

THE SALTERNS ACADEMY TRUST

Policy for Absence Management



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1. Key staff involved

| Role | Name(s) |
|---|--------------|
| CEO of the Salterns Academy Trust | N Hardingham |
| Executive Headteacher: Trafalgar School | C Copeland |
| Headteacher: Admiral Lord Nelson School | C Doherty |
| Trust HR Manager/HR Officer: | D Jeal |
| HR Officer: Trafalgar School | J Smith |

2. Purpose of this Policy

The Salterns Academy Trust (SAT) expects excellent levels of attendance at work and is committed to supporting the wellbeing of everyone. SAT acknowledges that there may be circumstances when an employee is unable to attend work. If this happens, the employee will be treated fairly and sensitively.

The policy sets out how SAT will manage sickness absence. Further guidance is available in the How to Guide and this must also be referred to.

This policy and accompanying guidance is intended to provide a measure of consistency and fairness in managing staff attendance at SAT. It sets out the school's and members of staff's obligations in respect of sickness absence, reporting arrangements and support.

It is important that absence levels are monitored, as a high level of absence can be indicative of a wide variety of underlying problems, for example ill-health, low morale or personal problems. Dealing with issues promptly not only provides support to the individual concerned, but also reduces the level of absenteeism and the subsequent cost to the school.

Members of staff who are ill will be treated sympathetically and every effort will be made to assist recovery and safeguard employment. It is recognised however that the loss of working days through repeated sickness absence can be a significant cost in terms of work not completed or the costs of arranging absence cover. Sickness absence also places additional pressure on colleagues.

A consistent and equitable approach will be taken to the management of sickness. This applies to all employees, irrespective of their roles and responsibilities. The causes of absence, where possible, will be dealt with effectively, efficiently, and with due consideration.

Where an employee fails to follow the absence reporting procedure including failure to provide adequate reasons for absence (e.g., unauthorised absences) the school's disciplinary procedure may apply. Advice on the correct use of these procedures should be sought from the HR Manager/HR Officer or HR Assistant.

This policy and procedure will be reviewed every two years or whenever a change in employment legislation necessitates a review, whichever is sooner.

This policy applies to all teachers (including Leadership, Upper Pay Range, Main Pay Range and Unqualified Teachers) and Support Staff (including Central Trust Staff). It does not apply to Volunteers, Contractors or Agency workers

Matters of ill health and absence are governed by statutory provisions, particularly the:

- Education (Teachers Qualification and Health Standards) (England) Regulations 1999 (Statutory Instrument 2166/99)
- Employment Rights Act 1996
- Equality Act 2010

Employees with less than two years' service may be subject to a shortened procedure.

Employees are actively encouraged to contact their professional association/ trade union representative at the earliest opportunity to obtain advice and support at any point during this procedure.

SAT expects all parties to maintain confidentiality throughout the application of the policy.

3. Reporting Sickness Absence

Mobile phone text will not be accepted as a form of absence notification.

If illness occurs whilst at work the employee must report this to their Line Manager (or HR Manager/HR Officer if Line Manager is unavailable) immediately and agree a course of action which is then communicated to the member of staff coordinating cover in the relevant school. *For central trust staff, this should be reported to the Trust HR Manager*

For teaching staff or support staff who start work at 8.00am:

Unless exceptional circumstances apply, a telephone message should reach the school by no later than 7.15am stating their name, nature of absence and expected return date. Staff must ensure a message is left each day they are absent from work. If the anticipated duration of absence changes, then the employee must notify the school so that the return-to-work date is clear.

All staff are required to phone the 'cover' line to report their absence:

- **Admiral Lord Nelson School (02392 364536 ext. 102)**
- **Trafalgar School (02392 693521 ext 122)**

An absent member of staff with a teaching commitment should also ensure that the Head of Department or his/her deputy is given instructions, directly, on work to be set for the classes taught that day. Instructions should be provided by the employee by 8.00am.

An absent member of support staff without a teaching commitment must also ensure that they make their line manager aware of their absence and leave instructions regarding any urgent matters which will need prompt attention whilst the member of staff is absent.

For support staff working part-time/shift patterns:

Unless exceptional circumstances apply, a message should reach the school by no later than 2 hours before the start of their shift stating their name, nature of absence and expected return date. Staff must ensure a message is left each day they are absent from work. If the anticipated duration of absence changes, then the employee must notify the school so that the return-to-work date is clear. **All staff are required to phone the 'cover' line to report their absence.**

An absent member of support staff without a teaching commitment must ensure that they make their line manager aware of their absence and leave instructions regarding any urgent matters which will need prompt attention whilst the member of staff is absent.

Employees must explain the nature of their illness and their estimated return to work date.

An employee is required to provide a Statement of Fitness for Work (medical certificate) from the 8th calendar day of sickness absence (**including any periods of school closure or holidays**) which must be forwarded immediately to the HR Manager/HR Officer.

Failure to report sickness absence or provide a statement of fitness for work according to this policy may result in the withholding of Statutory Sick Pay or Occupational Sick Pay. It may also result in formal action being taken under the school's disciplinary procedure.

After every sickness absence, the employee must complete the online 'Sickness Absence Notification' form which is sent and processed by the HR and Admin Team.

CEO and Headteacher/Executive Headteacher Absence

In the case of the Chief Executive Officer sickness absence, the Chair of the Trust Board of Directors is notified. The CEO must also liaise with the Trust HR Manager/HR Officer to ensure that the sickness absence is inputted into the HR/payroll system.

Headteachers and Executive Headteachers must report any sickness absence to the CEO as well as

reporting to the school's HR Manager/HR officer to ensure that the sickness absence is inputted into the school's HR/payroll system.

4. Statement of Sickness

An employee will be required to provide a statement of fitness for work (medical certificate) from the 8th calendar day of absence.

Employees are responsible for submitting their statement of fitness for work to the HR Manager/HR Officer as soon as possible following issue by their GP. Failure to provide a statement of fitness for work in a timely manner may lead to loss of sick pay and may be regarded as a disciplinary issue.

When the Executive Headteacher/Headteacher receives a statement of fitness for work from the HR Manager/HR Officer that the employee 'may be fit for work' the following actions may be applied:

- discuss the advice on the statement with the employee
- consider the advice and how it affects the job and the workplace
- consider the functional comments, any of the return-to-work box ticks and any other action(s) that could help the employee return to work
- discuss the possible options with the employee
- if a return to work is possible – agree date, workplace adaptations and review date
- risk assess, monitor and review as agreed
- seek further advice from Occupational Health if required.

The statement of fitness to work is not binding on employers and therefore, if the school is not able to accommodate any recommendations made by the doctor, the employee will be treated as though they are unfit for work.

5. Absence Due to an Accident/Injury at Work

Where an employee is injured as part of their duties they must report this to their Headteacher/Senior Leader immediately and fill out the relevant paperwork (e.g. accident reporting book).

Certain absences resulting from an accident or incident at work must be reported under the 'Reporting of Injuries, Diseases and Dangerous Occurrences Regulations' 1995 (RIDDOR). The school's Health and Safety Officer should be informed immediately and they will ensure that the relevant procedures are followed.

6. Instruction to Leave Work on Health Ground

An Executive Headteacher/Headteacher may instruct an employee to leave work on health grounds in the following circumstances:

- an employee attends for work (or returns to work after sickness absence) and the Executive Headteacher/Headteacher has serious doubts about their ability to perform the full range of their duties in a safe way;
- an employee is unwell or has a condition which causes the Executive Headteacher/Headteacher serious concern and may present a risk to the employee, students, colleagues or others.

In these circumstances, the Executive Headteacher/Headteacher may contact Occupational Health for further advice.

7. Sick Pay

Details of sick pay entitlements are contained within the employee's terms and conditions of employment.

8. Keeping in Touch During Sickness Absence

Employees are expected to maintain regular contact with their Executive Headteacher/Headteacher or HR Manager/HR Officer during periods of sickness absence. The frequency and manner of this will be subject to

review, depending on the length of the absence. Line managers may also contact an employee who is absent, for example, if no contact has been received from the employee, to check how they are, or to update them regarding changes at work.

Home visits or meetings at a neutral venue may be appropriate where the employee is unable to attend the workplace and has been absent for a longer period of time, or where the employee would prefer to meet away from the workplace.

9. Planning for an Employees Return to Work

Prior to their return, employees who have been absent from work for a longer period of time may be in receipt of a statement of fitness for work confirming that they are well enough to return to work, perhaps with recommendations in relation to that return. This will be discussed at the earliest opportunity with the Executive Headteacher/Headteacher and Personnel Committee to enable relevant arrangements to be made for the employee to return to work.

Employees must give as much notice as possible of their return to work following prolonged absence.

Where the employee has been reviewed by Occupational Health any recommendation made by Occupational Health will be carefully considered, particularly in relation to phased returns/adjustments to duties where this is appropriate.

Return to work interviews

On the first day that the employee returns to work following sickness absence, or as soon as possible thereafter, the Executive Headteacher/Line Manager/HR Manager/HR Officer and employee must meet or make another form of contact to conduct a return-to-work discussion/interview. The purpose of this meeting is to:

- welcome the employee back to work
- ensure that the employee is fully recovered and decide whether any further support is required
- review their sickness absence record for the past twelve months and agree either:
 - to set a time for an interview under Stage 1 of the Managing Sickness Absence procedure or
 - that no further action is needed.
- update the employee on key issues/matters that have arisen during their absence
- complete a return-to-work form at the interview.

The employee does not have the right to be accompanied at the return-to-work meeting.

The Executive Headteacher/Headteacher /Line Manager/HR Manager/HR Officer may complete a return to work form (Appendix 4) to record the return to work discussion. The completed form may be signed by both parties and a copy placed on the employee's personal file.

10. Phased Return to Work

In certain circumstances, Occupational Health may advise that a phased return to work is necessary. In those circumstances, the employee may return to work on reduced hours or duties for a period of up to 4-6 weeks, gradually increasing their working hours/duties until they have reverted back to their full contractual hours or duties. The employee, however, needs to return to their full role at the end of the phased return period unless otherwise agreed.

If the advice is to restrict shifts/working hours or make another adjustment on an indefinite basis, consideration will be given as to whether this adjustment is reasonable, especially where the employee has a condition which may qualify as a disability under the Equality Act 2010. A discussion may then need to take place with the employee regarding a variation to the terms of their contract. Where it is not reasonable to accept the adjustment on an indefinite basis, medical redeployment or ill health retirement may need to be considered. In such cases, the Executive Headteacher/Headteacher and the HR Manager/HR Officer should seek further advice from Education Personnel Services and the employee should contact their professional association or trade union representative.

11. Reviewing Sickness Absence Levels

The Personnel Committee will regularly review the absence levels of all their staff. In doing so, they may consider whether any action is required under the formal procedure, in circumstances where the employee's absence has reached an unacceptable level and is causing operational difficulties.

What causes operational difficulties will differ between job roles and therefore the levels of unacceptable absence associated with them will also differ. The threshold for 'operational difficulty' may be lower or higher than the suggested trigger points detailed in this policy.

Trigger points will be used by the Personnel Committee as a starting point in managing sickness absence. A trigger point is a level of absence at which a review may be required. The previous 12-month period is calculated from the first day of the current absence.

A trigger point is a measure set to monitor absence levels, the types of absence and absence trends.

The following trigger points may be used:

- 4 occurrences of sickness totalling 6 days/shifts in the previous 12 months (pro rata* as above)**
- 9 days/shifts in the previous 12 months (pro rata* as above)**
- Whenever the level, frequency or pattern of absence causes a concern due to operational impact.

**pro-rata for employees who work part time or in their first two years of service.*

***the previous 12-month period is calculated from the first day of the current*

A long term absence trigger is considered as follows:

- 28 calendar days or more on one occasion.

SAT can exclude an absence for the purposes of the absence triggers and any action being taken under this policy at that time. This is a management decision. Each case will be treated separately and no precedents will be set.

12. Referral to Occupational Health

SAT reserves the right to request that employees attend an Occupational Health referral/appointment at any time to gain professional medical advice where it is appropriate to support the employee. There is an expectation that employees will attend such appointments

In the case of teachers, this expectation is contained within Section 4 of the "Conditions of Service for School Teachers in England and Wales" (the "Burgundy Book"). In the case of support staff, this expectation is contained within "The National Joint Council for Local Government Services, National Agreement on Pay and Conditions of Service" Part 3, section 4.2.

The HR Manager/HR Officer will normally meet with the employee to discuss the referral. Employees may request that their professional association/trade union representative is present at the meeting to discuss referral.

If an employee is absent due to a stress-related illness, anxiety or depression, as determined by the GP, the Executive Headteacher/Headteacher will ordinarily make an early referral to Occupational Health.

If an employee fails to attend a planned appointment with Occupational Health without notification to the Occupational Health department and the HR Manager/HR Officer, they may be subject to disciplinary action. Employees must provide prior notice to both the HR Manager/HR Officer and the Occupational Health department if they are unable to attend. If an employee fails to attend a planned appointment and the Occupational Health department charges the school for this missed appointment, **the employee will be expected to reimburse the school** for this cost unless exceptional circumstances apply.

As part of the referral process, an employee is likely to be asked to provide Occupational Health with the opportunity to access a medical report from their doctor. Under the Access to Medical Reports Act 1988, the medical report is confidential between the employee, their doctor and the Occupational Health provider and will not be shared with the school. Occupational Health may then need to provide medical information from the report to the Executive Headteacher/Line Manager/HR Manager/HR Officer in a limited way. Whilst it is the employee's decision as to whether they will allow the Occupational Health provider to approach their doctor for a report, employees are encouraged to allow for this, so that Occupational Health can provide the school with accurate advice based on the best information available. Employees do have rights to see, amend and withhold the medical report, and are encouraged to seek advice from their trade union/professional association representative as required.

13. Short Term Sickness Absence

Definition:

Short term sickness absence – is a period or periods of sickness absence that are not continuous and are normally short term in duration. The absences may be for related or unrelated reasons. The impact of the absence is that an employee is unable to attend work regularly and consistently.

Policy Stages and Principals:

The possible stages are:

- informal stage
- formal stage one
- formal stage two
- formal stage three - may result in dismissal
- appeal after each formal stage.

There is a shortened procedure for employees with less than two years service as detailed in Appendix 1.

As a general principle the manager will seek to use the informal stage prior to progressing to the formal stages.

In exceptional circumstances, it may be appropriate to start at the formal stage without using the informal stage. The manager must seek advice from Education Personnel Services in such cases.

The employee must be given a reasonable period of time to achieve the required improvement before moving to the next stage of the policy.

Trigger Points:

A trigger point is a measure set to monitor absence levels, the types of absence and absence trends.

The following trigger points may be used:

- 4 occurrences of sickness totalling 6 days/shifts in the previous 12 months (pro rata* as above)**
- 9 days/shifts in the previous 12 months (pro rata* as above)**
- Whenever the level, frequency or pattern of absence causes a concern due to operational impact.

**pro-rata for employees who work part time or in their first two years of service.*

***the previous 12-month period is calculated from the first day of the current*

A long term absence trigger is considered as follows:

- 28 calendar days or more on one occasion.

SAT can exclude an absence for the purposes of the absence triggers and any action being taken under this policy at that time. This is a management decision. Each case will be treated separately and no precedents will be set.

14. Informal Stage for Short Term Sickness Absence

The HR Manager/HR Officer/Line Manager should speak to the employee by having an informal discussion

known as a managerial support discussion. Depending on the circumstances, this could become a series of informal discussions.

The employee is not usually accompanied at any discussions within the informal stages of the policy. There may be circumstances when the employee asks to be accompanied and consideration should be given to any requests. This should be accommodated where it does not cause a delay to the process.

The manager undertaking the managerial support discussion(s) must decide on the outcome.

A record must be made of each discussion. The manager must share the record with the employee. A copy must be kept on the employee's personnel file.

Full procedural information can be found in the EPS 'How to Guide – Managing Sickness Absence' available from the HR Manager/HR Officer.

15. Formal Stage(s) for Short Term Sickness Absence

At the formal stages (stages 1, 2 and 3) of this section of the policy, the employee must be invited to attend a meeting/ hearing.

The employee must receive in writing the invitation to the meeting/ hearing.

The letter must give the employee **7 working days'** notice of the meeting/ hearing.

A formal record must be taken during the meeting/ hearing. This may be made by audio recording the meeting/ hearing or by a note taker. It is the School's responsibility to make the appropriate arrangements.

If an audio recording takes place, a copy of the recording must be retained by the School. The School must comply with all relevant retention and storage requirements.

The School expects that the employee and their representative will make all reasonable efforts to attend the first scheduled meeting/ hearing date and time.

If it is not possible, the employee may propose an alternative date and/ or time. This should be within **5 working days** of the original meeting/ hearing.

The meeting/ hearing will be rescheduled.

The manager and employee are required to exchange all relevant papers and supporting evidence in advance of the meeting/ hearing. Management documents will be supplied with the invitation letter.

The employee or their representative must submit all relevant papers and supporting evidence to arrive with the chair at least **3 working days** before a meeting/ hearing.

The employee has the right to be represented/ accompanied at a formal stage meeting/ hearing or appeal meeting. This can be by a professional association/ trade union representative or a work colleague.

It is the employee's responsibility to:

- arrange their own representative
- liaise with their representative to agree the formal meeting/ hearing or appeal meeting date and time
- advise management of the representative's details.

There is no right to legal representation at any stage of this policy.

If the employee is not well enough to attend the meeting/ hearing, it may be deferred until they are able to attend. A meeting/ hearing will not be deferred indefinitely because the employee is unable to attend.

The chair of each formal stage meeting/ hearing must fully consider all evidence presented and decide on an

outcome.

A written warning may be issued and this can be:

- a first written warning of 12 months OR
- a final written warning of between 12 – 24 months
- **For employees with less than two years service** - a final written warning of between 12 – 24 months.

At a stage three hearing the employee may be dismissed on the grounds of medical capability.

The chair must confirm the outcome in writing within 5 working days of the meeting/ hearing. A copy of the outcome letter and any warning must be placed on the employee's personnel file.

If the outcome is dismissal, any sums owing to the School from the employee will normally be deducted from their final pay.

Following the formal stage meeting/ hearing the manager must hold scheduled review meetings with the employee.

The manager can progress to the next formal stage and re-enter at the appropriate point if:

- the employee does not achieve the required improvement
- there is further absence which may be for a different reason
- if an improvement is not sustained for a 12 month period following a formal stage one meeting
- if an improvement is not sustained for a 12 - 24 month period following a formal stage two meeting
- the employee has not been successfully redeployed and/ or has refused a reasonable offer of alternative employment.

Full procedural information can be found in the EPS 'How to Guide – Managing Sickness Absence' available from the HR Manager/HR Officer.

16. Appeal Stage

The employee has the right to appeal against the outcome of a formal meeting/ hearing.

The employee must submit their appeal in writing within 10 working days following receipt of the written outcome of the formal meeting/ hearing. This must include the full reasons for the appeal.

Following an appeal of a formal stage three hearing, there is no further right of internal appeal.

The employee must be invited to attend a meeting. The letter must give the employee 7 working days' notice of the meeting.

The principles of the formal stage meeting/ hearing arrangements will apply.

The principles of a formal record of the meeting/ hearing will apply.

The principles of alternative date will apply.

The principles of sharing of information will apply.

The principles of the formal stage right of representation will apply.

The chair must fully consider all evidence presented and decide on an outcome.

The outcome cannot impose a higher sanction than issued at the formal meeting/ hearing.

The chair must advise the employee of the outcome at the appeal meeting unless otherwise agreed. The outcome must be confirmed in writing within 5 working days of the meeting.

A copy of the outcome letter must be placed on the employee's personnel file.

Full procedural information can be found in the EPS 'How to Guide – Managing Sickness Absence' available from the HR Manager/HR Officer

Who chairs the formal meeting/ hearing for short term absence

For Teachers and Support Staff

| Stage | Chair/ Panel | HR Adviser | Right to be represented/ accompanied |
|---|---|-----------------------|---|
| Stage one | Line manager/ HR Manager | If required | Yes |
| Stage two | Line manager or other manager/ HR Manager | HR Adviser | Yes |
| Stage three/ less than two years service | Headteacher (where they have delegated powers of dismissal) OR a Governors' Committee | HR Adviser | Yes |

For a Headteacher

| Stage | Chair/ Panel | HR Adviser | Right to be represented/ accompanied |
|---|-------------------------|-----------------------|---|
| Stage one | Chair of Governors | If required | Yes |
| Stage two | Chair of Governors | HR Adviser | Yes |
| Stage three/ less than two years service | Governors' Committee | HR Adviser | Yes |

17. Long Term Sickness Absence

Definitions:

Long term sickness absence - occurs when an employee is unable to return to work over an extended period due to an underlying medical condition or conditions.

Health conditions without sickness absence - occur when an employee's underlying medical condition has an impact on their ability to fulfil the full duties of their role but does not affect their attendance at work. Such cases can be managed under this **long term sickness absence** section. These concerns may originate as a performance concern but further review might indicate they are more appropriately managed using the Managing Sickness Absence policy.

Policies Stages and Principles:

The possible stages are:

- absence review stage
- formal stage three meeting - may include a mutual agreement discussion and may result in dismissal
- appeal - only following a formal stage three meeting.

A formal decision about the employee's future employment must not be taken at the absence review stage. Such decisions must be made at a formal stage three meeting.

Absence Review Stage:

The School should speak to the employee by having an absence review discussion. Depending on the circumstances, this could become a series of discussions. A record must be made of each discussion.

Right to Representation:

The principles of the informal stage right of representation will apply.

Formal Stage 3 Meeting:

The principles of the formal stage will apply.

Formal Record of the Stage 3 Meeting:

The principles of a formal record of the meeting/ hearing will apply.

Alternative Date:

The principles of alternative date will apply.

Sharing of Information:

The principles of sharing of information will apply.

Right to Representation:

The principles of the formal stage right of representation will apply.

Attending a Formal Meeting:

The principles of attending a formal meeting/ hearing will apply.

Outcome of the Formal Meeting:

The principles of outcome of the formal meeting/ hearing will apply.

Appeal:

The employee has the right to appeal against the outcome of a formal stage three meeting only of the long term sickness absence section of this policy.

The principles of the appeal stage will apply.

Who chairs the formal stage three meeting for long term absence

For Teachers and Support Staff

| Stage | Chair/ Panel | HR Adviser | Right to be represented/ accompanied |
|--------------|---------------------|-------------------|---|
|--------------|---------------------|-------------------|---|

| | | | |
|-------------|---|------------|-----|
| Stage three | Headteacher (where they have delegated powers of dismissal) OR Governors' Committee | HR Adviser | Yes |
|-------------|---|------------|-----|

For a Headteacher

| Stage | Chair/ Panel | HR Adviser | Right to be represented/ accompanied |
|-------------|----------------------|------------|--------------------------------------|
| Stage three | Governors' Committee | HR Adviser | Yes |

18. Medical Appointments During Work Time

Employees must, where possible, make appointments outside of working time or at the beginning or end of the working day to minimise operational disruption. There is no right to paid time off to attend planned doctor, dentist or hospital appointments.

Appointments with Occupational Health will be accommodated during work time, wherever possible.

Disabled employees may have a right to paid time off for health/medical appointments if this is agreed as a 'reasonable adjustment'.

Pregnant women do have the right to paid time off to attend antenatal appointments.

19. Hospital Admissions

Where an employee has been admitted to hospital, Line Managers/Executive Headteacher/Headteacher /HR Manager/HR Officer will seek, where possible, to maintain contact with relatives, friends, or the employee's trade union representative.

Planned Operations and Procedures:

Employees are responsible for sharing as much information as possible with their Executive Headteacher/Headteacher and the HR Manager/HR Officer where a period of absence is scheduled for a planned operation. Information must be shared prior to the absence including the reason for the absence, the anticipated duration, the predicted recovery period and any possible changes in capability to undertake their role upon their return to work.

Where plastic/cosmetic surgery is certified by a Medical Adviser indicating that surgery is essential to the employee's health or wellbeing then this would be a valid reason for an employee to receive occupational and statutory sick pay. If surgery is to be carried out without this certification and absence from work is required then arrangements for annual leave or unpaid leave (where approved) must be made in advance.

Where an employee is undergoing fertility treatment the employee may be entitled to sick leave and pay depending on the stage of their treatment. In such circumstances, the Executive Headteacher/Headteacher should contact the HR Manager/HR Officer to obtain further guidance.

20. Long-Term Ill Health and Terminal Illness

Where the employee, Occupational Health or the employee's GP/Consultant advises that the employee has a long-term ill health condition or a terminal illness, the Executive Headteacher/Headteacher /HR Manager/HR Officer will seek advice from Education Personnel Services in relation to what support to offer the employee and other appropriate action to take. Part 3, section 5 of this document details the formal process that Executive Headteacher may follow in cases of long-term ill health.

21. Disability-Related Absence

Where it is identified that an employee has a disability which is recognised under the Equality Act 2010, Executive Headteachers/Line Managers are responsible for assessing whether adjustments recommended by Occupational Health, the employee's own doctor (e.g. via the Statement of Fitness to Work) or the employee themselves, are reasonable. Where they are reasonable, Executive Headteachers and HR Manager/HR Officer will implement and monitor such adjustments.

22. Pregnancy Related Absence

For pregnant employees, non-pregnancy-related sickness absence will be recorded in the normal way.

Sickness absence that is pregnancy-related will not be included when reviewing the employee's attendance record, although it will require a Statement of Fitness to work where the absence has reached 7 calendar days or more and will be paid as sickness absence in accordance with the employee's sickness entitlement under their terms and conditions of employment.

Upon return to work, a return-to-work discussion/interview may take place in the same way as any other absence in order to provide support or to consider any workplace adjustments that may be necessary and to review any risk assessments for the period that the employee remains at work prior to maternity leave.

If the employee is absent from work with a pregnancy-related illness during the last four weeks before the expected week of childbirth, maternity leave will automatically be triggered (further guidance can be found in the Maternity Guide).

23. Menopause Absence

Staff experiencing the menopause are encouraged to inform their manager and school HR Team if they need support with symptoms and the impact this may have on their work, so that appropriate support can be provided.

Further information can be found in the Hampshire Education Personnel Service 'How to Guide' which is available by contacting the HR team in each school.

24. Paternity Leave and Shared Parental Leave

SAT will provide maternity leave, paternity leave, adoption leave, parental leave and dependent leave in line with current legislation.

SAT employees are entitled to 2 weeks paternity leave. 1 week must be taken from the date of the child's birth date. The additional week must be mutually agreed by the employee and the Executive Headteacher/Headteacher/HR Manager/HR Officer (or the CEO for the central Trust team or executive Headteachers/Headteachers) and taken within 1 year of the child's birth date.

In addition, it will consider all flexible working requests in line with current guidance (refer to Maternity Guidance).

25. Absence to Look After Children and Other Dependents

It is impossible to give advance notice of an emergency involving a dependent.

SAT employees must contact their school Executive Headteacher/HR Manager/HR Officer (or CEO for the central Trust team and executive Headteachers/Headteachers) as soon as possible and leave will be granted until other arrangements can be made if this is operationally possible. The Personnel Committee will make the final decision in respect of paid or unpaid leave of absence to look after children and other dependents.

Eligible employees have a statutory entitlement to request unpaid parental leave to look after their child's welfare. Requests can be made for up to 4 week's unpaid parental leave per year, subject to a maximum of 18 weeks in total for each child up until their 18th birthday. Requests must be made in writing to the Executive Headteacher/HR Manager/HR Officer (or to the CEO for central trust team and Executive Headteachers/Headteachers) giving a minimum of 21 days' notice.

The Executive Headteacher/Headteacher/CEO may postpone the granting of the unpaid parental leave wherever the leave period requested would unduly disrupt the operation of the school/Trust e.g. if it would harm the continuation of the education provision. The Executive Headteacher/Headteacher/CEO will notify the employee in writing (within 7 days) of the postponement and of the alternative dates on which the period of leave will be permitted; the rearrangement of the dates of the period of leave will be done in consultation with the employee. If agreement cannot be reached, the Executive Headteacher/Headteacher/CEO will ensure that the leave can be taken at a time which best fits the needs of the school and the employee.

Requests for leave for family friendly reasons will be considered on an individual basis by the Executive Headteacher/headteacher/CEO and can only be granted when it will not adversely impact upon the efficient operation of the school.

Following the guidance of the school's Personnel Committee, the Executive Headteacher/Headteacher/CEO will determine whether the leave is granted as paid or unpaid.

26. Unpaid Leave Requests other than to look after children or other dependents

Requests for planned unpaid leave in other circumstances than to look after dependants will only be granted in very exceptional circumstances and at the sole discretion of the Executive Headteacher/Headteacher (or CEO for central Trust staff and Executive Headteachers/Headteachers).

Staff are advised to be aware of the effect that unpaid leave will have on their pension entitlements, as it does not count towards reckonable service.

If the nature of leave changes the employee must inform the HR Manager/HR Officer so the request can be reconsidered. Failure to report any change may result in procedures under the disciplinary policy.

27. Sickness During a Period of Planned Annual Leave

In the case of support staff who are entitled to annual leave, when an employee is sick during a period of annual leave their leave will be reinstated. The employee will need to obtain a statement of fitness for work from their GP and give this to the HR Manager/HR Officer. The reinstated leave must normally be used before the end of the leave year. However, if there are insufficient days remaining in the leave year, the employee may carry forward annual leave into the next leave year. This will only apply if the employee has not been able to use their statutory annual leave entitlement days in the current leave year. In calculating this, any leave taken and any bank holidays that fell on the employee's normal working days and that were outside of their period of sickness absence, will be deducted.

Failure to report a planned operation or an emergency operation on the first day of absence or as close as possible whilst on annual leave will usually result in this not being converted to sick leave.

28. Compassionate Leave

The procedure for requesting compassionate leave is by writing to the Executive Headteacher/Headteacher; requests will then be considered at the weekly Personnel Meeting. The final

decision lies with the Executive Headteacher/Headteacher. Staff will be notified of the decision by the HR Team.

Central Trust staff should make requests to the CEO who will consider all requests in the weekly HR meeting with the Trust HR Manager/HR Officer.

The following may be granted with pay in any one twelve-month period wherever possible. Any further requests within the twelve-month period will only be granted in exceptional circumstances:

- Death or serious illness of a near relative (see NB):
Full pay for 5 days (further paid or unpaid leave may exceptionally be granted at the discretion of the Executive Headteacher/Headteacher or CEO for central Trust staff and Executive Headteachers/Headteachers).
- Funeral of a close relative or close friend: 1 day.
- Interview for another post at another school: 1 day.
- Transfer visit to an employee's new school: 1 day maximum
Agreed mutually between the new school and SAT.
- Degree ceremonies and investiture involving an employee or their near relative: 1 day maximum.

In addition, for a member of staff moving house, a maximum of 1 days paid leave may be granted in any three-year period. Any further requests within this 3-year period will only be granted in exceptional circumstances

NB: Near relative – partner, parent, child or sibling.

29. Jury Service or Other Court Appearances

Staff who have a legal obligation to attend court should obtain a 'loss of earnings' certificate from the court, fill it in and hand it to the Chief Financial Officer.

30. Closure of the School due to Inclement Weather or Other Emergency

The Executive Headteacher/Headteacher will decide if the school has to close due to inclement weather or other emergency. Staff will usually be expected to be available to work when the school is closed to students, working remotely if required by their Executive Headteacher/Headteacher. In the event of the school being re-opened, staff will be expected to return to work immediately.

The Executive Headteacher/Headteacher will make the final decision in respect of paid or unpaid leave due to inclement weather or other emergency; if the Executive Headteacher/Headteacher has decided to close the school for staff as well as students and no remote working has been requested, then paid leave will be granted.

31. Support

Employees can also seek advice and support from their professional association or trade union. Teachers can also seek support from the Teacher Support Line <http://teachersupport.info/>

Employees can contact Workplace Wellness, a free confidential Employee Assistant Programme on 0800 111 6387.

32. Other Policy Requirements

It is expected that all parties involved in the managing sickness absence process will maintain confidentiality as appropriate. This is both within and outside of the School (including social media).

If any party does not maintain confidentiality action may be taken under the Disciplinary policy.

Details of sick pay entitlements are found within the Burgundy and Green Books¹.

Redeployment can be considered at any stage in this policy and:

- must not be used as a sanction
- should result in satisfactory attendance in the new role
- is subject to a suitable opportunity being available.

An employee may have more than one role/ or another employer. Due to the difference in the nature of the two roles, the employee may be on sickness absence from one role whilst still being able to work in the other role.

Where an employee is off sick from a role, they must not work in a second role, either for the School or another employer, during the normal working hours of the first role.

Any Health and Safety issues must be dealt with in accordance with the relevant Health & Safety procedures.

In some circumstances, medical suspension may be necessary. Medical suspension decisions must only be taken by the Executive Headteacher/Headteacher/CEO. This will be on the basis of medical advice. Medical suspension can only be lifted with consent of the Chair of the Local Governing Body and CEO.

The Executive Headteacher/Headteacher/CEO must seek immediate advice from Education Personnel Services before making any decision to suspend the employee.

For Teachers only - a teacher who has been absent from duty for a period of more than three months arising from a psychiatric disorder (including that arising from alcohol, drug or other substance misuse) must not be permitted to resume teaching until there is evidence of their fitness to do so.

Any action under this policy will be temporarily suspended if ill health retirement is being actively considered or a decision about ill health retirement is being appealed. Relevant action under this policy will resume at the point ill health retirement is not approved or when the outcome at an appeal stage is known.

For Support Staff who do not work term time only – annual leave will continue to accrue during sickness absence including during periods of half or nil pay.

Where there are concerns involving a professional association/ trade union representative, must notify and seek advice from Education Personnel Services before taking formal action.

33. Related Policies

- Hampshire Education Personnel Service – Manual of Personnel Practice
- Hampshire Education Personnel Service – How to Guide
- Hampshire Education Personnel Service – Menopause – How to Guide
- SAT – Maternity Guide

¹ <https://www.nasuwat.org.uk/static/uploaded/330e7539-3bf6-4538-a0346b6fef5994cc.pdf>

<https://www.ascl.org.uk/ASCL/media/ASCL/Help%20and%20advice/Pay%20and%20Conditions/Green-Book-25-April-2022-untracked-version.pdf>

APPENDIX 1 – Managing Sickness Absence for Employees with Less Than Two Years’ Service

Short Term Absence

The possible stages are:

- informal stage
- formal stage – may result in dismissal
- appeal only against a dismissal.

The principles of the [informal stage](#) will apply.

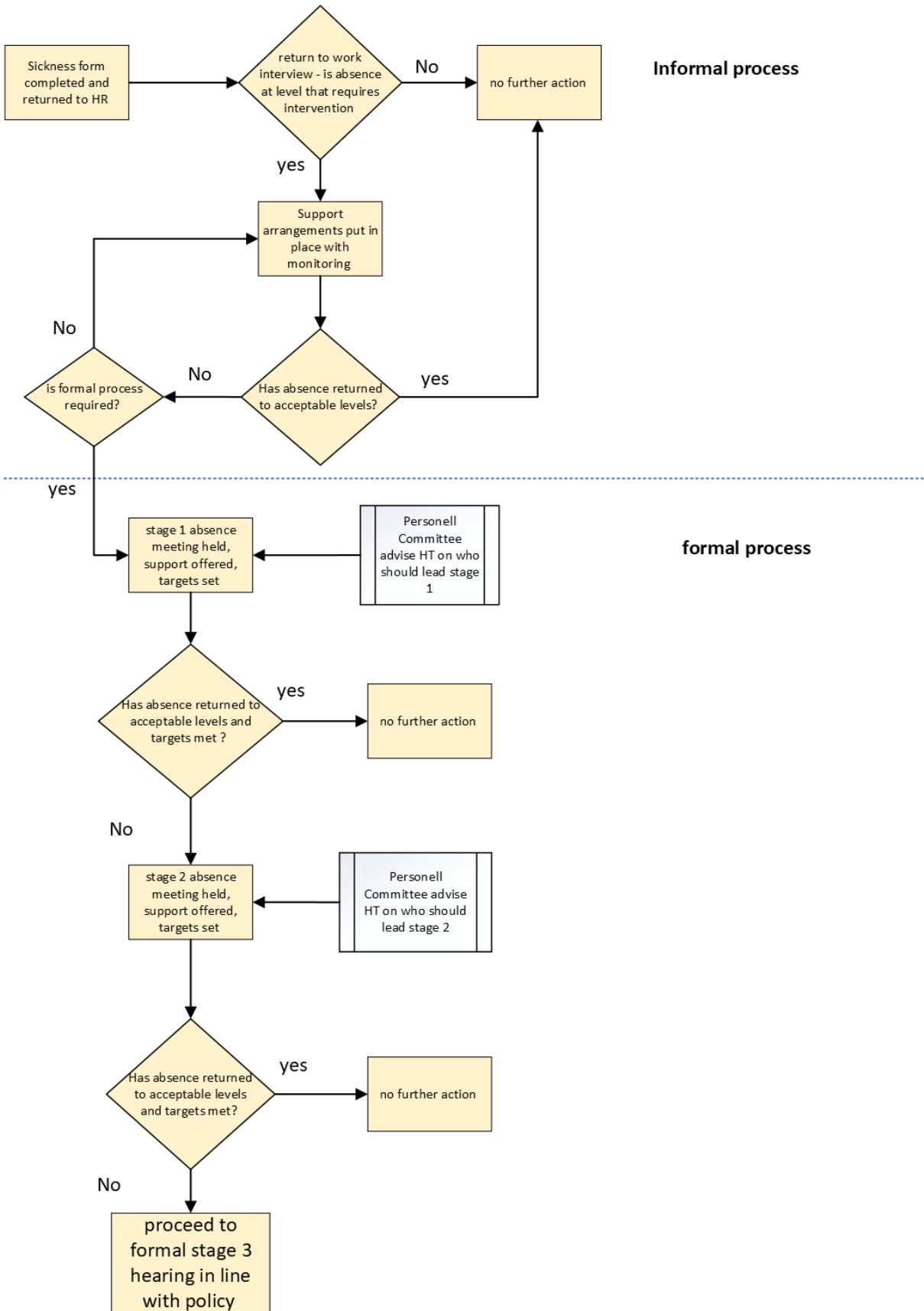
The principles of the [formal stage](#) will apply.

The principles of the [appeal section](#) will apply. An employee only has the right of appeal against a dismissal decision. There is no right of appeal against a warning.

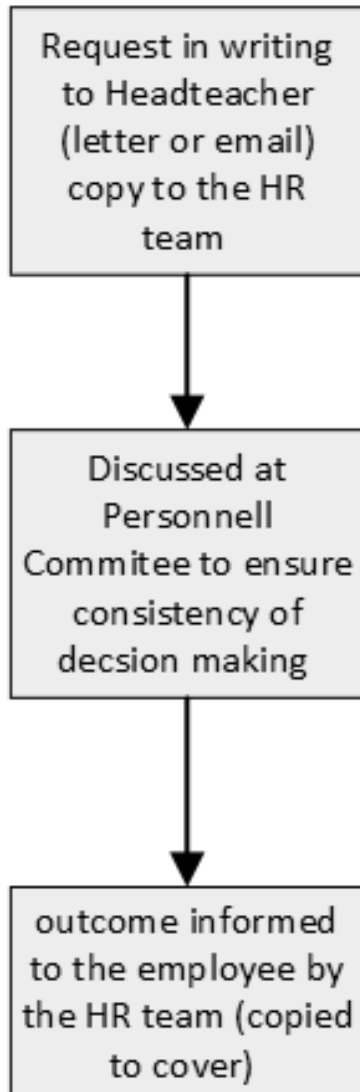
Long Term Absence

The principles of [long term sickness absence](#) will apply.

Appendix 2 Absence Management Flow Chart



Special Leave



RETURN TO WORK INTERVIEW

| | | | |
|--|------------------------------|---|--|
| Name of employee: | Job title: | | |
| Name of Manager: | Job title: | | |
| Date of Meeting: | | | |
| Date of 1 st day of absence: | Date of last day of absence: | | |
| Number of Days Absent: | Reason: | | |
| Absence(s) in last 12 months: (or attach screen shot) | | | |
| Was the absence due to any injury sustained at work? Has an Accident/Incident Report been completed. | | | |
| Has the Health and Safety Officer been informed? | | | |
| Further action required? | Y | N | |
| | E | O | |
| | S | | |
| 1. None | | | |
| 2. Action Plan: (Line Management managerial support) | | | |
| 3. Formal Stage 1 Absence Management Meeting required (refer to HR Team) | | | |

| |
|--|
| Brief record of discussion |
| Notes of discussion: (please continue on a separate sheet if necessary)* |
| Agreed Outcome/Action Plan:* |

| | Yes | No |
|---|-----|----|
| Is the amount of absence/level of sickness causing concern? | | |
| Is referral to Occupational Health appropriate? | | |
| Is a Risk Assessment required? | | |
| <p>* Please remember to:</p> <ul style="list-style-type: none"> • State the purpose and importance of the discussion • Identify impact of absence on the school, department, colleagues, students etc. <p>Where appropriate:</p> <ul style="list-style-type: none"> • Focus on required outcomes (action plan) • Provide assistance in terms of appropriate changes in working arrangements and support • Encourage employee to seek medical advice/specialist assistance • Uncover causes and concerns • Explore resources required • Make employee aware that further absence may lead to formal action <p>Questions that you may wish to ask:</p> <ul style="list-style-type: none"> • Does the employee feel fit enough to return to work? If no, explain further. • Is this a recurring illness? If yes, explain further. • Was medical advice sought? • Is any medication being taken that may affect their work? If yes, explain further. • Has the illness been caused or made worse by workplace factors? If yes, explain further. • Have the relevant forms been completed/certificated handed in? • Is any action required to facilitate a return to work? If yes, explain further. | | |
| <p>These notes represent an accurate record of the discussion.</p> <p>Signature of Line Manager: _____ Date: _____</p> <p>Signature of Employee: _____ Date: _____</p> | | |