



# SICKNESS ABSENCE POLICY

St Bartholomew's Primary School

Date agreed by Governing Board	July 2022
Signature of Chair of Governors	<i>Bettina Carlyon</i>
Date to be reviewed by Governing Board	July 2024

*This version supersedes all previous versions of this policy*

# SICKNESS ABSENCE POLICY

## SICKNESS ABSENCE

### 1. SCOPE OF THIS POLICY

1.1 This policy is designed to establish a framework for the effective management of staff sickness absence taking into account both the welfare of employees by supporting them and our requirements to deliver an effective education to our pupils.

1.2 For the avoidance of doubt this policy may be used concurrently with our **Capability Policy** and our **Disciplinary Policy**.

1.3 If you are in your probationary period we may decide not to use this policy.

1.4 In this policy, “**Absence Contact**” means:

- (a) The Chair of Governors if you are a Headteacher;
- (b) the Headteacher if you are a member of the teaching staff or School Business Manager;
- (c) the Headteacher or Deputy Headteacher if you are a member of support staff.

### 2. GENERAL PRINCIPLES

We aim to:

- (a) address sickness absence;
- (b) always monitor attendance;
- (c) ensure proactively that short term absences do not go unrecorded;
- (d) take swift supportive action if the absence is work related;
- (e) keep accurate, up to date, employee attendance records;
- (f) develop and maintain an atmosphere and conditions that encourage people to come to work;
- (g) deal with each person as an individual;

- (h) handle attendance problems promptly and sensitively, in a supportive manner;
- (i) treat all staff fairly and consistently;
- (j) keep governors informed about the School’s sickness absence rate;
- (k) seek support and advice from HR.

### 3. YOUR OBLIGATIONS

You are expected to:

- (a) comply with the sickness notification process in place for your workplace;
- (b) ensure medical advice and treatment, where appropriate, is received as quickly as possible in order to facilitate a return to work;
- (c) take and follow the medical advice and treatment offered;
- (d) keep in regular reasonable touch (consistent with your medical condition) and inform your Absence Contact of any significant developments affecting the period of absence; and
- (e) attend medical appointments promptly.

### 4. SICKNESS NOTIFICATION

4.1 You must notify us of your sickness absence in accordance with the process adopted at your workplace which will ordinarily be by **7am** on a School Day.

4.2 Brief details of the reason for absence and, if possible, some indication of a return to work date should be given during this contact. Ideally, the position in relation to current workload should be discussed in order to help us make appropriate cover arrangements.

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- 4.3 If your absence is the result of an accident or an injury sustained at work, then this information must be made known. You should indicate if the incident has been reported, when it was reported and to whom.
- 4.4 If you fall ill during the working day you may only leave work after notifying your line manager or other senior person.
- 4.5 If you are still unfit for work after **three successive working days** you must once again inform your Absence Contact on the fourth day as to the likely duration of the absence.
- 4.6 You are required to complete a self-certificate to cover every day of absence, including half days.
- 4.7 A doctor's Statement of Fitness for Work must be provided by all staff where sickness absence lasts beyond **7 calendar days**. The doctor's statement must be forwarded to your Absence Contact to reach them on or before the eighth day of absence.
- 4.8 If more than one doctor's statement is required for any period of absence, you must keep your Absence Contact informed of developments on a weekly basis. This is to ensure that our educational needs are fulfilled and to give you the opportunity to indicate if there are any ways in which we can support you and to give you the opportunity (if you wish it) to be kept up to date with developments at work.
- 4.9 The requirement for weekly contact may be relaxed if a doctor's Statement of Fitness for Work indicates that such contact would inhibit your return to work or by agreement with you.
- 5. RETURN TO WORK DISCUSSIONS**
- 5.1 After every absence your Absence Contact must, before you begin to undertake duties, discuss with you:
- (a) the reasons for your absence (see 5.5 below);
  - (b) the appropriate notification has been completed;
  - (c) your fitness to work; and
  - (d) whether there are any issues which require particular support from us.
- 5.2 A record of this discussion should be placed on your personnel file.
- 5.3 Your Absence Contact may use the return to work discussion as an opportunity to bring you up to date with developments at work during your absence.
- 5.4 If you consider the reason for your absence is medically sensitive you may instead disclose the reason for your absence to the Headteacher or School Business Manager as appropriate.
- 6. OCCUPATIONAL HEALTH REFERRAL**
- 6.1 We may at any time refer you to Occupational Health for an assessment of:
- (a) your health;
  - (b) its impact on your attendance or on your punctuality;
  - (c) its impact, if any, on any alleged misconduct;
  - (d) its impact on your fitness to perform the duties required by your employment;
  - (e) its impact on your ability to attend formal meetings or interviews under this or any other policy particularly in the light of the guidance at page 20 of the **Health and Work Handbook** produced by the Faculty of Occupational Medicine, Royal College of General Practitioners, Society of Occupational Medicine

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(<http://www.fom.ac.uk/wp-content/uploads/hw.pdf>); and

(f) what steps we could take to improve your health and/or attendance.

6.2 You are required to co-operate with such referrals.

6.3 If you decide not to engage with the Occupational Health referral we will proceed to make decisions without the benefit of your input.

6.4 Before making any decision to dismiss on notice under this Sickness Absence policy we will have referred you for at least one Occupational Health assessment.

6.5 There is no right of appeal against a referral to Occupational Health.

### 7. ABSENCE REVIEWER AND APPEAL MANAGER

The table below sets out the normal, minimum level of delegation for dealing formally with absence due to sickness or ill health.

<i>Your Level</i>	<i>Absence Reviewer</i>	<i>Appeal Manager</i>
Headteacher	Chair of Governors or another Governor nominated by Chair, except where dismissal is a potential outcome in which case a governors' panel comprising three governors or Diocesan nominees as associate members	An appeal committee comprising three governors or Diocesan nominees as associate members
Other School Leadership Spine	Headteacher except where dismissal is a potential outcome, in which case a governors' panel comprising three governors or Diocesan nominees as associate members	Chair of Governors or another non-staff Governor nominated by Chair or in cases of dismissal an appeal committee as above
Other School Staff	Headteacher or a member of School's Leadership Team appointed by the Headteacher, except where dismissal is a potential outcome in which case the Chair of Governors	Chair of Governors or another non-staff Governor nominated by Chair or in cases of dismissal an appeal committee as above



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### 8. PERSISTENT INTERMITTENT ABSENCE

- 8.1 Persistent intermittent sickness absence can be defined as frequent short-term absences from work that are normally sporadic and attributable to minor ailments, in many cases unconnected.
- 8.2 Managerial problems are created by the frequency of the absence and the reasons behind the absence. It can only be addressed effectively through proper monitoring systems and effective management action.

#### Triggers

- 8.3 Whilst each case of sickness absence should be considered individually (for example where the absence is unlikely to recur no Formal Absence Review Meeting would be appropriate), the following triggers will normally lead to a Formal Absence Review Meeting:
- (a) sickness absence of **8 or more working days** in any **12 month period**, accrued over 3 periods of absence or more;
  - (b) sickness absence of **5 or more working days** accrued over 2 or more periods of absence in any **6 month period**;
  - (c) two periods of sickness absence both lasting **4 or more working days** in any **12 month period**; or
  - (d) any levels of absence which show a trend or pattern e.g. Friday – Monday absences, monthly dates (e.g. last Friday every month) and any other notable dates.

### 9. LONG TERM ABSENCE

- 9.1 Long-term absence occurs where you are absent from work for at least **4 working weeks** as the result of a serious health problem. It can normally be distinguished from frequent intermittent absence in that it tends to be continuous and usually can be

traced to an underlying medical condition. In addition to Formal Absence Review Meetings there may be informal monitoring meetings with your line manager and/or a member of the senior leadership team, particularly around phased returns to work or consideration of ill health retirement.

#### Trigger

- 9.2 An absence lasting **4 working weeks** will normally lead to a Formal Absence Review Meeting. This may be delayed depending on the nature of the illness. In exceptional circumstances it may be appropriate to move straight to consideration of ill health dismissal as part of the review meeting (see 11).

### 10. FORMAL ABSENCE REVIEW MEETINGS

- 10.1 At least **5 working days** before a Formal Absence Review Meeting, the Absence Reviewer shall send you an Absence Report:
- (a) setting out your absences from work indicating the reasons given for the absence;
  - (b) setting out any suggestions made by you or us for support to make reasonable adjustments to working arrangements that could reduce your absence or assist your return to work; and
  - (c) including copies of self-certificates, Statements of Fitness to Work from your doctor and all medical reports including those from Occupational Health.
- 10.2 At a Formal Absence Review Meeting you will have the opportunity to:
- (a) present any medical evidence in your possession or other evidence referring to any other underlying cause;
  - (b) make suggestions about managing your return to work including any phased return to work or change in hours; and

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- (c) make suggestions of support or other reasonable adjustments that could be made.

### II. FORMAL RESPONSES

- II.1 The Absence Reviewer may (in addition to making a further occupational health referral) undertake the following formal responses:

#### Reasonable adjustments to working arrangements

These will vary on a case-by-case basis depending on the medical condition identified e.g. phased return to work, change in work station, support of a colleague, counselling.

#### A First Written Caution

- (a) in the context of a persistent intermittent absence a First Written Caution is a caution that if you are absent from work for **four or more days** in the period of the next **six months**, you will be at risk of a Final Written Caution.
- (b) In the context of a long-term sickness absence a First Written Caution is a caution that if you are not fully back to work within between **6 to 12 working weeks** there will be a further Formal Absence Review Meeting. The precise number of working weeks will be set by reference to the available medical evidence.

#### A Final Written Caution (if you have not responded appropriately to a First Written Caution)

- (a) In the context of a persistent intermittent absence this is a caution that if you are absent from work for **2 or more days** (other than on authorised leave) in the period of the next **four months** you may be at risk of a dismissal.
- (b) In the context of long term sickness absence this is a caution that if you are not fully back to work within between **4 to 12**

**working weeks** you will be referred to the Final Absence Reviewer which could lead to termination of employment. The precise number of working weeks will be set by reference to the available medical evidence.

- II.2 The Absence Reviewer may undertake the following response, only after you have breached a Final Written Caution:

#### Dismissal with Notice

In coming to such a decision in relation to a case of persistent intermittent absence the Absence Reviewer will consider:

- (a) the total absence and pattern of absence;
- (b) the available medical prognosis;
- (c) advice from occupational health;
- (d) the reasons advanced for the absence;
- (e) how long you have worked for us;
- (f) what additional demands has the persistent intermittent absence generated for other employees and the School;
- (g) whether other reasonable adjustments have been considered; and
- (h) whether other reasonable adjustments have been made and if so whether they were effective.

In coming to such a decision in relation to a case of long-term absence the Absence Reviewer will consider:

- (a) the available medical prognosis;
- (b) advice from occupational health;
- (c) advice from an HR professional;
- (d) is complete recovery likely and, if so, when;
- (e) how long you have worked for us;

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- (f) what additional demands has the absence generated for other employees;
- (g) whether alternative employment or a transfer is available, suitable and acceptable;
- (h) whether Ill-Health Retirement under the LGPS or TPS has been explored;
- (i) whether other reasonable adjustments have been considered; and
- (j) whether other reasonable adjustments have been made and if so whether they were effective.

11.3 You may appeal against a written caution by writing to the original decision maker within **5 working days** of being sent the caution.

11.4 You may appeal against a dismissal on notice by writing to the original decision maker within **5 working days** of being sent the notification of termination.

11.5 The fact of the appeal does not delay the commencement of any period under any caution or of any notice period.

11.6 If your contract contains a payment in lieu of notice clause we may exercise that clause to bring your contract to an end with immediate effect.

11.7 Any appeal against a caution should normally be heard by the Appeal Manager within **10 working days** of receipt your appeal, and **20 working days** for an appeal against dismissal.

## 12. PERMITTED COMPANION

You may bring a Permitted Companion to any Formal Absence Review Meeting.