, maternity leave and maternity pay will commence.

Managers should refer to the Maternity Policy for further information.

24. Equality and Diversity

The school is committed to ensure the policy does not impact unfairly on staff members with reference to protected characteristics detailed in the Equality Act 2010. Managers have responsibility to ensure that their application of the procedure does not have any adverse impact and their decision-making process is consistent across all groups of staff members.

The school has a duty to make reasonable adjustments where a staff member has a disability covered by the Equality Act 2010. A disability is defined under the Equality Act 2010 as a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on an individual's ability to do normal daily activities.

Staff members should inform their manager if they consider their disability and/or health condition affects their ability to undertake their work and/or poses a health and safety risk.

For disability-related sickness absences, managers must consider OH recommendations and reasonable adjustment where appropriate. Due care and attention should be given to staff members who have a disability, and this situation should be considered when setting revised targets.

25.Sick Pay

Pathways School is committed to the wellbeing of its staff and of their families. We recognize that periods of sickness and the care for the welfare of dependents can lead to unexpected and unplanned absences.

Staff are entitled to **6 PAID** days for sickness absence that occur across a school year. After the 6th day, absences will be unpaid.

If the school is concerned that the reason given for staff absence is not genuine, it may commence action under the school's Disciplinary Policy and Procedure. The school reserves the right to withhold sick pay in circumstances which are described in the relevant paragraphs of the conditions of service for teachers and support staff.

Staff who are absent from work on sickness absence must not participate in any other form of work, paid or unpaid, during or outside of their normal working hours without the prior written authorisation of school. Staff will notify the school if they are undertaking therapeutic work whilst off sick and will consult with the school's occupational health service as to the advisability of such activity. If staff are found to be carrying out other work within their contracted hours at the school, sick pay may be withheld.

Time off for surgery that is not for medical reasons will ordinarily not be paid by the school.

Statutory sick pay (SSP)

Staff are entitled to £123.25 per week Statutory Sick Pay (SSP) if they are too ill to work. It's paid by the employer for up to 28 weeks.

In order to qualify for statutory sick pay (SSP), staff must:

- be classed as an employee
- have done some work for their employer
- have been ill for at least one full working day

Exceptions

Staff will not qualify if:

- They have received the maximum amount of SSP (28 weeks)
- Are getting Statutory Maternity Pay

Linked periods of sickness

If a staff member has regular periods of sickness, they may count as as 'linked'. To be linked, the periods must:

- last more than one full working day
- be 8 weeks or less apart

They would no longer eligible for SSP if they have a continuous series of linked periods that lasts more than 3 years.

Appendix 1A

Procedure for Notification of Absence

The initial stage of the Sickness Management policy and procedure is the notification by the staff member that they will be absent from their place of work due to sickness.

Headteachers must inform all staff of the school's sickness absence reporting procedure. Details of the procedure should include the time by which initial notification must be made and to whom it must be made and deadlines for submission of the doctors notes (fit note). All staff members should also familiarise themselves with these arrangements.

The following steps for initial notification will apply.

- **Staff members must phone in or send a message via the schools Teams app by 7.00am on the first day of absence in accordance with school reporting procedures.**
- After a period of sickness absence of more than seven consecutive days, it is then necessary for a doctor's medical certificate to be obtained and forwarded, in line with established arrangements. A Further Fit note needs to be sent in, as necessary, to cover the whole period of absence.
- Upon return to work a Return-to-Work Interview is to be completed by the Headteacher or delegated manager.

In certain circumstances, advance notification of return to work may also be required. Failure to comply with this procedure will normally result in loss of pay, unless there are mitigating circumstances.

A Doctors Fit note is provided free of charge after seven days absence.

All absences resulting from a work-related injury or illness will also require a Fit Note, to cover the whole period of the absence.

The staff member must inform the Headteacher if they feel the reason for their absence is connected to a disability. This will assist in ensuring that reasonable adjustments can be made. Where a staff member has informed the Headteacher, a record will be kept of any absences which may be connected to a staff member's disability.

Appendix 1B

Sickness Absence Management Procedure

Trigger Points

- 10 working days of sickness absence in any 12-month period or
- 3 periods of sickness absence or at least 6 working days in any 3-month period or,
- a pattern of sickness absence (e.g. Fridays and Mondays or close to school holidays)

Return to Work Interview

- Meeting to enquire about staff member's health, welfare and period of absence
- Face-to-face, ideally on the day of return

Reaching Trigger Points

- Formal Stage 1 Meeting
    - Consider the causes of the sickness absence and its effect on work.
    - Establish any supportive actions that the employer can take.
    - Discuss any support that to achieve an acceptable level of attendance.
    - Place the staff member on monitoring period
- Formal Stage 2 Meeting
    - To review the staff member's sickness record and any further support.
    - Set a further monitoring period and trigger points for improved attendance.
    - Employment is at risk.
    - Failure to reduce level of sickness absence will result in moving to Stage 3 of the procedure where a decision to dismiss may be made.
- Formal Stage 3 Meeting
    - Consideration of a staff member's future employment considering their absence.

Appendix 2

Procedure for the Governing Body

The staff member and their representative shall be given not less than 10 working days' notice of the date, time and place of the meeting.

The Governing Body and the Committee shall hear the case in accordance with the following procedure:

- The Headteacher shall put the case in the presence of the staff member and their representative.
- The staff member (or their representative) shall have the opportunity to ask questions of the Headteacher.
- The members of the Committee shall have the opportunity to ask questions of the Headteacher.
- The staff member (or their representative) shall put their case in the presence of the Headteacher.
- The Headteacher shall have the opportunity to ask questions of the staff member (or representative).
- The Committee shall have the opportunity to ask questions of the staff member (or representative).
- The Headteacher and the staff member (or their representative) shall have the opportunity to sum up their case if they so wish.
- The Headteacher, the staff member and their representative shall withdraw.
- The Committee with the Clerk to the Governors shall deliberate in private, only recalling the Headteacher and the staff member (and their representative) to clear points of uncertainty on information already given. If recall is necessary, both parties shall return notwithstanding only one is concerned with the point giving rise to doubt.
- The Committee shall announce the decision to the Headteacher and the staff member (and their representative) personally.

If the Committee, after considering the information presented determine that the staff member should be dismissed, the staff member shall be advised accordingly, and the dismissal will take place with the notice prescribed by the staff member's contract of employment. The notice shall be effective from the date upon which the decision is communicated to her/him by the Director of Education. The Committee may decide that a payment in lieu of notice be paid to the staff member and that their dismissal be effective from the date upon which the decision is communicated to her/him.

The staff member will be informed of their right of appeal against the decision to the Appeals Committee of the Governing Body. The decision of the Committee will be notified to the staff member in writing within 5 working days of the hearing.

NOTE: All personal information considered at this stage, must be treated in confidence.

Appendix 3

Procedure for the Appeals Committee

The staff member should notify the Clerk to the Governing Body in writing that they wish to appeal. This notification should be within 10 working days of receipt of the decision of the Governing Body.

If the staff member appeals against the decision of the Governing Body the matter shall be dealt with by the Appeals Committee of the Governing Body.

The staff member and their representative shall be given not less than 10 working days notice of the date, time and place of the meeting of the Committee at which the appeal is to be heard.

The Committee shall hear the case in accordance with the following procedure:

- The Chair of Governing Body shall put the case in the presence of the appellant and their representative and may be assisted by the Headteacher.
- The appellant (or their representative) shall have the opportunity to ask questions of the Chair of Governing Body/Headteacher on the information given by them.
- The Appeals Committee shall have the opportunity to ask questions of the Chair of Governing Body/Headteacher.
- The appellant (or their representative) shall put their case in the presence of the Chair of Governing Body and Headteacher.
- The Chair of Governing Body shall have the opportunity to ask questions of the appellant (or representative).
- The Appeals Committee shall have the opportunity to ask questions of the appellant (or representative).
- The Chair of Governing Body and the appellant (or their representative) shall have the opportunity to sum up their cases if they so wish.
- The Chair of Governing Body and the appellant and their representative shall withdraw.
- The Appeals Committee and the Clerk to the Governors shall deliberate in private only recalling the Chair of Governing Body and the appellant (and their representative) to clear points of uncertainty on information already given.
- If recall is necessary both parties shall return notwithstanding only one is concerned with the point giving rise to doubt.
- The Appeals Committee shall announce the decision to the Chair of Governing Body and the appellant (and their representative) personally.

The decision of the Appeals Committee shall be notified in writing to the appellant by the Clerk to the Governors and a copy of the letter shall be retained on the staff member's personal file. There shall be no further right of appeal under this procedure. However, nothing in this procedure shall be construed to limit a staff member's rights under the Employment Protection (Consolidation) Act, 1978 or any other enactment.

NOTE: All personal information considered at this stage must be treated in confidence.

Appendix 4

Headteacher Absences

When a Headteacher is absent from work for medical reasons, they should notify their workplace and submit Doctors notes in accordance with the Procedure for Notification of Absence (detailed in Appendix 1).

When a Headteacher returns to duty, the return-to-work contact should be carried out by the Chair of Governors. The nature of this contact will vary according to the reasons for the absence and any previous absence, however, on most occasions this will be a short discussion to recognise that the Headteacher has been off work and to offer them support and encouragement on their return.

The Chair of the Governing Body, will monitor the absences of the Headteacher. Any action relating to the short term or long term sickness absence procedure, in line with the guidance within the main document, will be carried out by the Chair of the Governing Body.

Headteacher absences should be included on the monthly sickness return and submitted to Payroll/HR following the usual procedure.

Appendix 5

Questions for the Occupational Health Advisor

The Occupational Health Advisor will be requested to consider the employee's ability to carry out the duties of their existing job referring to their current job description. The following list gives examples of possible questions which may be asked of the Occupational Health Advisor.

1. Is the absence related to an employee's disability?

2. If the employee's condition has worsened or is likely to worsen, what adjustments could be made to support the employee's continued employment in the post?

3. Is there an underlying medical cause?

4. Is the employee's condition work related?

5. What are the effects of the condition on the employee's capability to perform the duties of the post?

6. If the effects of the employee's condition are temporary, how long are they likely to last?

7. What functions could the employee perform with reasonable adjustments?

8. Could any reasonable adjustments be made to accommodate the employee in the post?

9. Is the employee able to continue in the post up to 12 months of the absence or beyond?

10. Should a transfer to another suitable post be considered?

11. Is ill health retirement appropriate?

Where the employee is being considered for transfer to an alternative vacancy, their abilities will be assessed against the new job description. In this case, the Occupational Health Advisor should be asked:

1. What functions of the alternative post could the employee carry out with reasonable adjustments?

2. The report to the Occupational Health Advisor should also include information on what alternative or lighter duties are available.