

Staff Sickness and Absence Policy

Policy Code:	HR18
Policy Start Date:	July 2015
Policy Review Date:	July 2018

Please read this policy in conjunction with the policies listed below:

- ACAS Code
- Staff Disciplinary Policy
- Time off for Dependants Policy
- Annual and Special Leave Policy

1. Policy Statement

The Sickness Absence Policy aims to ensure that absence is managed in a consistent, supportive and effective way so that operational and service levels are maintained. This policy applies to all staff with a contract of employment and is in line with ACAS guidance.

Sickness absence can vary from short intermittent periods of ill-health to a continuous period of long-term absence and have a number of different causes (for example, injuries, recurring conditions, or a serious illness requiring lengthy treatment). This policy relates to both short term and long term sickness absence from work. Short term is defined where employees are absent in short, sometimes intermittent, periods of time; long term is defined as an absence from work of one month or more.

The Trust wishes to ensure that the reasons for sickness absence are understood in each case and investigated, where necessary. In addition, where needed and reasonably practicable, measures will be taken to assist those who have been absent by reason of sickness to return to work. The Trust is committed to monitoring and promoting the health and well being of their staff, however it aims to achieve a balance between the needs of staff members and those of the Trust.

This policy does not form part of any employee's contract of employment and may be amended at any time. The Trust may also vary the procedures set out in this policy, including any time limits, as appropriate in any case.

2. Who is covered by the Policy

This policy covers all staff at all levels and grades, including Senior Managers, Officers, Directors, Teaching and Non-Teaching employees, Trainees, Part-time and Fixed-term employees.

3. Responsibilities and Monitoring

The Trust has a nominated officer at each Academy who has responsibility for monitoring absence. For Federation staff the nominated officer is the Head of Human Resources. The role of the nominated officer is to:-

- Ensure that all staff have access to this policy.

- Ensure the absence reporting procedure is followed.
- Ensure that the reason for absence is recorded.
- Conduct return to work interviews where considered necessary.
- Monitor absences, drawing the attention of the Head Teacher and/or Head of Human Resources to any problems that develop or absences that are of concern.

The Head Teacher and/or Head of Human Resources will be informed by the nominated Officer if absence is a cause for concern. The Head Teacher and/or Head of Human Resources will:-

- Review the absence in question.
- Explain any supportive measures to the staff member if relevant e.g. Counselling.
- Consider whether to obtain a medical report from the employee's own GP/Medical Practitioner with employee's consent.
- Consider a referral to the Trust's nominated Occupational Health Provider.

4. Trigger Points

4.1 Short Term Trigger Points

For managing short term absence the Trust considers the following absences as a cause for concern. These are referred to as "trigger points":-

- 4 or more episodes of sickness absence in a rolling 12 month period and/or;
- 9 working days of sickness in a rolling 12 month period and/or;
- Where the number of absences in a short term period warrants immediate action e.g. 3 episodes or 6 working days in 6 months.

- A pattern of absence which is causing concern e.g. regular Friday or Monday absences or absences regularly occurring on a particular day/week, absences pre or post annual leave, public holidays or payday.

Trigger points for employees who work fewer than 5 days a week will be pro rata. Once this trigger point has been identified the management of the absence is then escalated to a senior member of staff.

4.2 Long Term Trigger Points

For long term absence the trigger point for action is an absence from work for one month (or more) and/or where there is no prospect of a return to work in the near future.

5. Disabilities

- 5.1 The Trust are aware that sickness absence may result from a disability. At each stage of the sickness absence meetings procedure (set out in paragraph 14 of this policy), particular consideration will be given to whether there are reasonable adjustments that could be made to the requirements of a job or other aspects of working arrangements that will provide support at work and/or assist a return to work.
- 5.2 If you consider that you are affected by a disability or any medical condition which affects your ability to undertake your work, you should inform the Head of Human Resources.

6. Sickness absence reporting procedure

If the employee is taken ill or injured while at work the employee should immediately report this to their Line Manager. Managers should contact the Head teacher or the Head of Human Resources to make arrangements for anyone who is unwell to receive medical treatment where necessary.

If the employee cannot attend work because they are ill or injured they should telephone their Line Manager as early as possible and no later than 30 minutes after the time when you are normally expected to start work. The following details should be provided:

- The nature of your illness or injury.
- The expected length of your absence from work.
- Contact details.

- Any outstanding or urgent work that requires attention.

It is important that the employee reports the absence information by telephone. It is not acceptable to text or email. If the employee's Line Manager is unavailable, the employee should telephone the Head's PA at the Academy where the employee works or the Head of Human Resources. The Trust expects employees to make contact personally (not a spouse/family member/friend) unless there are exceptional circumstances (e.g. admittance to hospital).

6.1 Managers should ensure that:

- Any sickness absence that is notified to them is recorded and reported to the nominated officer.
- Arrangements are made, where necessary, to cover work and to inform colleagues (while maintaining confidentiality).

6.2 The employee should expect to be contacted during the employee's absence by the employee's Line Manager or the Head of Human Resources who will enquire about the employee's health and be advised, if possible, as to the employee's expected return date.

6.3 If the employee is ill or injured during a period of pre-arranged annual leave the employee may elect to treat the days of incapacity as sickness absence instead of annual leave. The employee must inform their Line Manager of their incapacity and its likely duration as soon as possible, even if they are abroad. The employee will not receive occupational sick pay unless they are able to provide a medical certificate or other evidence of incapacity at their own expense for the full period of incapacity.

7. Evidence of Incapacity

7.1 For sickness absence of up to seven calendar days you must complete a self-certification form which is available from your Line Manager or the Head of Human Resources.

7.2 For absence of more than seven calendar days the employee must obtain a certificate from their doctor (a "Statement of Fitness for Work") stating that they are not fit for work and the reason(s) why. This should be forwarded to the employee's Line Manager as soon as possible. If your absence continues, further medical certificates must be provided to cover the whole period of absence. In some circumstances the Trust may ask the employee to provide a certificate from their doctor during absences shorter

than seven days. During the first seven days, failure to provide such certification of absence will not affect your entitlement to statutory sick pay but the Trust may withhold additional sick pay.

- 7.3 If the employee's doctor provides a certificate stating that you "may be fit for work" you should inform your Line Manager or the Head of Human Resources immediately. The Trust will discuss with you any additional measures that may be needed to facilitate your return to work, taking account of your doctor's advice. This may take place at a return to work interview (see paragraph 13). If appropriate measures cannot be taken, you will remain on sick leave and The Trust will set a date to review the situation.

8. Unauthorised Absence

- 8.1 Cases of unauthorised absence will be dealt with under our Disciplinary Policy and Procedure.
- 8.2 Absence that has not been notified according to the sickness absence reporting procedure will be treated as unauthorised absence.
- 8.3 If the employee does not report for work and have not telephoned their Line Manager or Head's PA or Head of Human Resources to explain the reason for their absence, The Trust will try to contact the employee by telephone, and in writing if necessary. This should not be treated as a substitute for reporting sickness absence.

9. Sick Pay

- 9.1 The employee should refer to their contract for details of the sick pay to which they are entitled.
- 9.2 Sick pay will include, where appropriate, Statutory Sick Pay (SSP), and will not exceed full pay.
- 9.3 If a period of sickness absence is, or appears to be, occasioned by actionable negligence, nuisance or breach of any statutory duty on the part of a third party, in respect of which damages are or may be recoverable, the employee must immediately notify the Head of Human Resources of that fact and of any claim, compromise, settlement or judgment made or awarded in connection with it and all relevant particulars that The Trust

may reasonably require. If The Trust require you to do so, you must cooperate in any related legal proceedings and refund to us that part of any damages or compensation you recover that relates to lost earnings for the period of sickness absence as The Trust may reasonably determine, less any costs you incurred in connection with the recovery of such damages or compensation, provided that the amount to be refunded to us shall not exceed the total amount The Trust paid to you in respect of the period of sickness absence.

- 9.4 Provided employees have followed the correct procedures they will be entitled to receive an allowance in accordance with the following scales:-

Teaching Staff

During the first year of service	Full Pay for 25 working days and, after completing four calendar months service half pay for 50 working days.
During the second year of service	Full pay for 50 working days, and half pay for 50 working days.
During the third year of service	Full pay for 75 working days, and half pay for 75 working days.
During the fourth and successive years	Full pay for 100 working days, and half pay for 100 working days.

Support Staff

During the first year of service	One month full pay and (after completing four months service) two months half pay.
During the second year of service	Two months full pay, and two months half pay.
During the third year of service	Four months full pay, and four months half pay.
During the fourth and fifth year of service	Five months full pay, and five months half pay.
During the sixth and successive year	Six months full pay, and six months half pay.

Please note that for occupational sick pay entitlement record purposes 'one month' shall be deemed to be equivalent to 26 working days, Saturday being reckoned in all cases as a working day.

10. Calculation of Sick Leave and Sick Pay

Teaching Staff

For the purpose of calculating entitlement to sick leave, the year shall be deemed to begin on 1 April of each year and end on 31 March of the following year. In the case of a teacher whose service commences on a date other than 1 April, such service shall be deemed, for the purpose of this scheme, to have commenced on the preceding 1 April, subject to the completion of four calendar months' actual service before half-pay can be claimed. In the case of a teacher who is absent owing to illness on 31 March of any year, such a teacher shall not begin the new entitlement to sick leave in respect of the following year until they have resumed teaching duties, the period from 1 April until the return to duties being deemed to be part of the preceding year for the purpose of this scheme. In the case of a teacher transferred from the service of another authority or grant maintained school, any sick pay paid during the current year by the previous employer shall be taken into account in calculating the amount and duration of sick pay payable by the Trust.

For sickness purposes, two half Academy days shall be deemed to be equivalent to one working day. Whilst sickness during Academy holidays will not affect the period of entitlement to sick leave, it will be relevant so far as deduction of benefit is concerned. Thus the rate of pay applicable in respect of sickness during closure of the Academy is the rate applicable on the last day before the closure. Where Teachers are ill immediately preceding the Academy holiday and:

- Are on full sick pay they will continue on full sick pay, but the closure period is not counted against their entitlement under 1 above;
- Are on half sick pay they will continue on half sick pay, but the closure period is not counted against their entitlement.
- Have exhausted sick pay entitlement and are not receiving any pay this will continue.

Where Teachers are either on half pay or are not receiving pay they may be put back on full pay by the procedure below.

When Teachers have been ill immediately preceding an Academy closure period and their doctor declares them fit to return to work during that period, they will receive full pay from that date, provided they return to work on the first day after that period of closure.

Support Staff

The rate of allowance, and the period for which it will be paid in respect of any absence, will be calculated by deducting from the period of allowance appropriate to service on the first day of absence the aggregate of the periods of absence, during the 12 months immediately preceding the first day of absence. In aggregating the periods of absence no account will be taken of any unpaid absence on sick leave.

Teaching and Support Staff

The following conditions are applicable to both categories of staff:

Sick pay will be paid less any SSP or state benefits to which employees may be entitled as a result of their sickness, whether or not they have taken the necessary steps to obtain them.

Where half pay plus benefits exceeds full pay, employees will remain on full pay less benefits.

In the event of employees being given notice of the termination of their contract without returning to work, on the ground of permanent incapacity or for some other reason, they will receive full pay for the notice period with deductions as set out above.

Deductions equivalent to those set out above shall be made from the sick pay of an employee who is a married woman or a widow and has elected to pay reduced contributions under the terms of the Social Security Act 1973, provided that, where a widow is in receipt of a widow's or widowed mother's allowance or widow's pension, regard shall be made in calculating the amount of sick pay only to such part of the national insurance benefit receivable as is in excess of the amount received by the employee from the Department of Social Security in weeks of full normal employment.

From 6 April 1983, in accordance with the terms of the Social Security and Housing Benefits Act 1982, widows and married women exercising such a right shall be entitled to receive SSP.

If employees have been in contact with someone who is suffering from an infectious disease they must notify the Academy and, if required, take such precautions as may be prescribed provided that, if in the opinion of the approved medical practitioner, it is considered inadvisable. Notwithstanding such precautions for them to attend duty, full pay shall be allowed during any enforced absence from duty, such pay being sick pay. This provision will also apply where, in the opinion of an approved medical practitioner, it is inadvisable for employees

to attend duty for precautionary reasons due to infectious disease in the workplace. The period of absence under this paragraph shall not be reckoned against their entitlement to sick leave stated above. Such absences are reckonable for entitlement to SSP

Where absence is attested by an approved medical practitioner to be due to pulmonary tuberculosis and the employee carries out an approved course of treatment, full salary shall be paid in respect of the first twelve months of the period of absence after attestation and further full or half pay shall be allowed at the discretion of the Trust.

If absence is occasioned by the actionable negligence of a third party in respect of which damages are recoverable, employees shall advise the Federation Trust forthwith. Restart sentence here The Trust will require individuals to refund a sum equal to the aggregate of sick pay paid to them during the period of disability or such part thereof as is deemed appropriate but not exceeding the amount of the damages recovered. In the event of the claim for damages being settled on a proportionate basis, the Trust will require full details and will determine the actual proportion of sick pay to be refunded by individual employees.

Where employees become ill during the school closure they must report this sickness in the usual way, so that SSP can be paid where applicable.

If The Trust is of the opinion that the disability which has caused an employee absence from work is due to their own misconduct, or if they have failed to observe the conditions of this scheme, or have been guilty of conduct prejudicial to their recovery, the payment of any sick pay under the scheme may be suspended by The Trust. Employees will be told the reason for this and have a right of appeal to the Appeals Committee.

Sick pay shall not be paid in the case of an accident due to active participation in sport as a profession unless the Federation Trust by resolution decides otherwise, though SSP may be payable.

11. Keeping in contact during sickness absence

11.1 If the employee is absent on sick leave the employee should expect to be contacted from time to time by their Line Manager and/or the Head of Human Resources in order to discuss their wellbeing, expected length of continued absence from work and any work that requires attention. Such contact is intended to provide reassurance and will be kept to a reasonable minimum.

- 11.2 If the employee has any concerns while absent on sick leave, whether about the reason for their absence or their ability to return to work, they should feel free to contact their Line Manager and/or Head of Human Resources at any time.

12. Medical examinations

- 12.1 The Trust may, at any time in operating this policy, ask the employee to consent to a medical examination by our Occupational Health Advisor and/or a Doctor nominated by us (at our expense).
- 12.2 Alternatively The Trust may ask the employee to consent to our obtaining a medical report from the employees own Medical Practitioner at The Trusts expense.
- 12.3 Employees will be asked to agree that any report produced in connection with any such examination may be disclosed to us and that The Trust may discuss the contents of the report with our advisers and the relevant Doctor.

13. Return-to-work interviews

- 13.1 If the employee has been absent on sick leave The Trust will arrange for them to have a return-to-work interview with the nominated officer or Head of Human Resources.
- 13.2 A return-to-work interview enables The Trust to confirm the details of the employees absence. It also gives the employee the opportunity to raise any concerns or questions they may have, and to bring any relevant matters to our attention.
- 13.3 Where an employee's doctor has provided a certificate stating that they "may be fit for work" The Trust will usually hold a return-to-work interview to discuss any additional measures that may be needed to facilitate the employees return to work, taking account of their doctor's advice.

14. Returning to work from long-term sickness absence

- 14.1 The Trust is committed to helping members of staff return to work from long-term sickness absence. As part of the sickness absence meetings

procedure (see paragraph 13), The Trust will, where appropriate and possible, support returns to work by:

- Obtaining medical advice;
- Making reasonable adjustments to the workplace, working practices and working hours;
- Considering redeployment; and/or
- Agreeing a return to work programme with everyone affected.

14.2 If the employee is unable to return to work in the longer term, The Trust will consider whether they are entitled to any benefits under their contract.

15. Sickness absence meetings procedure

15.1 The Trust may apply this procedure whenever we consider it necessary, including, for example, if the employee:

- Has been absent due to illness on a number of occasions;
- Has discussed matters at a return to work interview that require investigation; and/or
- Has been absent for more than one month.

15.2 Unless it is impractical to do so, The Trust will give the employee seven days written notice of the date, time and place of a sickness absence meeting. The Trust will put any concerns about their sickness absence and the basis for those concerns in writing or otherwise advise why the meeting is being called. A reasonable opportunity for the employee to consider this information before a meeting will be provided.

15.3 The meeting will be conducted by the employee's Line Manager and/or Head of Human Resources. The employee may bring a companion with them to the meeting (see paragraph 16).

15.4 The employee must take all reasonable steps to attend a meeting. Failure to do so without good reason may be treated as misconduct. If the employee or their companion are unable to attend at the time specified they should immediately inform their Line Manager or the Head of Human Resources who will seek to agree an alternative time.

- 15.5 A meeting may be adjourned if the employees Line Manager or the Head of Human Resources is awaiting receipt of information, needs to gather any further information or give consideration to matters discussed at a previous meeting. The employee will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.
- 15.6 Confirmation of any decision made at a meeting, the reasons for it, and of the right of appeal will be given to the employee in writing within seven days of a sickness absence meeting (unless this time scale is not practicable, in which case it will be provided as soon as is practicable).
- 15.7 If, at any time, the employee's Line Manager or the Head of Human Resources considers that the employee has taken or are taking sickness absence when you are not, they may refer matters to be dealt with under The Trusts Disciplinary Procedure.

16. Right to be accompanied at meetings

- 16.1 The employee may bring a companion to any meeting or appeal meeting under this procedure.
- 16.2 The employee's companion may be either a recognised Trade Union Representative, a work colleague or, at the Trust's discretion, a family member or friend (see below 16.4). Their identity must be confirmed to the Manager conducting the meeting, in good time before it takes place.
- 16.3 Members of staff are allowed reasonable time off from duties without loss of pay to act as a companion. However, they are not obliged to act as a companion and may decline a request if they so wish.
- 16.4 The Trust, at its discretion, permits a companion who is not a member of staff or Trade Union Representative (for example a family member) where this will help overcome particular difficulties caused by a disability, or in understanding English.
- 16.5 A companion may make representations, ask questions, and sum up the employees position, but will not be allowed to answer questions on the employee's behalf. The employee may confer privately with their companion at any time during a meeting.

17. Stage 1: first sickness absence meeting

17.1 This will follow the procedure set out in paragraphs 15 and 16 on the arrangements for and right to be accompanied at sickness absence meetings.

17.2 The purposes of a first sickness absence meeting may include:

- Discussing the reasons for absence;
- Where the employee is on long-term sickness absence, determining how long the absence is likely to last;
- Where the employee has been absent on a number of occasions, determining the likelihood of further absences;
- Considering whether medical advice is required;
- Considering what, if any, measures might improve their health and/or attendance;
- Agreeing a way forward, action that will be taken and a time-scale for review and/or a further meeting under the sickness absence procedure.

18. Stage 2: further sickness absence meeting(s)

18.1 Depending on the matters discussed at the first stage of the sickness absence procedure, a further meeting or meetings may be necessary. Arrangements for meetings under the second stage of the sickness absence procedure will follow the procedure set out in paragraphs 15 and 16 on the arrangements for and right to be accompanied at sickness absence meetings.

18.2 The purposes of further meeting(s) may include:

- Discussing the reasons for and impact of the employees ongoing absence(s);
- Where the employee is on long-term sickness absence, discussing how long their absence is likely to last;
- Where the employee has been absent on a number of occasions, discussing the likelihood of further absences;
- If it has not been obtained, considering whether medical advice is required. If it has been obtained, considering the advice that has been given and whether further advice is required;

- Considering the employees ability to return to/remain in their job in view both of capabilities and The Trusts business needs and any adjustments that can reasonably be made to the employees job to enable them to do so;
- Considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeployment;
- Where the employee is able to return from long-term sick leave, whether to their job or a redeployed job, agreeing a return to work programme;
- If it is considered that the employee is unlikely to be able to return to work from long-term absence, whether there are any benefits for which they should be considered including ill-health retirement, subject to the rules of the relevant scheme;
- Agreeing a way forward, action that will be taken and a time-scale for review and/or a further meeting(s). This may, depending on steps The Trust has already taken, include warning the employee that they are at risk of dismissal.

19. Stage 3: final sickness absence meeting

19.1 Where the employee has been warned that they are at risk of dismissal, The Trust may invite them to a meeting under the third stage of the sickness absence procedure. Arrangements for this meeting will follow the procedure set out in paragraphs 15 and 16 on the arrangements for and right to be accompanied at sickness absence meetings.

19.2 The purposes of the meeting will be:

- To review the meetings that have taken place and matters discussed with the employee.
- Where the employee remains on long-term sickness absence, to consider whether there have been any changes since the last meeting under stage two of the procedure, either as regards to possible return to work or opportunities for return or redeployment.
- To consider any further matters that the employee may wish to raise.
- To consider whether there is a reasonable likelihood of the employee returning to work or achieving the desired level of attendance in a reasonable time.

- To consider the possible termination of employment.

19.3 Termination will normally be with full notice or payment in lieu of notice.

20. Appeals

- 20.1 The employee may appeal against the outcome of any stage of this procedure and they may bring a companion to an appeal meeting (see paragraph 16).
- 20.2 An appeal should be made in writing, stating the full grounds of appeal, to the Clerk to the Trustees within seven days of the date on which the decision was sent to the employee.
- 20.3 Unless it is not practicable, the employee will be given written notice of an appeal meeting within seven days of the meeting. In cases of dismissal the appeal will be held as soon as possible. Any new matters raised in an appeal may delay an appeal meeting if further investigation is required.
- 20.4 The employee will be provided with written details of any new information which comes to light before an appeal meeting. The employee will also be given a reasonable opportunity to consider this information before the meeting.
- 20.5 An appeal meeting will be conducted by a Manager senior to the individual who conducted the sickness absence meeting.
- 20.6 The appeal meeting will conduct a review of the original decision but, depending on the grounds of appeal, it may include a complete rehearing of the matters under review.
- 20.7 Following an appeal, the original decision may be confirmed, revoked or replaced with a different decision. The final decision will be confirmed in writing, if possible within seven days of the appeal meeting. There will be no further right of appeal.
- 20.8 The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay.

21. Monitoring and review of the policy

- 21.1 The Trust will monitor the development and dissemination of good practice to ensure that this policy and the sickness absence meetings procedure are achieving their stated objectives.

22. Procedures

This procedure may only be amended or withdrawn by The Priory Federation of Academies Trust.



The Priory Federation of Academies Trust Sickness Absence Policy

This Policy has been approved by the Priory Federation of Academies Pay, Performance and HR Committee:

Signed..... Name..... Date:

Trustee

Signed..... Name..... Date:

Chief Executive Officer

Signed..... Name..... Date:

Designated Member of Staff

Please note that a signed copy of this agreement is available via Human Resources.