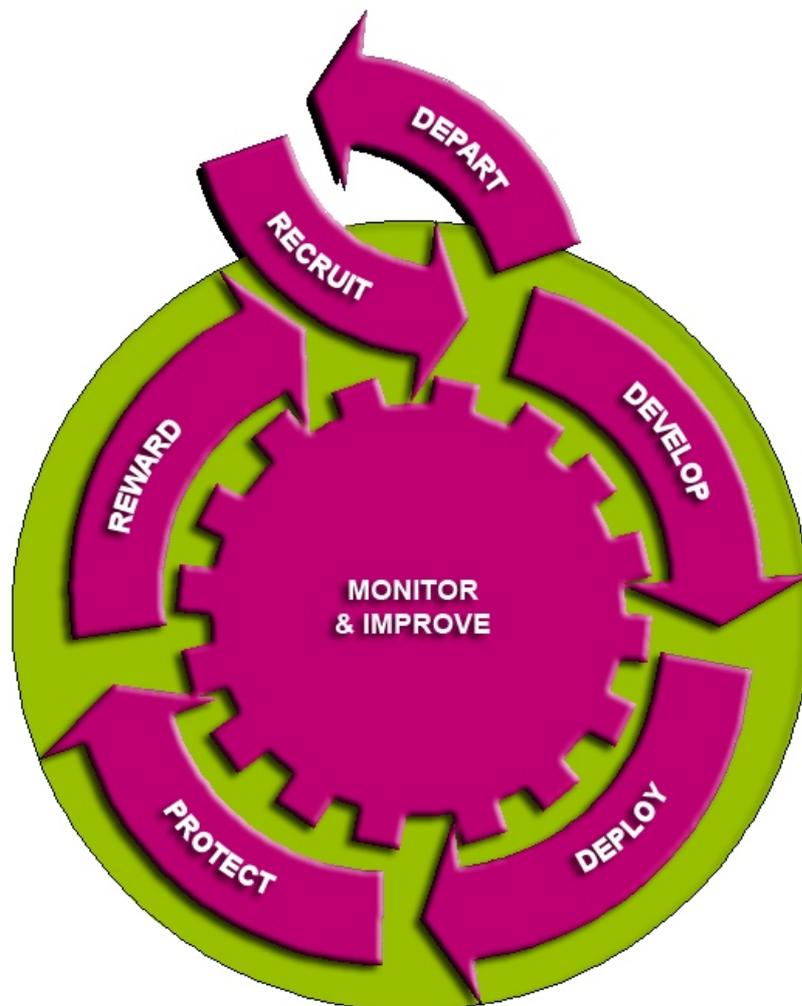




## Schools Sickness Absence Policy and Procedures – Version 0.01 - April 2011



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Adoption by Governing Body:  
 With/without Delegation of Authority to dismiss  
**(delete as appropriate)**

- \* School .....
- \* Date of Implementation .....
- \* Chair of Governors Signature .....
- \* Head Teachers Signature .....
- \* Review Date: .....

## **1. General Policy Principles**

- 1.1 Schools are committed to providing a safe and healthy working environment for employees employed directly to work at schools within the borough of Redbridge. Equally, the School requires regular and punctual attendance of its employees. This policy and associated procedures have been devised to provide a fair, consistent and equitable framework to manage sickness absence and thereby ensure that pupils and the quality of pupil learning is not affected.
- 1.2 Sickness absence may be unavoidable; however, frequent and persistent absence is costly, disruptive to a learning environment and has a negative effect on both employees' morale and pupils' learning. The School has a duty to manage and minimise absenteeism. At all times, the Head teacher must balance the need to run an effective service with the need to support employees who are sick.
- 1.3 The School will be fair, consistent and supportive to employees who are absent through sickness. It will also be open with employees, alerting them promptly when absence levels are causing concern or are unacceptable.
- 1.4 Head Teachers have a key role in managing absence. All employees are responsible for their own health and well being and for following the School's procedures.
- 1.5 Any breach of the procedures may result in disciplinary action. This may include, but is not restricted to:
  - Falsifying sickness records and certificates
  - Not following the absence reporting procedure without good cause
  - Refusing to explain an absence
  - Refusing to attend or co-operate with absence review meetings or Occupational Health appointments
- 1.6 Where an employee fails to or refuses to give reasonable co-operation in resolving sickness absence (for example, repeatedly fails to attend Occupational Health appointments), the School will take necessary action on the basis of information available at the time.
- 1.7 An employee who has a combination of short-term and long-term sickness absence will be covered by one unified procedure. Head teachers/line managers should adhere to these guidelines and seek advice from Human Resources as required.

## **2. Scope**

- 2.1 This policy applies to employees at all levels of the School (including Head Teacher). Where 'manager' is referred to throughout this policy, this relates to the Head Teacher or the employee's line manager. In some instances e.g. larger secondary schools, the Head Teacher may be able to delegate management responsibility to a member of the leadership/management team if appropriate. Should the Head Teacher be subject to the procedures then the line management

role will be undertaken by the Chair of Governors.

- 2.2 Guideline letters have been included as appendices with the procedures. It is expected that the suggested format is used but HR can advise on any necessary amendments required to respond to individual circumstances.

### **3. Specific Provisions**

#### **3.1 Pregnancy**

- 3.1.1 The School will deal with and record all pregnancy related illness separately from other sickness absence and will not discriminate against or dismiss any employee for reasons related to her pregnancy or pregnancy related sickness, in accordance with the Equality Act 2010.

- 3.1.2 Any sickness absence that is pregnancy related will not be counted towards triggering the Schools' Absence Management Procedure.

#### **3.2 Alcohol, drug or substance misuse**

- 3.2.1 Where it has been established that the employee has an underlying health problem, related to alcohol or drugs or substance mis-use, then the Schools' Sickness Absence Policy will apply.

#### **3.3 Disability**

- 3.3.1 The School will deal with and record all disability related sickness absence separately from other sickness absence (where the employee has disclosed a disability and has agreed for the absence to be recorded as such).

- 3.3.2 The Equality Act 2010 makes it unlawful to treat a disabled person less favourably than a person who is not disabled, for any reason related to the person's disability. Disability must not be equated with poor health.

- 3.3.3 Where sickness absence is related to an employee's disability, the School will consider making reasonable adjustments to support the employee. This may include adjusting a trigger point, for example.

### **4. Employee well-being and absence prevention**

- 4.1 The School recognises its duty of care towards employees and will strive to maintain a safe working environment and minimise health risks, in accordance with its Health & Safety Policy.

- 4.2 All employees have a duty to take reasonable care for their own health and safety and to comply with the School's Health and Safety policies. They must report any actual or suspected ill health effects caused by their work immediately to their manager (or another designated manager or supervisor).

### **5. Notification of Sickness Absence**

- 5.1 The School will, through its managers, ensure that employees know whom to

notify when they are sick, when to do so and any certification required, as set out in the School's procedures.

- 5.2 Employees must also ensure they are aware of the above and any local arrangements agreed with their manager

## **6. Completion of Sickness Certificate and Return to Work Interviews**

- 6.1 The School will use return to work interviews as a means to manage sickness absence and identify support for employees if needed.

- 6.2 Following every absence, the **Head Teacher** (or another designated person in the School) should meet the returning employee to:

- Conduct a return to work interview
- Complete a self sickness certificate and check that any other medical certification is produced, as required
- Complete a Return to Work Interview Record Form

## **7. Trigger Points**

- 7.1 The School will use trigger points as a means to:

- Alert employees that their level of sickness absence is causing concern
- Ensure Head Teachers/ line managers take prompt action to deal with sickness absence
- Identify potential problems and to deal with them effectively before they escalate

- 7.2 It is not always necessary for a trigger point to be reached before action is taken. The Head Teacher/**line manager** may take action at any time, (for example, referring an employee to Occupational Health), if they have concerns about the underlying cause of sickness and/or there is a significant impact on the service.

- 7.3 The Schools' current trigger points are now:

- 6 working days of sickness absence within any 12 month rolling period  
**or**
- 3 separate episodes of sickness absence within any 6 month rolling period  
**or**
- A pattern of sickness absence (e.g. Mondays/Fridays, regular sickness absence following periods of annual leave)  
**or**
- 20 continuous working days (or 4 continuous weeks if employed for less than 5 days a week)

- 7.4 Head Teachers/line managers may adjust a trigger point and or monitoring period if the absence is related to an employee's disability. Further guidance on this is given in 'The Schools' Guide to Supporting Employees with Disabilities'.

7.5 In addition, the Head Teacher may use their discretion in applying trigger points and monitoring periods where they consider that an extension or exception is warranted. For example:

- Where an employee has made genuine efforts to reduce their sickness absence, but circumstances have made this impossible
- Where their sickness absence is related to or resulting from an industrial injury or third party accident,

## **8. Referrals to the Occupational Health Unit**

8.1 The School can make use of the Council's Occupational Health Unit to obtain expert medical advice:

- To provide appropriate support to employees
- To aid decision-making in sickness absence cases

8.2 The Head Teacher/line manager may refer an employee to the Occupational Health Unit at any point if they are concerned about the impact of an employee's health on their work or attendance. When making a referral, the manager must inform the employee, explaining why they are making the referral and what information is being sought.

8.3 The Head Teacher/line manager should refer the employee to the Occupational Health Unit:

- When they have been on sick leave for 20 working days or more (4 continuous weeks in the case of employees who work less than 5 days a week). **Or**
- When they have received a medical certificate indicating the employee will be on sick leave for at least 20 working days or more (4 continuous weeks in the case of employees who work less than 5 days a week)

8.4 If an employee wishes to be referred to the Occupational Health Unit, they should first discuss this with their Head Teacher/line manager. The employee cannot self refer; only the Head Teacher/Line manager or an Employment Relations Advisor may make a referral to the Occupational Health Unit.

## **9. Industrial Injury**

9.1 The School will treat any accident or incident causing injury at work as an industrial injury. Any subsequent absence resulting from this will be treated as sickness absence. This will be recorded as industrial injury absence.

9.2 If it has been established that the employee has sustained an injury or suffered an accident through their own negligence or wilful disregard of the School's Health & Safety Policy, this may result in salary and subsequent sick pay being withheld and/or possible disciplinary action.

## **10. Accidents outside of the workplace involving a third party**

- 10.1 If an employee is absent from work due to a third party accident occurring away from the workplace, this will be treated as sickness absence.
- 10.2 Employees are encouraged to pursue damages related to this and if they do, they must inform their manager of this and complete an Accident Report and Undertaking Form. If the employee is subsequently successful in their claim and receives reimbursement of salary from the third party's insurer, they will refund this in part or in full to the School.
- 10.3 If it transpires that an employee has been paid twice (i.e. has been in receipt of pay from the School and has also received monies from an insurance claim to cover salary for a concurrent period, then the School will seek reimbursement of the employee's salary from the employee. This could also lead to disciplinary action if it is found that the employee intentionally withheld from the School information regarding the insurance claim.

## **11. Redeployment on the grounds of ill health**

- 11.1 The School will make every effort to retain employees who are experiencing continued ill health, in their existing job roles. It will consider redeployment on the grounds of ill health when all other routes to support the employee have been exhausted.
- 11.2 If an employee is redeployed on the grounds of ill health to a post, which is graded lower than their current post, their salary will not be protected.
- 11.3 If an employee has a disability and is being redeployed on the grounds of ill health, this should be to a post of an equivalent grade to their current post wherever possible. However, where this is not possible, their salary will not be protected.

## **12. Sick Pay Entitlement**

- 12.1 Sick pay entitlement will be paid in accordance with:
  - Conditions of Service for School Teachers in England & Wales, otherwise known as the Burgundy Book
  - National Agreement on Pay & Conditions of Service, known as the Green Book or any other agreements made as a result of Single Status.

Please see procedures for more detailed information.

## **13. Medical Suspension**

- 13.1 All school based employees must inform the Head Teacher if they are or have been in contact with a person who is suffering from an infectious disease. The School's responsibility is also for the health and well being of its pupils and must make every attempt to ensure pupils are not placed at risk.
- 13.2 A Head Teacher/Governing Body may, where there is an urgent need in the light of available medical evidence, suspend an employee from duty. Such a suspension

should be on full pay.

#### **14. Ill Health Retirement – All Employees excluding Teachers**

- 14.1 In accordance with the Local Government Pension Scheme (LGPS) the request for an assessment under ill health retirement must be issued by the Head Teacher. The decision to recommend an ill health retirement is based on recommendations from Occupational Health.
- 14.2 The Head Teacher has to satisfy themselves that they have exhausted all reasonable options in accordance with this procedure, including consideration of a phased return/adaptations to duties/working patterns/alternative employment. If on the basis of the facts it is evident that there is not likely to be a foreseeable return to work in the future and no likelihood of being fit, the employer may consider make a referral to Occupational Health for ill health retirement.
- 14.3 The Head Teacher should have normally have met with the employee and their representative to discuss the options including the ill health retirement process. If ill health retirement is confirmed by Occupational Health the Head teacher will need to advise the employee of the decision which must be confirmed in writing by the Director of Childrens Services.
- 14.4 For Voluntary Aided and Foundation schools, the decision is made and confirmed in writing by the Head Teacher.

#### **15. Ill Health Retirement – Teachers**

- 15.1 In accordance with the Teachers Pension Scheme the request for an assessment under ill health retirement should be issued by the Head Teacher.
- 15.2 However, in addition and in accordance with the current Teachers Pension Scheme, the ill health retirement process for teachers may be instigated by the teacher themselves. Teachers who may be eligible to apply for ill health retirement should initially advise their Head Teacher of their situation.

In the case of a Head Teacher in this situation the Governing Body should be advised.

- 15.3 The Head Teacher has to satisfy themselves that they have exhausted all reasonable options in accordance with this procedure, including consideration of a phased return/adaptations to duties/working patterns/alternative employment. If on the basis of the facts it is evident that there is not likely to be a foreseeable return to work in the future and no likelihood of being fit, the School may consider making a referral to Occupational Health for ill health retirement.
- 15.4 The Head Teacher may arrange for the employee concerned to speak with Schools' HR concerning procedures and possible retirement benefits.
- 15.5 The employee may be accompanied by a union representative, work colleague, or member of a professional association at the interview.
- 15.6 The Head Teacher should notify the General Teaching Council for England (GTCE) or relevant Body, of all cases of dismissal (on the grounds of capability due to ill

health) of qualified teachers in accordance with statutory or other regulations.

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## Appendix 1 – Sickness Notification, Certification and Return to Work Procedure

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## **1. Introduction**

- 1.1 If an employee (support staff and teachers) is sick they should always follow this procedure; otherwise their entitlement to salary/sick pay may be withdrawn.
- 1.2 They must complete a sickness certification form regardless of the length of absence, even if they have a Statement of Fitness for Work (Fit Note) from their GP. This is so that the School can record sickness absence and provide the appropriate support.
- 1.3 If an employee is absent through sickness and fails to notify their manager or other designated person in the school, this may be deemed unauthorised absence and pay will be stopped accordingly.
- 1.4 If an employee fails to contact or maintain contact with their line manager, as indicated in this procedure, the Head Teacher/line manager must make every reasonable effort to contact the employee to establish their current progress/circumstances.
- 1.5 Employees should notify their Head Teacher/line manager promptly if they have concerns about the impact of their work or their work environment on their health and well being.
- 1.6 Employees are reminded that there is an Employee Assistance Programme (24 hour helpline 7 days a week). This service is free, confidential and completely impartial and can provide support on health and well being issues. The phone number is 0800 **282 193** and the web address is **www.ppconline.info**
- 1.7 Head Teachers/line managers should be careful to treat all employees equally and consistently to avoid the perception of inequality of treatment. The action taken by a Head Teacher/line manager and the reasons should be recorded clearly on Return To Work Interview Form.

## **2. Sickness related to pregnancy**

- 2.1 If an employee has a pregnancy related illness the Head Teacher/line manager must consider how this could affect her ability to do her job. If, at the point of the pregnancy-related illness, the Head Teacher/Line Manager has not already carried out a pregnancy risk assessment, they should now do so at the earliest opportunity.
- 2.2 All sickness absence must be recorded, but absences that are pregnancy related must be recorded in the 'pregnancy specific' section of the Return to Work +Interview Form. The Head Teacher/line manager should also consult with an Employment Relations Advisor.
- 2.3 The Head Teacher/line manager must not count this towards accumulated sickness absence i.e. for the purpose of triggering the Sickness Absence Management Procedure.
- 2.4 If the employee is absent from work due to a pregnancy related illness, after the beginning of the fourth week before her expected week of childbirth (EWC), maternity leave will start automatically.

- 2.5 If a pregnant employee is absent from work due to sickness which is not pregnancy related, she will receive normal statutory or occupational sick pay, provided she has not begun ordinary maternity leave (OML). Her sickness absence will be treated in the normal way, including any appropriate action under the sickness absence management procedure.
- 2.6 If, at the end of her maternity leave, an employee is prevented from returning to work because of sickness, she must immediately tell her Head Teacher/line manager and provide a doctor's certificate to cover her continuing absence in the normal way. If the sickness is related to the pregnancy, the Head Teacher/line manager must not count this towards accumulated sickness absence i.e. for the purpose of triggering the Sickness Absence Management Procedure.
- 2.7 Pregnancy related discrimination is unlawful under the Equality Act 2010. For further guidance on pregnancy related absence please contact an Employment Relations Advisor.

### **3. Sickness related to disability**

- 3.1 If an employee's sickness absence is related to a disability, they are encouraged to disclose this so that appropriate support can be considered and offered to them.
- 3.2 Where the Head Teacher/line manager is aware that the sickness absence is related to a disability, they should consult with an Employment Relations Advisor.
- 3.3 Further guidance is available in the Schools' Guide to Supporting Employees with Disabilities. This includes guidance on making reasonable adjustments and adjusting trigger points where appropriate.

### **4. Sickness Absence related to Industrial Injury**

- 4.1 Any absence related to or resulting from an industrial injury must be recorded as sickness absence.
- 4.2 In addition, all injuries sustained in the workplace must be recorded on an accident report form when they occur and forwarded to the Health & Safety team. A copy will also be sent to the employee's Trade Union at the employee's request. Any accident at work is an industrial injury and must be recorded as such on the Return To Work form.
- 4.3 The Head Teacher/ Line Manager should establish that:
- The accident/incident occurred whilst the employee was doing their job
  - The accident/incident was specifically caused by the employee's duties
  - The employee was injured or contracted the disease as a direct result of the accident/incident
  - The employee's Trade Union has been informed (if requested by the employee)

### **5. Sickness Absence related to accidents/incidents outside of the workplace**

- 5.1 If an employee is absent from work due to a third party accident occurring away from the workplace, this will be treated as sickness absence.
- 5.2 Employees are encouraged to pursue damages related to this and if they do, they must inform their manager of this. The manager must notify Pay and Contracts of any employee who is absent due to a third party accident (for example, a road traffic accident) and should forward to the employee an Accident Report and Undertaking Form (available from Pay and Contracts) to complete and return to Pay and Contracts. If the employee is subsequently successful in their claim and receives` reimbursement of salary from the third party's insurer, they will refund this in part or in full to the School.
- 5.3 If it transpires that an employee has been paid twice (i.e. has been in receipt of pay from the School and has also received monies from an insurance claim to cover salary for a concurrent period, then the School will seek reimbursement of the employee's salary from the employee. This could also lead to disciplinary action if it is found that the employee intentionally withheld from the School information regarding the insurance claim.

## **6. Notification of Sickness Absence**

### **6.1.1 On the first working day of absence**

Employees who are sick should contact the Head Teacher/line manager within an hour of their expected start time, unless other local arrangements are in place.

- If someone else contacts the Head teacher/line manager on their behalf they must say why the employee was not able to call in person and when they will be able to speak to the Head Teacher.
- If the employee's manager is unavailable when they call, the employee should speak to another designated person as defined by the Head Teacher.
- Only if there is no other manager available, should the employee leave a message with a colleague. They must leave a number that they can be contacted on, so that the Head Teacher can call them later to verify details.

The overriding requirement is to speak to the Head Teacher and not to leave/send messages by any other means e.g. via a colleague, e-mail, text etc.

### **6.1.2 The employee should:**

- Clearly state that they are reporting sick
- Explain what is wrong
- State whether they have seen/intend to see their GP
- Say when they anticipate returning to work
- Acknowledge that they will complete a sickness certification form on their return

- 6.1.3 If the employee confirms that they will be seeing their GP, the Head Teacher/line manager should remind them that if the GP does not provide them with a Statement of Fitness for Work indicating they are not fit for work, or indicates that they 'may be fit' for work, the employee must telephone the Head Teacher/line

manager immediately to agree a return date. (please refer to section 6.4 below).

- 6.1.4 If an employee has not reported for work and the Head Teacher/line manager has not heard from them, they should call the employee before the end of the working day to establish the reason for absence.
- 6.1.5 If no contact has been established by the end of the working day, the Head Teacher/line manager may note the employee's absence as unauthorised, pending further investigation.

## **6.2 On the 4th Working Day of Absence**

- 6.2.1 Employees are expected to keep in touch with their Head Teacher/line manager whilst they are off sick. If they are off for more than 3 working days they must contact their Head Teacher/line manager on the 4th working day and:
- Update him/her on their progress e.g. whether or not they have seen or intend to see a doctor
  - Say when they anticipate returning to work (note the requirements below if the absence goes beyond 7 calendar days)

## **6.3 On the 8th calendar day of absence**

- 6.3.1 The employee should:
- Update their Head Teacher/line manager on their progress
  - Say when they anticipate returning to work
  - Confirm that if their sickness continues into an 8th Calendar day that they will send a Statement of Fitness for Work (referred to as 'fit note') to their school by first class post immediately

## **6.4 Certification - Statement of Fitness for Work (Fit Note)**

- 6.4.1 If the employee is off sick for more than 7 calendar days they must obtain a Statement of Fitness for Work (referred to as a 'fit note') from their GP. This replaces the former 'sick note' with effect from 6th April 2010. Employees must send this to the Head teacher; it is their responsibility to check that this has been received. Employees (support staff and teachers) whose sick leave extends into school holidays must continue to submit fit notes even though the school is closed.
- 6.4.2 On the Statement of Fitness for Work the GP can advise one of two options:

**Not fit for work** – this means they have assessed that the employee has a health condition that prevents them from working for the stated period of time.

**May be fit for work taking account of the following advice** - this means they have assessed that the employee's condition does not necessarily stop them from returning to work and that they may benefit from one or more of the following:

- A phased return to work
- Amended duties
- Altered hours
- Workplace adaptations

Note: The above list is not exhaustive and other options may also be considered. The GP may also comment on the functional effects of the employee's condition (for example, the degree to which mobility would be limited).

- 6.4.3 The GP cannot indicate on the Statement of Fitness for Work that the employee is fit for work, only that they 'may be fit'. If the GP considers the employee is fit for work and that no adjustments are necessary, they will not issue a Statement. If the GP confirms to the employee that they consider them to be fit for work, the employee must telephone their Head Teacher/line manager immediately to inform them of this, and report for work as soon as possible.
- 6.4.4 If the GP has indicated on the fit note that the employee 'may be fit for work' the employee must telephone their Head Teacher/line manager (or another designated person at the school) immediately to inform them of this.
- 6.4.5 When the Head Teacher/line manager speaks to the employee, they must:
- Agree a date for the employee to return to work and for a return to work interview to discuss the GP's advice and any interim adjustments that can be made.
  - Advise the employee that they (the Head Teacher or another designated person at the school) will carry out risk assessment in light of the GP's advice. This must be done before the employee returns or as soon as possible after their return (i.e. within the first week)
- 6.4.6 If the Head teacher needs further clarification of the GP's advice or does not consider that it would be feasible or practicable to make the adjustments recommended by the GP, they should seek advice from an Employment Relations Advisor. They may also refer the employee to the Occupational Health Service for further advice.
- 6.4.7 If the GP has indicated the employee is not fit for work, the employee must send the Statement of Fitness for Work to their school immediately. The GP can indicate either a period during which the employee is deemed to be unfit for work (up to a maximum of 3 months during the first 6 months of sickness) or a start and end date during which the employee is deemed unfit to return to work.
- 6.4.8 The GP will indicate whether or not they need to see the employee again at the end of the Statement period to reassess their fitness for work.
- a) If the GP has indicated they do not need to see the employee again, the employee will be expected to return to work at the end of the Statement period. However, if the employee is not sufficiently recovered they must return to the GP to obtain a further Statement of Fitness for Work, **before** the end of the Statement period.
  - b) If the GP has indicated that they need to see the employee again and during the subsequent consultation they feel the employee is able to return to work without any functional limitations, they will not issue a new Statement. In this case, the employee must telephone the Head Teacher/line manager

immediately to agree a return date.

- 6.4.9 If the employee is off work frequently or their absence causes service problems, the Head Teacher may request they obtain a fit note from their GP for absences of **less** than 7 calendar days, for an agreed period. The School will pay for the cost of this certification, on production of a receipt.
- 6.4.10 If the employee has been off sick for a long period or has had a serious or contagious illness they must provide their Head Teacher with a fit note from their GP confirming that they may be fit to return to work. If unsure, the employee should check with their Head Teacher or an Employment Relations Advisor. The Head Teacher/line manager must undertake a risk assessment either before the employee returns to work or as soon as possible after their return (i.e. within a week) and should follow the procedure in Appendix 6 of the Sickness Absence Policy – Return to Work after an extended period of absence.
- 6.4.11 If the employee has an ongoing health condition or disability, the Head Teacher should refer to Section 7 of the Schools' Guide to Supporting Employees with Disabilities, for further guidance.

## **6.5 If hospitalised**

- 6.5.1 If the employee is in hospital they should follow the same reporting process. However, if they are too ill to contact the Head Teacher/line manager, they should make arrangements for someone to do so on their behalf.
- 6.5.2 Contact should be made on the first day of absence, saying how long they expect to be in hospital and leaving a contact number.
- 6.5.3 The employee must provide their Head Teacher/line manager with hospital admittance and discharge certificates as soon as possible. No other certificates are required **during** their stay in hospital.

## **6.6 If working from home, off site or training**

- 6.6.1 If the employee is sick when they are due to be working from home, working off site or on day release or training they must notify their Head Teacher/line manager as per Section 6.1 of this procedure.

## **6.7 Falling sick during the working day**

- 6.7.1 If an employee reports sick during the working day, their absence should be recorded as follows:

Leave within 1 hour of start time	1 day sickness absence
Leave after 1 hour of start time and before the end of working day	Half day sickness absence

- 6.7.2 If the employee reports for work, but their Head Teacher/line manager considers they are too ill to carry out their duties, the Head Teacher/line manager can send the employee home. The period of absence will be recorded as indicated above. If

the employee is still unwell the following day they should call in sick as per this procedure.

***\*Paragraphs 6.8 – 6.10 refer to staff who are not term time only.***

**6.8 \*Sickness before or immediately following annual leave**

6.8.1 If the employee is sick on the working day before they are due to start annual leave they must contact their Head Teacher/line manager on the first day of planned annual leave to confirm either:

- They are well and will be taking their planned annual leave as booked, **or**
- They are sick and they will not be taking their planned annual leave

6.8.2 If the employee wishes to re-claim the annual leave they had booked, they must provide a doctor's certificate to cover the period of sickness.

6.8.3 If the employee is sick on the day they are due to return from annual leave, they must call their Head Teacher/line manager to report as sick, as per this procedure. The Head Teacher may request a fit note to cover the period of sickness following annual leave. The School will meet the cost of this, on production of a receipt.

**6.9 \*Sickness during annual leave**

6.9.1 If an employee becomes sick while they are on annual leave and they wish to be recorded as sick, they must notify their Head Teacher/line manager as normal (i.e. contact the Head Teacher/line manager on the first day of sickness; if they notify their Head Teacher/line manager of sickness absence retrospectively on their return to work, this will not be counted as sickness absence). They must also provide a fit note to cover the period of sickness if they wish to have their annual leave reinstated for the period they were sick.

6.9.2 If an employee becomes sick while on holiday they will not normally be able to be recorded as sick instead of being on annual leave unless:

- They were sufficiently ill to have had to return home before the planned end date of their holiday (unless they were too ill to travel)
- They can provide a fit note to cover the period of sickness

**6.10 \*Sickness following refusal of request for annual leave or unpaid leave**

6.10.1 If an employee requests annual leave which is refused, and they subsequently call in sick, they must make an appointment to see their doctor on the first day of absence (or as soon as possible after the first day) and provide a fit note covering the entire period of their absence. The School will reimburse the cost of the fit note on production of a receipt.

6.10.2 If the employee fails to comply with this instruction this could result in loss of pay for the entire duration of the absence and could lead to disciplinary action.

6.10.3 Term time employees who are sick during school holidays should submit fit notes, even though they are not required to be at work. Sickness absence will only be counted towards absence trigger points for the days that the employee should have been at work.

## **6.11 Sickness during a bank holiday/statutory leave day**

6.11.1 Employees who are sick on a bank holiday or a statutory leave day are not entitled to time off in lieu, regardless of whether they were rostered to work on that day.

## **7. During Sick Leave; Maintaining Contact**

7.1.1 Whilst on sick leave, and especially after the 7th calendar day of absence, it is vital that the employee maintains regular telephone contact with their Head Teacher/line manager, to update them on their progress (i.e. every two to three days or as agreed with the Head Teacher/line manager). It is also vital that they remain contactable for the duration of their sickness, and are available to attend Sickness Absence Review meetings and Occupational Health Appointments, where appropriate.

7.1.2 If an employee fails to maintain contact; the Head Teacher/line manager must make every reasonable effort to contact the employee to establish their current progress/circumstances.

7.1.3 Where an employee is on sick leave for longer than 20 working days, the Head Teacher/line manager and employee must agree how and when to maintain contact at appropriate intervals. This may include, telephone calls, written communication and/or home visits, (taking into account the employee's preference and circumstances).

## **7.2 Working or undertaking activities prejudicial to recovery whilst on sick leave**

7.2.1 Employees must not undertake any private paid or unpaid work whilst they are absent from work due to sickness. If it is established that they have worked whilst they are on sick leave or have undertaken activities prejudicial to their recovery or return to work (e.g. professional sports) this will result in a deduction of pay and may also lead to disciplinary action.

## **7.3 Taking annual leave during a period of sick leave**

7.3.1 If an employee wishes to take annual leave or take a holiday during a period of sick leave, (i.e. to holiday in either the UK or overseas) they must first seek authorisation from their Head Teacher/line manager.

7.3.2 They must:

- Contact their Head Teacher/line manager in writing **before** booking or confirming any holiday arrangements
- State why they are taking the holiday and why they are unable to return to work
- Give the intended start and end dates of the holiday

7.3.3 The Head Teacher/line manager may request the employee provides a letter from their GP stating that they are fit to travel. It is critical that neither the travel itself nor any activities undertaken whilst on holiday are prejudicial to the employee's

recovery or return to work. The cost of the GP letter will be met by the employee.

- 7.3.4 The Head Teacher/line manager must notify Pay and Contracts of the start and end dates of any authorised annual leave and this may affect the continuity of the employee's sick pay.
- 7.3.5 The Head Teacher/line manager may refuse to authorise annual leave/holiday, in which case any time spent on holiday will be counted as unauthorised absence and may incur a deduction from salary and may also result in disciplinary action.

## 8. Occupational Health

### 8.1 Referrals

- 8.1.1 A Head Teacher/line manager may refer an employee to the Occupational Health Unit at any point if they are concerned about the impact of the employee's health on their work or attendance.
- 8.1.2 Before making a referral, the Head Teacher/line manager must inform the employee, explaining why they are making the referral and what information is being sought.
- 8.1.3 When making a referral the Head Teacher/line manager should:
- Use the on-line referral form available on the Schools' HR Site
  - Provide as much information as possible to aid the Occupational Health Practitioner
  - Include the employee's current job description (or list of job activities) and any relevant risk assessments that have been carried out.
- 8.1.4 Referrals might be made in the following circumstances:
- An observation that employee's health gives cause for concern
  - An employee raises concerns about their health and the working environment
  - There is a high level or clear pattern of sickness absence
  - An employee's health may put others at risk
  - There is suspected abuse of self certification
  - There is a need for advice on permanent and temporary adjustments
  - There is a need to identify if there is an underlying medical condition or disability
  - There is a need for further advice and information about an employee's known medical condition and prognosis for recovery
  - The manager is considering redeployment or dismissal due to ill health
  - The Head Teacher/line manager needs clarification of what work the employee may be fit to do, following receipt of a fit note from the employee's GP
- 8.1.5 The Head Teacher **should** refer the employee to The Occupational Health Unit:
- When they have been on sick leave for 20 working days or more (4 continuous weeks in the case of employees who work less than 5 days a week). **Or**
  - When they have received a medical certificate indicating the employee will be on sick leave for at least 20 working days or more (4 continuous weeks in the

case of employees who work less than 5 days a week).

- 8.1.6 If the employee refuses to consent to a medical report from Occupational Health (OHU), and/or refuses to give consent for additional information regarding the implications of their health to be disclosed to their manager (either from Occupational Health or from their GP; the School will proceed on the basis of information available at the time.
- 8.1.7 If an employee wishes to be referred to the Occupational Health Unit, they must first discuss this with their Head Teacher/line manager. The referral must be made by either the Head Teacher/line manager or an Employment Relations Advisor.

## **8.2 Missed appointments**

- 8.2.1 If an employee has been allocated an appointment with the Occupational Health Unit and is unable to attend, they must notify the OHU and their Head Teacher/line manager (or in the Head Teacher/line manager's absence, another designated person in the school) immediately.
- 8.2.2 If the employee fails to attend appointments with the Occupational Health Unit, without good reason, the Head Teacher/line manager should notify Employment Relations and should follow the procedure in Appendix 10. The cost of any missed appointments may be charged to the School.

## **9. Returning to work following sickness absence**

### **9.1 Return to work interviews**

- 9.1.1 When an employee returns to work following a period of sickness absence they should meet with their Head Teacher/line manager (or if the Head Teacher/line manager is unavailable, another designated manager or supervisor), on the day they return. However, if this is not practicable, if for instance the employee only wishes to speak to their own manager, then the interview should take place as soon as possible after the employee's return.
- 9.1.2 A Return to Work Interview Form must be completed and signed by both the Head Teacher/line manager and the employee.
- 9.1.3 The purpose of the return to work interview is to:
- Welcome the employee back and find out how they are feeling
  - Confirm the reason for absence and ensure the employee: completes a sickness self-certificate, submits medical certificate/fit to work certificate as appropriate
  - Ensure they are fit to return to their regular duties and check whether they need any support or reasonable adjustments
  - Where appropriate, arrange for the employee to be updated about what has happened during their absence
  - Consider how the employee could minimise any risks to their health
  - Bring them up to date on any significant events during their absence and what arrangements, if any, have been made to deal with their work
  - Offer support on any issues raised which may affect their future attendance
  - Remind them that all sickness absence will be monitored in line with School procedures

- Advise them of the trigger levels under the Sickness Absence Policy and the impact of their absence on the school
- 9.1.4 The Head Teacher/line manager should be supportive and deal sensitively with any issues raised. If agreed, at the request of either party, a work colleague or Trade Union representative of the same gender as the employee may be present when discussing health concerns.
- 9.1.5 The employee should inform their Head Teacher/line manager of:
- Any concerns they have about their health or the impact of work on their health
  - Any known future medical appointments (e.g. hospital, outpatient, GP, counselling,)
  - Any medication they are taking (if they feel this may affect their work performance)
  - Any support they need
- 9.1.6 If the employee has any planned medical appointments these should be taken at times which cause least disruption to the School. If you work part-time, appointments should be arranged in your own time wherever possible. This does not apply to antenatal appointments.
- 9.1.7 If a Head Teacher/line manager has concerns about the level, pattern or nature of an employee's sickness absence they may discuss this informally with the employee at any time. The purpose is to explore any underlying reasons for their sickness absence and to see how this could be minimised.
- 9.1.8 Any meetings must be held in private and the employee may request a copy of any notes made at the time as well as a copy of the Return to Work Interview Form.
- 9.1.9 If the Head Teacher/line manager has any concerns arising from the Return to Work Interview, they should raise them immediately with an Employment Relations Advisor.

## **9.2 Returning to work after an extended period of sickness absence**

- 9.2.1 If an employee is returning to work after an extended period of sickness, the procedure in [Appendix 6](#) should be followed.

## Appendix 2 – Sickness Certification and Return to Work Interview Forms

<b>SC</b>	<b>Sickness Certification Form (SC) For All Sickness Periods</b>		
	This form should be completed in the presence of your Head Teacher/line manager on your return to work for every period of sickness absence. For periods of sickness absence exceeding 7 calendar days, a Statement of Fitness for Work (Fit Note) must be provided.		
	School		<b>No:</b>
	Full Name		Payroll No
	First Day Of Absence	(Date)	
Last Day Of Absence	(Date)		
<i>Please state inclusive days &amp; dates – Saturday, Sunday &amp; Bank Holidays should be included for SSP purposes</i>			
Did Absence Result From An Industrial Injury?	Yes	No	

If you have answered yes to the above question please complete the Accident/Ill Health/Dangerous Occurrence Report Form if you have not already done so. In order to access this form please click [HERE](#).

If you have been absent due to the actions of a third party please complete the Accident Report and Undertaking form. In order to access this form please click [HERE](#).

Do you consider the sickness absence to be related to a disability?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Do you give your consent for the sickness absence to be recorded as disability related?	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick relevant days (if sickness period is longer than a week then tick the days you are contracted to work)

Working Days Lost	MON		TUE		WED		THU		FRI		SAT		SUN	
	Half	Full												
Work Pattern Week 1	<input type="checkbox"/>													
Work Pattern Week 2	<input type="checkbox"/>													
Work Pattern Week 3	<input type="checkbox"/>													

Please state reason for absence here *and* tick the most appropriate box below. – it is not sufficient to say ‘sick’ or ‘felt unwell’  
NOTE: ‘Other’ should not be used unless the reason cannot be accurately described by any of the reasons listed below.

Reason For Absence	
<b>Colds/Flu/Respiratory/Infections</b>	<b>Mental Health</b>
Allergy/ Hay fever	Mental Health Illness
Asthma	Stress/Depression/Anxiety non work related
Bronchitis/Cough	Stress/Depression/Anxiety work related
Chest/Respiratory	Stress/Depression/Anxiety both
Cold/Influenza	<b>Miscellaneous</b>
Ear/Nose/Throat	Cancer related
Infection/Infectious Disease	Dental/Mouth
Swine Flu	Diarrhoea/Vomiting
<b>Internal Organs/ Circulatory/ Heart</b>	Diabetes
Blood Disorder	Eye complaint
Blood Pressure	Headache/Migraine
Cardiac/Circulation	Injury
Other Internal Organ related	Neurological
Stomach/Intestines	Post Operative
<b>Back/Muscles/Skeletal</b>	Skin complaint
Arthritis	Genito-urinary (including menstrual)
Back / Spinal/ Neck Problems	Pregnancy specific
Fracture (s)	Reproductive disorder
Musculo-Skeletal	<b>Other (Please specify below)</b>
Repetitive Strain Injury (RSI)	

Employees - Please hand this to your Head Teacher/Line Manager to complete the Return To Work Interview Record

RR	<h2 style="color: blue; margin: 0;">Return to Work Interview Record</h2> <p style="color: red; margin: 5px 0 0 0;"> <b>This form should be completed by your Head Teacher/Line Manager on your return to work following sickness absence.</b>  <b>Any confidential notes relating to this interview should be sent with this form to the Head Teacher for filing on the employee's personal file. For periods of sickness exceeding seven calendar days a FIT NOTE must be provided. The SELF CERTIFICATION FORM must also be completed for every period of sickness absence.</b> </p>				
<p><b style="color: blue;">This is a record of the discussion held on: regarding your sickness absence.</b></p>					
1.	You have returned from a period of sickness absence:	FROM:            TO:	Totalling            Working Days		
2.	Your current total number of working days accumulated sickness absence in the last 12 months is (Council trigger point is 6 days).				
3.	The total number of occasions of sickness absence in the last 6 months is (Council trigger point is 3 occasions)				
4.	Are there any underlying health/welfare issues linking current and previous absences? (n/a or give details) (NOTE: If sickness absence is related to a disability, reasonable adjustments must be considered and detailed below in question 6)				
5.	We discussed the following support you may need to achieve and maintain good attendance (n/a or give details)				
6.	We agreed the following reasonable adjustments to assist your return to work/improve attendance:				
7.	We discussed the following concerns about the level/nature of your sickness absence (n/a or give details) (Refer to any previous Return to Work Meeting records as appropriate)				
8.	Significant issues raised at previous Return to Work Interviews (n/a or give details)				
9.	If trigger point has been adjusted, please state why:				
<p><b>FURTHER ACTIONS:</b></p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none; vertical-align: top;"> <input type="checkbox"/> No further action at this stage  <input type="checkbox"/> Employee requested to provide Doctor's certificate for absences of less than 7 calendar days (until agreed review date)  <input type="checkbox"/> Proceed to Stage 1 of Sickness Absence Review Procedure                 </td> <td style="width: 50%; border: none; vertical-align: top;"> <input type="checkbox"/> Proceed to Stage 2 of Sickness Absence Review Procedure  <input type="checkbox"/> Proceed to Stage 3 of Sickness Absence Review Procedure  <input type="checkbox"/> Referral to the Occupational Health Unit                      (NOTE: Employees who have been on sickness absence for more than 4 weeks must be referred to the OHU)                 </td> </tr> </table>				<input type="checkbox"/> No further action at this stage <input type="checkbox"/> Employee requested to provide Doctor's certificate for absences of less than 7 calendar days (until agreed review date) <input type="checkbox"/> Proceed to Stage 1 of Sickness Absence Review Procedure	<input type="checkbox"/> Proceed to Stage 2 of Sickness Absence Review Procedure <input type="checkbox"/> Proceed to Stage 3 of Sickness Absence Review Procedure <input type="checkbox"/> Referral to the Occupational Health Unit (NOTE: Employees who have been on sickness absence for more than 4 weeks must be referred to the OHU)
<input type="checkbox"/> No further action at this stage <input type="checkbox"/> Employee requested to provide Doctor's certificate for absences of less than 7 calendar days (until agreed review date) <input type="checkbox"/> Proceed to Stage 1 of Sickness Absence Review Procedure	<input type="checkbox"/> Proceed to Stage 2 of Sickness Absence Review Procedure <input type="checkbox"/> Proceed to Stage 3 of Sickness Absence Review Procedure <input type="checkbox"/> Referral to the Occupational Health Unit (NOTE: Employees who have been on sickness absence for more than 4 weeks must be referred to the OHU)				
<b>Employee's Name</b>		<b>Date</b>			
<b>Signature</b>		<b>Date</b>			
<b>Head Teacher/ Line Manager</b>		<b>Date</b>			

<b>Signature</b>			
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*Please note: To knowingly provide false information may result in disciplinary action*

Please return this completed form to your Sickness Co-ordinator no later than the Monday following the week in question.

## Appendix 3A – Sickness Absence Management Procedure

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## 1. Introduction

- 1.1 Some employees will be absent due to minor illness from time to time. If this is infrequent and there are no apparent areas of concern, no action need be taken beyond the return to work meetings, completion of sickness self certificates and recording of sickness absence.
- 1.2 This procedure applies when the employee's level of sickness absence:
- Is causing concern or is having a marked impact on school delivery **or**
  - Is near to or has already reached the Schools' trigger points for action **or**
  - Is frequent or regular though there is no evidence of an underlying medical condition **or**
  - Is frequent or regular and relates to an underlying medical condition **or**
  - Is for a continuous period of 20 school days or more (or for 4 continuous weeks for employees who work less than 5 days a week)

## 2. Aims and principles

- 2.1 There are four key aims at all stages of the procedure:
- To explore any options which could help the employee to improve attendance or return to work
  - To investigate the absence to understand its causes and the effect it will have on the employee's ability to do their job
  - To take all reasonable steps to work with employees to deal with health, work or welfare problems – including work-related stress
  - To keep the employee informed, in good time, about where they stand (particularly if their job is at risk)
- 2.2 In addition, Head teachers will adhere to the following principles:
- Treat employees fairly and consistently and with empathy and compassion
  - Respect the employee's right to medical confidentiality
  - Consider any reasonable adjustments (whether temporary or permanent) to the work, workplace or the organisation of work which would enable the employee to attend work regularly and give effective service
  - Consider any reasonable options for redeployment on medical grounds before making any recommendation for dismissal (where redeployment is an option identified by the Occupational Health Unit)

## 3. Summary of stages

- 3.1 There are four stages including an appeal against dismissal. Also, the Head Teacher may refer an employee to Occupational Health at any time and may withdraw entitlement to sick pay/salary whenever the conditions for doing so are met.

Stage 1 First Absence Review	To bring the Head Teacher's/line managers concerns about the employee's health and sickness absence to the attention of the employee, to offer support and to set attendance targets if necessary.
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Stage 2 Second Absence Review	To discuss the continuing impact of absence on work, to review attendance targets set and review support offered. Also to advise the employee that should further absence lead to Stage 3 of the procedure, the employee's job/employment could be at risk.
Stage 3 Absence Hearing	To consider if the employee is capable of giving regular and efficient service, and if not, decide on dismissal, redeployment or some other action. This must be heard by a panel of the Governing Body or Head Teacher who has the authority to dismiss .
Stage 4 Appeal	To consider appeals against written warnings or dismissal. Heard by Appeal Panel of Governing Body.

#### **4. Referrals to the Occupational Health Unit**

**4.1 The Head Teacher/line manager may refer the employee to the Occupational Health Unit (OHU) at any point if they have concerns about the employee' (as set out in paragraph 9).**

4.2 When making a referral the Head Teacher/line manager should:

- Use the on-line referral form available on the Schools' intranet
- Provide as much information as possible to aid the Occupational Health Practitioner
- Include the employee's current job description (or list of job activities) and any relevant risk assessments that have been carried out

4.3 The employee is entitled to:

- Medical confidentiality
- Know the reason for the referral
- Be told the implications of refusing to attend the Occupational Health Unit (e.g., suspension of sick pay)
- Refuse or consent to a medical report from their own doctor (subject to conditions set out in the Access to Medical reports Act 1988)
- Request access to any report on them prepared by the Occupational Health Unit

4.4 If the employee refuses to consent to a medical report from Occupational Health, and/or refuses to give consent for additional information regarding the implications of their health to be disclosed to their Head Teacher/line manager (either from Occupational Health or from their GP, the School will proceed on the basis of information available at the time.

#### **5. Procedure**

## 5.1 Stage 1 – First Absence Review Meeting

- 5.1.1 The purpose of the First Absence Review Meeting is to bring the Head Teacher's/line manager's concerns about the employee's health and sickness absence to the attention of the employee, to offer support and set attendance targets and timescales if necessary.
- 5.1.2 The Head Teacher/line manager should deal with an employee's sickness absence promptly, either as soon as they are aware that the employee is close to reaching the Schools' trigger points or at any time if they are concerned about the impact on service delivery.

The trigger points are:

- A total of 6 working days sickness absence within a rolling 12 month period or
  - 3 separate spells of sickness within a rolling 6 month period or
  - A pattern of sickness absence (e.g. Mondays/Fridays, absence immediately following a period of annual leave or absences immediately before or following a school holiday)
  - 20 continuous working days sickness absence (4 continuous weeks for employees who work less than 5 days a week)
- 5.1.3 The Head Teacher/line manager should maintain reasonable contact with employees who are off sick. If the Head Teacher has made repeated attempts to contact the employee and the employee has consistently failed to respond to this or to communicate with the Head Teacher, the Head Teacher/line manager should follow the procedure in Appendix 10.
- 5.1.4 The Head Teacher/line manager should meet with the employee as soon as they return to work to:
- Investigate the reasons for sickness absence, and any underlying health, work, welfare or domestic problems
  - Offer support and reasonable adjustments to work if necessary
  - Consider the employee's overall sickness record
  - Raise any concerns and explain the impact of the absence on the school
  - Explain the Schools' policies on sickness absence
  - Explore any other options to enable the employee to improve their attendance
  - Set a specific attendance target over an agreed timescale and monitor it regularly e.g. at one-to-one meetings
  - Inform the employee that if their attendance does not improve within the agreed timescale the next stage would be to refer them to Occupational Health or to proceed to Stage Two (or both)
  - Keep accurate records and notes of the discussion/s, provide a copy for the employee and send a copy to than Employment Relations Advisor

The employee is entitled to:

- State their views
  - The right to medical confidentiality
- 5.1.5 If the sickness absence is related to a disability, or could be related to a disability, the Head Teacher/line manager must ask the employee what additional support they think they need and must consider reasonable adjustments under the

provisions of the Equality Act 2010. The Head Teacher/line manager should contact an Employment Relations Adviser for advice on this and refer to the Schools' Guide to Supporting Employees with Disabilities.

- 5.1.6 If the employee has had a number of short self-certificated absences which do not appear to indicate an underlying health problem, the Head Teacher/line manager may request that the employee provides a doctor's certificate for any future absences of less than 7 calendar days, for an agreed period. The School will meet any costs for this certification.
- 5.1.7 At the end of the review meeting, the Head Teacher/line manager may decide no further action is necessary or may set an attendance target for an agreed period.
- 5.1.8 The Head Teacher/line manager should confirm the discussion and outcomes of the meeting, including any agreed attendance target to the employee in writing, within 5 working days of the meeting.

### **Employees who have been absent for 20 working days or more**

- 5.1.9 The following applies if an employee:
- Has been absent through sickness for more than 20 working days continuously (or 4 continuous weeks for employees who work less than 5 days a week)
  - or**
  - Has submitted a doctor's certificate indicating they are unlikely to be back at work within 4 weeks
- 5.1.10 The Head Teacher/line manager should write to the employee and ask them to confirm, by telephone, on receipt of the letter, one of the following options (taking into account the employee's preference and circumstances):
- A meeting at the workplace
  - A home visit
  - A suitable neutral venue
- Note:** If planning to visit the employee at their home, the Head Teacher /line manager should take advice from an Employment Relations Advisor, who will normally accompany the Head Teacher on the visit. A Trade Union representative may also attend, at the request of the employee. Should representation be required then the employee should arrange.
- 5.1.11 The letter should also confirm that the Head Teacher/line manager is referring the employee to the Occupational Health Unit.
- 5.1.12 If the employee fails to respond to the letter, the Head Teacher /line manager should take appropriate action as detailed in Appendix 10.
- 5.1.13 The purpose of the meeting is principally to offer support to help the employee's recovery and return to work. The Head Teacher/line manager should give the employee at least 5 working days notice of the date of the meeting.

- 5.1.14 Following the meeting, the Head Teacher/line manager should forward to the employee a copy of the notes of the meeting within 5 working days of the meeting.
- 5.1.15 If the employee is incapacitated or hospitalised the Head Teacher/line manager should defer meeting with them while they are recovering. The Head Teacher/line manager should write to express concern over the employee's health and welfare. The Head Teacher/line manager should, however, let the employee know that they will need to meet when the employee is sufficiently well/recovered to be able to participate. The Head Teacher /line manager should maintain reasonable contact with the employee to monitor their progress and recovery.
- 5.1.16 The Head Teacher/line manager should refer the employee to the Occupational Health Unit, as soon as is reasonably practical to confirm whether there is a medical condition or impairment defined under the Equality Act 2010. The referral can be made earlier if the Head Teacher/line manager has concerns regarding the reasons for absence and timescales given on the employee's medical certificate/s.
- 5.1.17 if at any stage the Occupational Health Unit advises that the employee is permanently incapable of carrying out the contractual duties of their post due to a medical condition or impairment, the Redeployment process or Ill-Health Retirement process may be applied.

## **5.2 Stage 2 – Second Absence Review**

5.2.1 If the employee has failed to meet the attendance targets set at Stage 1 and/or their level of absence is still causing concern, then the Head Teacher/line manager must invite them to attend a Second Review Meeting. This will constitute Stage 2 of the procedure. The Head Teacher/line manager must confirm this in writing to the employee giving 5 working days notice. The letter should state:

- The date, time and place of the meeting
- The issues to be discussed
- The employee's right to be accompanied/represented by a trade union representative or accompanied by a work colleague (not a legal representative)

5.2.2 The purpose of the second review is to discuss the continuing impact of absence on work to review attendance targets set and to inform the employee that should further absence lead to Stage 3 of the procedure, their job/employment could be at risk.

5.2.3 Second Absence Review Meeting

At the meeting, the Head Teacher/line manager will:

- Confirm to the employee the dates and periods of sickness absence over the past twelve months and what was discussed and agreed at previous meetings
- Review their sickness absence and explore any underlying causes, including: health, work, welfare or domestic problems
- Explain the impact of their absence, why it is causing concern and that further management action, up to and including dismissal, could result if their absence levels do not improve

- Ensure the employee is given the opportunity to set out their views
- Consider options to help reduce the employee's level of absence. This might include a referral to Occupational Health or other appropriate action
- Review the type of work undertaken and consider reasonable adjustments for a defined period if appropriate. (If the absence relates to a disability, the Head Teacher/line manager should seek advice from an Employment Relations Adviser and refer to the 'The Schools' Guide to Supporting Employees with Disabilities' for further guidance)

After the meeting the Head Teacher/line manager will confirm, by sending a letter to the employee, within 5 working days:

- The issues discussed
- The decisions and actions agreed, including future attendance expected over an agreed monitoring period
- Any measures or support agreed to help the employee's attendance as well as the consequences of failure to improve

The employee is entitled to:

- Reasonable notice, in writing, of the meeting (as above)
- The opportunity to be represented by a trade union or accompanied by a work colleague (but not a legal representative)
- Postpone the meeting to another reasonable time (if they or their representative cannot be available on the date/time proposed)
- Have their needs considered

The employee must be given the opportunity to identify the support they need, particularly if this is related to a disability.

#### 5.2.4 Second Absence Review Monitoring Period

- The Head Teacher/line manager should closely monitor the employee's attendance (normally this will be for a period of eight working weeks). If any subsequent absence relates to a disability, the Head Teacher/line manager should seek advice from an Employment Relations Advisor.
- At the end of this period, if the employee has met the required improvement targets, no further action will be taken **as long as the improvement is maintained**. The Head Teacher/line manager should notify the employee in writing that no further action will be taken this time, and remind the employee that if absence again fails to reach the required attendance levels the Head Teacher/line manager may proceed directly to Stage 3.
- If an unacceptable level of absence then re-occurs after the monitoring period the Head Teacher/line manager may proceed directly to Stage 3 of the procedure.
- In exceptional circumstances only, where the Head Teacher/line manager is satisfied that the employee is making a genuine effort to improve their attendance, they may give one further review period to give the employee an opportunity to reach the agreed target. If so, the Head Teacher/line manager

should :

- Confirm the extended monitoring period in writing
  - Outline any measures offered to help the employee to reduce their level of absence
  - Inform the employee that further absence may lead to the Head Teacher/line manager convening a Stage 3 Hearing, the outcome of which could be dismissal
- If the employee has not maintained the necessary improvements and the Head Teacher is proceeding to Stage 3, they must ensure they are aware of any underlying medical conditions or DDA related conditions and that any reasonable adjustments have been reviewed and monitored. The Head Teacher should seek advice at this stage from an Employment Relations Advisor.

### **5.3 Stage 3 – Absence Hearing Chaired by the Head Teacher (if delegated Authority) or by a Panel of the Governing Body**

- 5.3.1 The purpose of the Stage 3 Absence Hearing is to consider if the employee is capable of giving regular and efficient service, and if not, decide on dismissal, redeployment or some other action.

Where the Head Teacher does not have delegated authority to dismiss, the Head Teacher may recommend to the Governing Body to establish a panel comprising of three members of the Governing Body

The following will be in attendance:

- Head Teacher
- A panel of at least three governors who have had no previous involvement in the case with one nominated to act as Chair of the Panel (this will only apply where the governing body has not delegated to the Head Teacher the authority to dismiss).
- HR Officer to advise the Head Teacher/panel
- Line Manager of the employee (if applicable)
- HR officer to advise Line Manager
- The employee
- A Trade Union representative (arranged by the employee if they so wish), or member of a professional association or work colleague

#### 5.3.2 Before the Absence Hearing

Before the Stage 3 Absence Hearing, the Head Teacher should prepare a report that includes:

- The number of days and occasions of sickness absence over the period under review and the impact of the sickness absence on the particular school
- A summary of the employee's work history at the School and previous sickness absence record (where this may have a bearing on the case)

- Actions taken to date including: previous meeting dates, notes from the meetings and any actions taken to support the employee
- All available medical evidence which must include a recent Occupational Health report
- Any other relevant information including the employee's job description (or summary of duties) and details of the impact of their absence on service delivery

This report will form the basis of the management case at the meeting.

The Head Teacher/Clerk of the Panel must write to the employee, inviting them to attend a Stage 3 Absence Hearing giving 10 working day's notice of the hearing. The letter should state:

- The date, time and place of the meeting
- The reasons for the meeting, including a copy of the Head Teacher's report and the employee's absence record
- The employee's right to be accompanied/represented by a trade union representative or a work colleague (but not a legal representative)
- That dismissal may be considered as a possible outcome of the hearing

The employee may submit any additional evidence, in writing, to the Chair, up to 3 working days before the Hearing. If the case is being heard by a Panel of Governors, the Chair should arrange for a copy to be sent to the Head teacher. The meeting can be held at the School or other venue by agreement.

#### 5.4.3 During the Absence Hearing

The Chair (Head Teacher / Governor) should confirm that the hearing will:

- Confirm the dates and periods of sickness absence for the period under review and satisfy themselves that records are accurate and current
- Review the employee's sickness absence record and explore any underlying causes in the light of available medical information
- Provide the employee with an opportunity to explain the circumstances of their case (including mitigating circumstances, medical evidence, employment record and any other relevant information)
- Review any previous efforts to help the employee to return to work or to maintain a satisfactory level of attendance
- Clarify whether all the appropriate procedures have been followed and ensure any proposed action is reasonable in all the circumstances

The employee and/or their Trade Union/professional association representative will have the opportunity to respond to the report and present any relevant information.

The Head Teacher/Panel of Governors ask questions of the employee and seek advice from appropriate sources before reaching their decision.

The Head Teacher/Panel of Governors may consider there is a need for further information and defer making a decision. If so, all parties will be invited to attend a further meeting at an agreed date. Where further information is provided, both

sides will have the opportunity to comment.

After considering all the facts, the Head Teacher/Panel of Governors will decide on the next course of action, which may be to:

- Continue to monitor the employee's sickness absence over an agreed period
- Issue a warning to the employee
- Decide on other recommended action including redeployment, setting a further monitoring period
- Terminate the employment – with contractual notice

#### **5.4 After the Absence Hearing (see also Appendix 4B)**

The Head Teacher with delegated authority or the Panel of Governors should inform the employee of the decision within 10 working days of the hearing. If the decision is to dismiss, then this must be confirmed in writing by the Director of Childrens Services. The right of appeal should be included within the letter.

For Voluntary Aided or Foundation Schools then the decision can be confirmed by the Head Teacher

#### **5.5 Notification to the GTCE or relevant body**

The Head Teacher in conjunction with the Local Authority should notify the GTCE (or relevant Body) of all cases of dismissal of qualified teachers on the grounds of capability due to ill health in accordance with statutory or other relevant regulations.

#### **5.6 Warnings**

The written warning must state:

- The reason for warning
- The improvement/s required and by when
- That failing to improve or further cause for concern during the warning period could lead to dismissal
- The period of time that the warning covers - i.e. exact date from and to
- That the warning will remain live on the employee's personal file for two years
- The employee's right of appeal

#### **5.7 Postponement/Cancellation of Hearing**

Should the employee cancel the hearing or fail to attend, a second hearing should be convened. In the letter inviting the employee to the second hearing, the Head Teacher will advise the employee that if they fail to attend this hearing, it will proceed in their absence and a decision will be made based on the evidence available at the time. The employee may however provide a written support statement to the Head Teacher/Hearing Panel or/and send a Trade Union/Professional Association Representative or work colleague on their behalf.

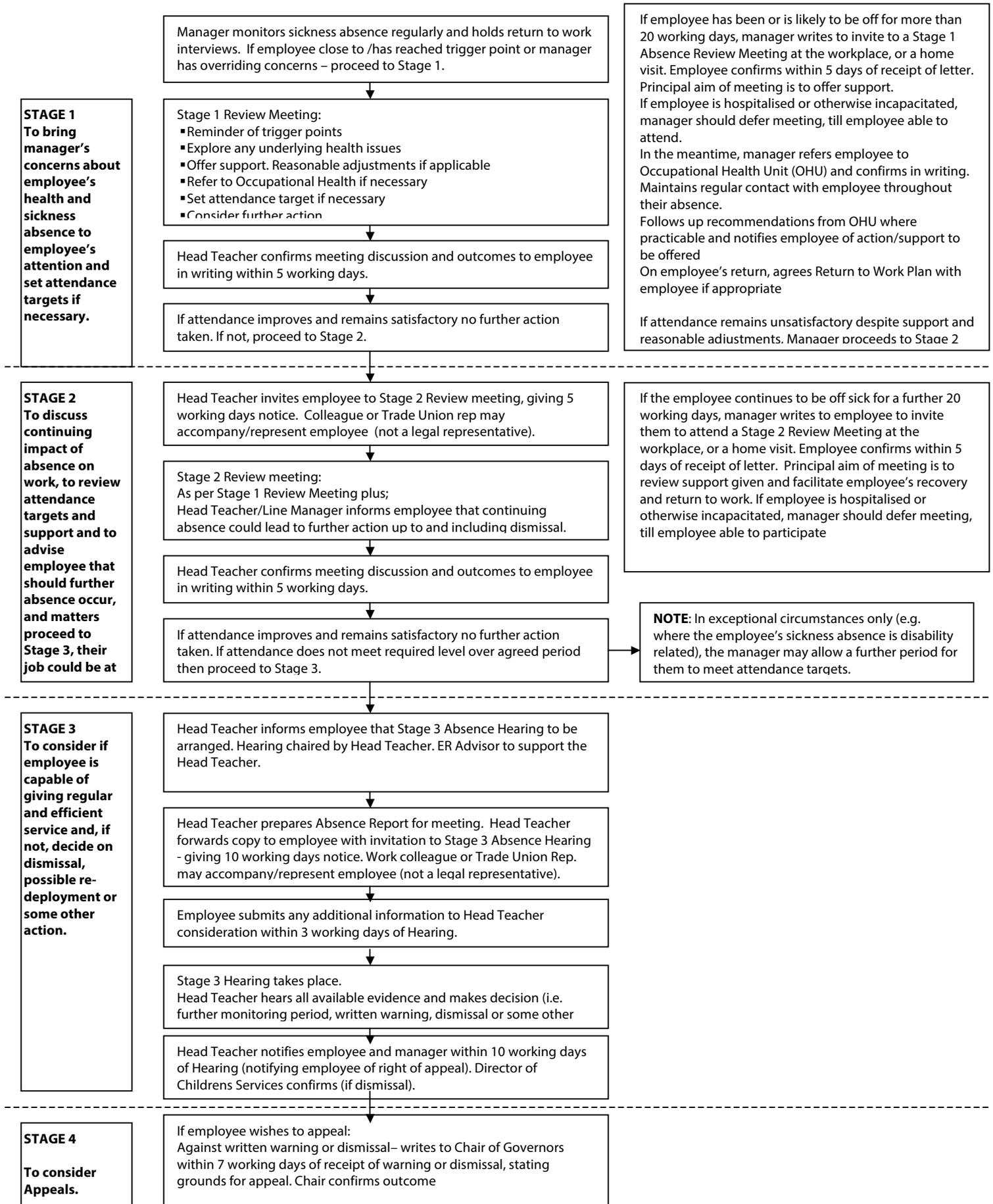
#### **5.8 Appeals against written warnings or dismissal**

- 5.8.1 If the employee wishes to appeal against a written warning or dismissal, they Must do so in writing, to their Chair of Governors, within 7 working days of receipt of the written warning or dismissal, clearly stating the grounds for appeal.
- 5.8.2 The Chair of the panel should confirm the decision in writing.
- 5.8.3 Should an employee request an appeal and fail to attend, a second/alternative date should be provided. If the employee then fails to attend then the appeal can proceed in their absence, and a decision made on the basis of the evidence available at the time.

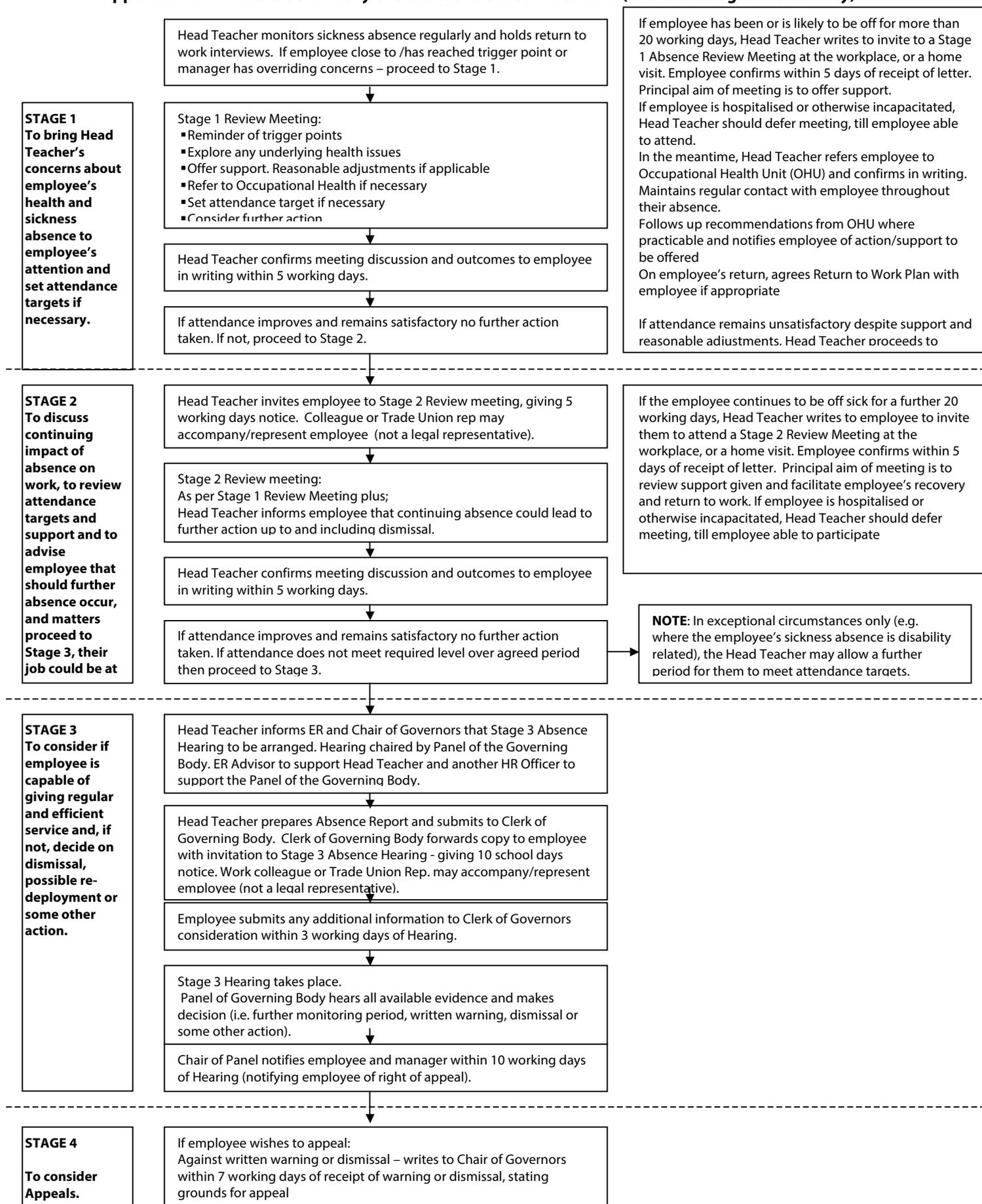
The employee may however provide a written support statement to the Appeal Panel or/and send a Trade Union/Professional Association Representative or work colleague on their behalf.

- 5.8.4 The appeal process is set out in Appendix 11.

## Appendix 4A - Flowchart Summary of Sickness Absence Procedure; for teachers with delegated authority



## Appendix 4B - Flowchart Summary of Sickness Absence Procedure (without delegated authority)



## Appendix 5A – Local Authority Sick Pay Scheme (excludes teachers))

1. The scheme is intended to supplement Statutory Sick Pay and Incapacity Benefit to maintain normal pay during defined periods of absence due to sickness, disease, accident or assault.
2. Absence through normal sickness is entirely separate from absence through industrial disease, accident or assault arising out of or in the course of employment with a local authority. Periods of absence in respect of one shall not be set off against the other for the purpose of calculating entitlements under the scheme.
3. Employees are entitled to receive sick pay for the following periods:

During 1st year of service	1 month's full pay and (after completing 4 month's service) 2 months half pay
During 2nd year of service	2 months full pay and 2 months half pay
During 3rd year of service	4 months full pay and 4 months half pay
During 4th and 5th year of service	5 months full pay and 5 months half pay
After 5 years service	6 months full pay and 6 months half pay

### 4. **Extensions of Sick Pay**

In exceptional circumstances only, Head Teacher can agree to an extension of sick as follows;

Following the period of full pay, an extension of full pay for one month (renewable for a period of 6 months maximum)

**and/or**

Following the period of half pay, an extension of full pay for one month (renewable for a period of 6 months maximum)

*No further extension can be granted.*

When considering extending sick pay, the Head Teacher must be satisfied that:

- There is an expected date of return (as indicated by Occupational Health)
- The employee's health is improving
- An extension to sick pay would be a significant aid to recovery

They should also take into consideration the employee's individual circumstances, e.g. financial hardship, and whether the absence was caused by industrial injury.

The Head Teacher should also make a business case, which may include:

- The need to retain the employee on the basis of knowledge, skills, exemplary performance and their level of contribution to the work of the Head Teacher
- The impact on the service if they are unable to return
- The difficulty and cost of recruiting a suitable replacement

The Head Teacher should discuss the business case with the Chair of Governing Body before completing a Delegated Authority Form, and retain a copy.

5. The period during which sick pay is paid, and the rate of sick pay, for any period of absence is calculated as follows: by deducting from the employee's entitlement on the first day the aggregate of periods of paid absence during the twelve months immediately preceding the first day of absence.
6. In the case of full pay periods, sick pay will be an amount which when added to Statutory Sick Pay and Incapacity Benefit receivable will be equal to normal pay.
7. Half pay periods of sick pay will be an amount equal to half normal earnings plus an amount equivalent to Statutory Sick Pay and Employment Support Allowance receivable, so long as the total sum does not exceed normal pay.
8. Normal pay includes all earnings that would be paid during a period of normal working, but excluding any payments not made on a regular basis.
9. The social security benefits to be taken into account for the calculation of sick pay are those to which an employee is entitled. This is on the basis that the employee has satisfied, so far as is possible:
  - The conditions for the reporting of sickness as required by the authority;
  - The claiming of benefits
  - The obligation to declare any entitlement to benefits
  - Any subsequent changes in circumstances affecting such entitlement.
10. An employee who is prevented from attending work because of contact with infectious disease (in the course of their normal duties) is entitled to receive normal pay. This absence does not count towards the employee's entitlements under this scheme.
11. Salaries and wages paid by the School to an employee who is absent due to third party accident will be repayable to the School, subject to the employee undertaking to refund these payments from any damages received. Such absences must be notified to Pay and Contracts via staff returns/time sheets with an indication that the employee is absent as a result of an accident involving a third party.
12. Sick pay may be suspended if the employee abuses the sickness scheme. This includes:
  - Refusal to explain an absence
  - Unreasonable refusal to attend or co-operate with absence review meetings or Occupational Health appointment
  - Any deliberate action which is prejudicial to their recovery such as
    - Active participation in professional sport
    - Injury sustained whilst working on their own account or for private gain or for another employer
  - Failure to provide consecutive Statements of Fitness for Work to cover the period of sickness absence
13. Should sick pay be suspended, the School will write to the employee advising them of the grounds for suspension. If the employee wishes to appeal they should write in

the first instance to their Chair of Governors.

14. Employees on long-term sick leave are entitled to carry over and be paid for any outstanding annual leave that has been accrued whilst off sick from one leave year to another. Managers will need to agree with the employee how this carry forward leave will be taken (i.e. before returning to work or as part of the return to work arrangements. Head Teacher or Chair of Governors.

Only in exceptional circumstances will the payment of any outstanding leave be approved by the relevant Head Teacher.

## Appendix 5B – Teachers Sick Pay Entitlements

### Teachers

Subject to the provisions in the national conditions of service for school teachers, a teacher shall be entitled to receive in any period of one-year sick pay in accordance with the following:

**During the first year of service:**

Full pay for 25 working days and after 4 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

- The leave year for entitlement to sick leave is April 1 to March 31 of the following year. In the case of a teacher who is absence owing to illness on March 31 of any year, such teacher shall not begin a new year until he/she has resumed teaching duties.
- For full pre-requisites and Conditions of Teachers Sick Pay see "Conditions of Service for School Teachers in England and Wales" otherwise known as the Burgundy Book.
- Entitlements in the burgundy book include half pay entitlement, termination of employment during a period of sick leave, school closure periods and conditions of sick pay

Please note the burgundy book scheme operates on the basis of working days. Holidays and weekend do not count against these entitlements. For further information contact Human Resources Pay & Contracts team.

## Appendix 6 – Return to Work after an extended period of absence

1. Before an employee returns to work after an extended period of sickness absence they must provide written confirmation from their GP that they may be fit to return to work (e.g. they may already submitted a Statement of Fitness for Work with a specific date indicated or they may need to obtain one.)
2. The manager must undertake a risk assessment either before the employee returns or as soon as possible after their return (i.e. within a week).
3. The manager should consider the advice given on the fit note and offer assistance to enable the employee's return. The Head Teacher should also consider:
  - Seeking advice from the Occupational Health Unit where appropriate
  - Organising a workplace assessment
  - Making adjustments to the workplace, as appropriate
  - Phasing the employee's return to work by temporarily reducing the hours of work, adjusting duties, or both (if this is recommended by Occupational Health).
4. Where there is a difference of opinion between the employee's own GP and the Occupational Health Unit, the School reserves the right to adhere to the advice of Occupational Health or to seek alternative advice. If seeking a further opinion, the Health and Safety Manager will notify the Occupational Health Service of this requirement.
5. If the employee's sickness absence is disability related, the Head Teacher must ensure they have made all reasonable adjustments to their duties and the workplace where the manager considers such adjustments will benefit the future health of the employee. The Head Teacher must consult an Employment Relations Advisor for further advice and refer to the Schools' Guide to Supporting Employees with Disabilities.
6. Ideally, the Head Teacher and employee should meet to agree adjustments and the details of a phased return to work before the employee returns, so that there is sufficient time to prepare.
7. If it is agreed that a phased return to work is required, the manager and employee must discuss and agree the following:
  - The number of weeks covered
  - Any changes to regular hours and/or changes to regular start/finish times
  - Any reduction or changes to duties
  - Regular dates for reviewing progress
  - Salary entitlement during phased return to work

The attached [Return to Work Plan \(Appendix 7\)](#) should be used and a copy retained on the employee's personal file.

8. The employee will receive full pay for the agreed period with the expectation that they will progress to their full work duties within an agreed timescale. The Head Teacher must inform the employee that if they are unable to return to their full duties at the end of the phased return to work, there may be implications for pay/salary.

9. Employees on long-term sick leave are entitled to carry over and be paid for any outstanding annual leave that has been accrued whilst off sick from one leave year to another. Head Teachers will need to decide how this carry forward leave will be taken (i.e. before returning to work or as part of the return to work arrangements). Head Teacher or Governors should authorise accordingly.
10. The Head Teacher and employee must meet regularly to review progress during the return to work phase. They should also consider whether the phased return could be shortened. At the end of the agreed phased return period they must have a final review meeting to establish whether the employee is ready to meet the full requirements of their job (if they have not already done so). The result could be moving to the next stage of the Sickness Absence Management Procedure, which could involve a formal review of ongoing employment.
11. If the requirement for reduced hours is likely to continue, it may be appropriate to consider a reduction in working hours or other flexible working arrangements. The Head Teacher should discuss this with the employee and explain that this would mean their salary may be reduced to reflect the work and hours undertaken. If the employee's absence or phased return to work is disability related, the manager should consult with the Disability Employment Co-ordinator and Employment Relations before taking action, which has salary implications.
12. The Head Teacher must consider whether any ongoing absence or reduced workload will continue to have an adverse impact on service delivery and colleagues.
13. Once a phased return to work has been completed, if the employee requires any ongoing reasonable adjustments under the terms of the Equality Act 2010, the Head Teacher must complete Appendix 3 and 4 of the Manager's Guide to Supporting Employees with Disabilities.

## Appendix 7- Return to Work Plan (following an extended period of absence)

Date of Meeting:	
Name of Employee:	Name of Head Teacher/line manager:
Employee's health and current medical status:	
<p>Has a phased return to work been recommended by the Occupational Health Unit and/or the employee's GP? <span style="float: right;">Yes/No</span></p> <p>Revised hours of work (indicate any agreed variation in hours/times/days to be worked or use of annual or accrued leave during the phased return).</p> <p>From: <span style="margin-left: 150px;">To:</span></p>	
Variation in duties/responsibilities (Please specify any duties to be restricted, reduced or no longer undertaken):	
What support will be offered to facilitate the Employee's return to work? (Please Specify who is responsible for investigating, arranging and/or providing this and any reasonable adjustments made).	
How will the Employee's progress be monitored and reviewed? <p style="margin-top: 20px;">Review meeting to be held on:</p>	
Employee signature:	Date:
Head Teachers signature:	Date:

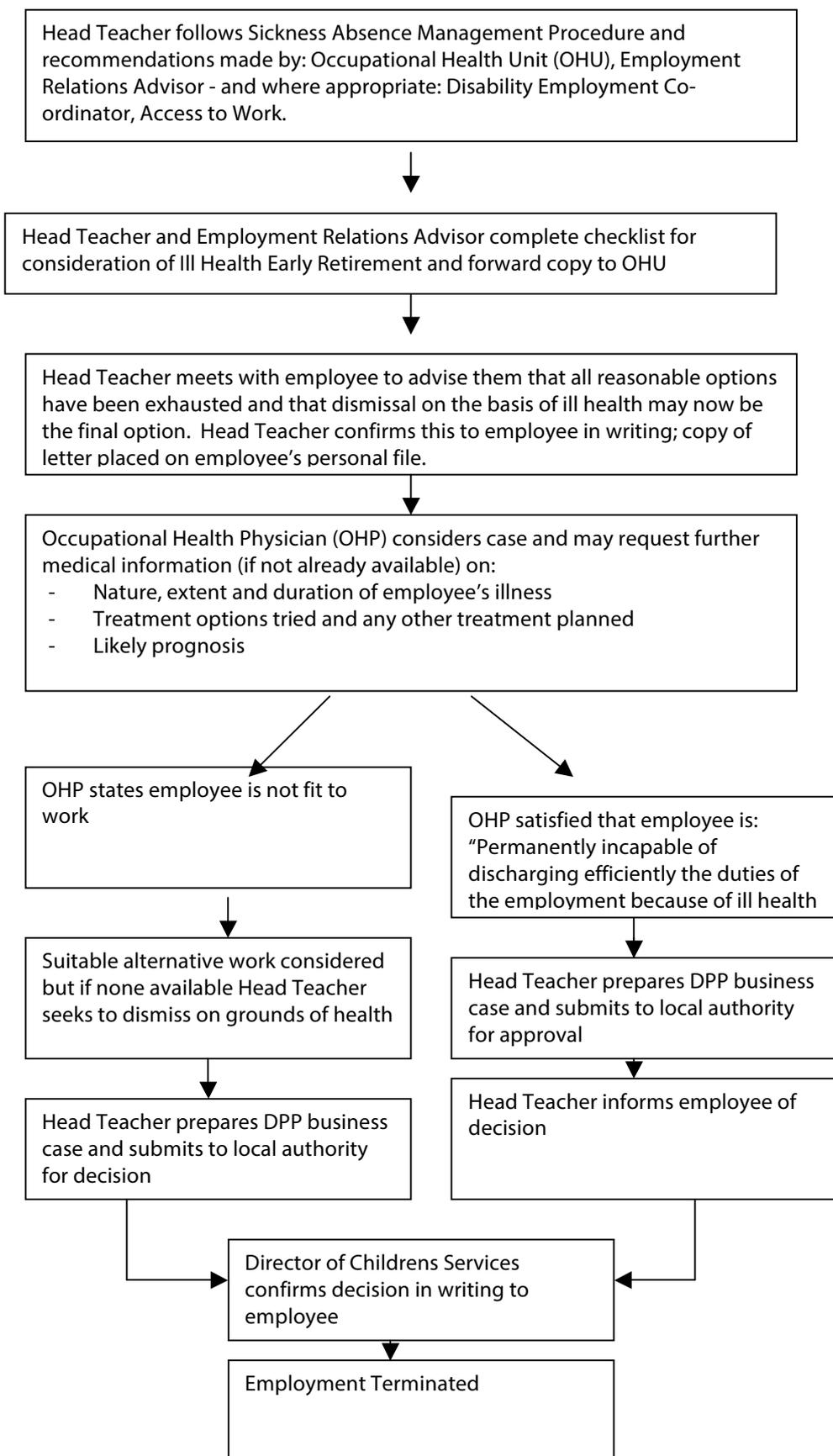
**The Head Teacher and employee should each retain a copy of this Return To Work Plan and a copy should be forwarded to HR to be placed on the employee's personal file. If, following a successful phased return, further variations in duty or reasonable adjustments are required; the manager must complete Appendix 3 and 4 of the Schools' Guide to Supporting Employees with Disabilities.**

## Appendix 8 - Checklist for consideration of Ill Health Early Retirement

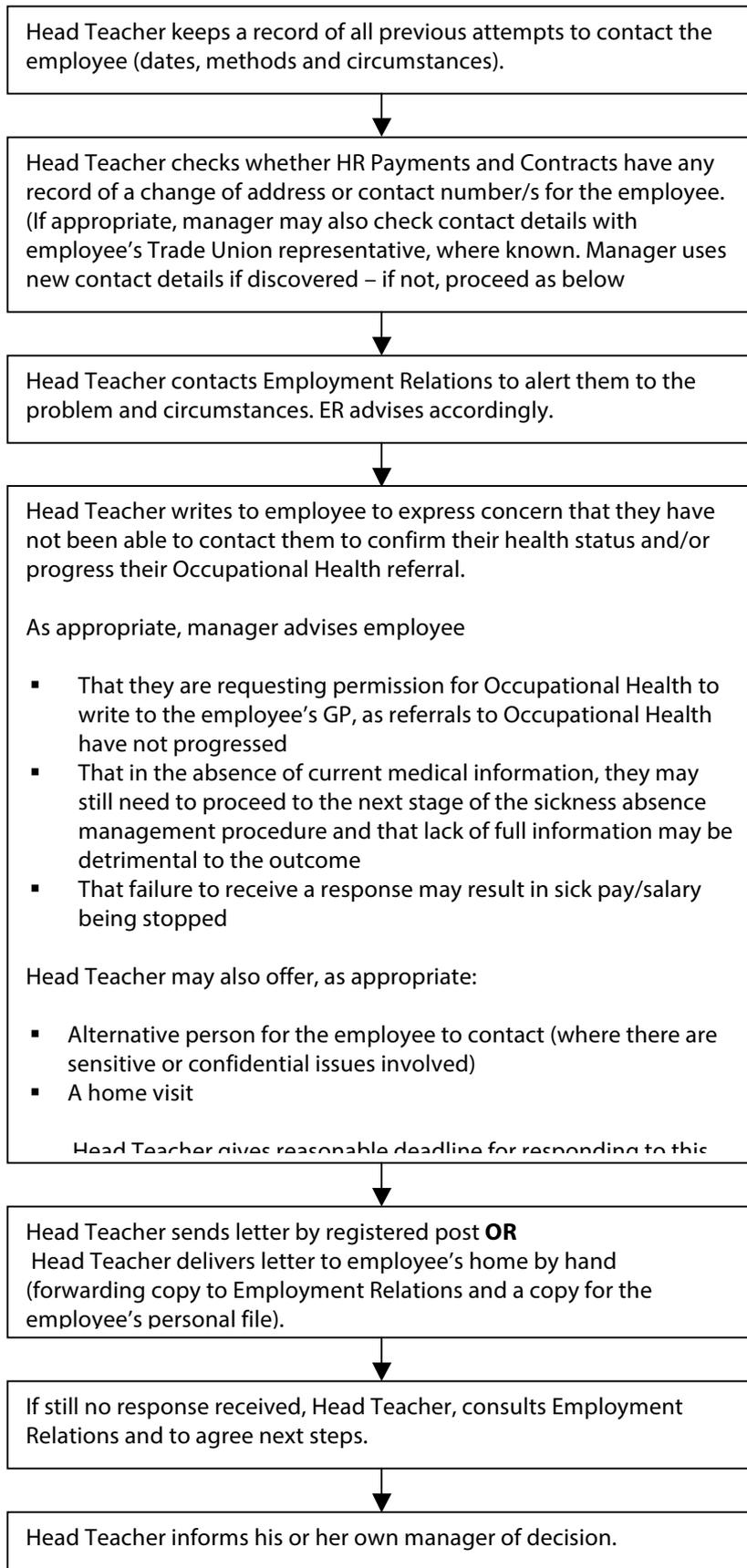
**This checklist is to be used before submitting a request for Ill Health Early Retirement to the Occupational Health Unit. If you have answered NO to any of the questions below, you must discuss with an Employment Relations Advisor.**

<b>Name of Employee:</b>		
<b>Job role:</b>		
<b>School:</b>		
<b>Sickness Absence Management</b>		
Has every stage of the School's Sickness Absence Procedure been followed? Yes <input type="checkbox"/> No <input type="checkbox"/> (This includes holding and recording Return to Work Interviews)		
<b>Occupational Health</b>		
Has the Occupational Health (OH) Unit been contacted/consulted? Yes <input type="checkbox"/> No <input type="checkbox"/> At what stage?		
Was the employee referred to OH using OH referral form? Yes <input type="checkbox"/> No <input type="checkbox"/>		
Have any actions arising from the OH referral been implemented? Yes <input type="checkbox"/> No <input type="checkbox"/> (If yes, please give details below)		
<b>Disability Matters – to be completed if the Equality Act applies to this employee</b>		
Have relevant reasonable adjustments been considered/attempted to facilitate return and overcome disabilities? (if yes, please give details below) Yes <input type="checkbox"/> No <input type="checkbox"/>		
Has an Employment Relations Advisor been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/>		
Has 'Access to Work' been consulted? Yes <input type="checkbox"/> No <input type="checkbox"/>		
<b>Redeployment</b>		
Have attempts have been made to redeploy the employee? (if yes, please give details below) Yes <input type="checkbox"/> No <input type="checkbox"/>		
<b>Head Teacher:</b> I confirm that the above steps have been taken and that I have informed my Head Teacher/Chair of Governors.		
<b>Name:</b>	<b>Signature:</b>	<b>Date:</b>
<b>Employment Relations Advisor:</b> I confirm that I have advised the manager of all possible options before considering ill health early retirement		
<b>Name:</b>	<b>Signature:</b>	<b>Date:</b>

## Appendix 9 – Flowchart of Ill Health Early Retirement Procedure



**Appendix 10 - Procedure for dealing with employees who have failed to keep appointments with the Occupational Health Unit and/or to respond to attempts to contact.**



## APPEAL PROCESS

### 1. Introduction

- 1.1 The purpose of the appeal is to examine the grounds of appeal that the employee may raise, to decide if termination of employment was reasonable in the circumstances and to take the opportunity to remedy any procedural defects.
- 1.2 It is not sufficient for the employee to say that they are unhappy with the outcome. In order to appeal, the employee must specifically state in writing the reasons for the appeal, providing clear grounds of the basis of the appeal and all documentation, which they intend to rely on in the hearing. It is essential that the documentation be provided at this stage in order for the appeal to proceed.
- 1.3 It is not anticipated that witnesses will be required. However the Chair of the panel may request further information and/or require other employees to attend and be questioned (in the presence of the employee and manager) at the hearing.

### 2. Appeals process

- 2.1 The Chair of Governors will have delegated authority to appoint a panel of at least three governors (who have had no prior involvement in the case) to act as the Appeal Panel. The Panel will then elect one of their members to act as chair of the Appeal Panel.
- 2.2 The Governing Body Appeal Panel will hear any appeal against a decision to terminate the employment on grounds of ill health. Arrangements for the meeting will be made by the Chair of the Governing Body including the provision of a note taker.
- 2.3 The appeal hearing will be convened within 20 working days or as soon as is practicably possible after receipt of letter confirming appeal grounds (with all supporting documentation). The employee and school/management will be given at least 10 working day's notice of the date for the appeal hearing.
- 2.4 The employee must inform the Appeal Panel of the names of his/her representatives 3 working days prior to the appeal hearing.
- 2.5 The school will provide their paperwork in response to the employee's appeal documentation no later than 3 working days prior to the date of the appeal hearing.
- 2.6 The decision of the Appeal Panel shall be final and there shall be no further right of appeal. The decision will be confirmed in writing within 10 working days of the hearing.

### 3. Appeal Hearing

- 3.1 The purpose of the appeal is to examine the grounds of appeal that the employee may raise, to decide if termination of employment was reasonable in the circumstances and to take the opportunity to remedy any procedural defects. It is not the purpose of the appeal to restate the original case/facts but any new evidence that may be available may be included in an appeal case.

- 3.2 The employee and/or their representative will state their grounds of appeal and make representations to the Appeal Panel based on the relevant factors. The Head Teacher/Chair of the Panel and school's HR representative to the Appeal Panel can ask any relevant questions of the employee
- 3.3 The school will then respond to the grounds of appeal with their management case outlining the reasons for the decision.
- 3.4 After a suitable adjournment (if requested by either side) both sides shall sum up, if they wish, with the case for the employee being summarised first, followed by the school/management summary.
- 3.5 Both parties will be asked to withdraw whilst the panel consider their decision.
- 3.6 Some of the options for the Appeal Panel to consider will be to:
  - Confirm the termination of employment
  - Adjourn the case in order to obtain more information
  - Grant the appeal and reinstate the employee
- 3.7 The panel will recall both parties and announce their decision. If this is not possible the Panel will convey the decision in writing as soon as is practicable. In all cases the decision will be confirmed in writing to both sides within 10 working days.
- 3.8 The decision of the Appeals Panel is final.

#### **4. Postponement/Cancellation of Appeal**

- 4.1 Should an employee request an appeal and fail to attend, a second/alternative date should be provided. If the employee then fails to attend then the appeal can proceed in their absence, and a decision made on the basis of the evidence available at the time.
- 4.2 The employee may however provide a written support statement to the Appeal Panel or/and send a Trade Union/Professional Association Representative or work colleague on their behalf.

.....

**Letter 1 [Stage One Review Meeting]**

Dear

**Sickness Absence Procedure – Stage One Review Meeting**

A review of your absence record indicates that you have exceeded the Council's trigger point of 6 working days within 12 months **OR** 3 separate episodes of sickness absence within 6 months.

**OR**

A review of your absence record indicates that you are ...

(a) reaching the level where the trigger point of 6 working days in 12 months is likely to be exceeded / your absence reveals a pattern

**OR**

(b) approaching 3 separate episodes of sickness absence within a 6-month rolling period

... which is a cause for concern.

I would therefore like to meet with you on **[insert date and time]** at/in **[venue]** to discuss the situation.

I attach a copy of your absence record for the past 12 months **OR** 6 months **[whichever applies]** and the Sickness Absence Procedure.

Please contact me on **[insert tel. no.]** to confirm your attendance.

Yours sincerely

Head Teacher

## Letter 1 [Stage One Review Meeting – 20 days+ absence]

Confidential

Dear

### Sickness Absence Procedure –Stage One Review Meeting

As you have been absent from work since [date], this amounts to 20 or more working days continuous absence due to sickness in accordance with the Council's Sickness Absence Procedure.

Therefore I would like to meet with you on [insert date and time], at/in [venue] to discuss your absence.

At the meeting we will discuss your current situation, with reference being made to any supporting medical documentation, with a view to establishing and agreeing a return to work plan. We will also discuss any support that I or the Council may provide, to support your return.

If you feel you are unable to attend the meeting, please contact me to discuss, in order that we can agree a mutually convenient date and location. ***[NB: If employee has requested to be accompanied by their union representative or a work colleague, add the following]*** I shall be accompanied by [insert name], an Employment Relations Adviser from the Council's Human Resources Service [insert name] will also be present, to take brief notes of the meeting.

I attach a copy of your absence record for the past 12 months and the Sickness Absence Procedure.

Please contact me on [insert tel. no.] to confirm your attendance.

Finally, should you require assistance/support in the meantime, I would like to remind you of the confidential employee assistance programme **[insert details of the Employee Helpline here]**

Yours sincerely

Head Teacher

**Letter 2 Stage Two (Review meeting)**

**Confidential**

Dear

**Sickness Absence Procedure – Stage Two Review Meeting**

Following our meeting held on [date] to discuss your sickness absence under stage one of the Sickness Absence Procedure, your level of absence continues to cause concern. I now consider it appropriate to meet with you to discuss progression.

The purpose of the meeting is to discuss your sickness absence record and the impact on our service delivery. We will also consider options available to reduce your absence level.

The meeting will take place at [insert date and time] and will be held in/at [venue].

I enclose details of your sickness absence since **[date]**, together with a copy of the Sickness Absence Procedure.

You have the right to be accompanied by a union representative or a professional body **[optional]** or work colleague. I will be assisted by **[name]**, an Employment Relations Adviser from the Council's Human Resources Service.. **This can be omitted if not applicable [name]** will also be present as a note-taker.

Would you please confirm by **[date]** that you will be attending this meeting and, if you are to be accompanied, please confirm the name of the person who will be attending with you.

Yours sincerely

Head Teacher

## Letter 2 (Stage Two Review meeting – Outcome)

**Confidential**

Dear

### **Sickness Absence Procedure – Outcome of Stage Two Review**

I write to confirm the outcome of the meeting that was held on [date] in line with stage two of the Sickness Absence Procedure. Present at that meeting were [insert names here].

I explained that the purpose of the meeting was to discuss the level of your sickness absence, the impact this is having on the service and the options and support available to you, to help reduce your level of absence.

*[More detail around the actual discussion that took place, to be inserted here]*

As mentioned at the meeting, it is hoped that your level of sickness absence will improve over [insert agreed timescale here]. If this is the case, no further action will be taken. However, if your attendance does not meet the required level over this agreed period, then I would have no option than to proceed to Stage Three of the procedure; one of the outcomes of this could be your dismissal.

I do hope you are able to improve your level sickness absence.

Yours sincerely

Head Teacher

### Letter 3 (Stage 3 Hearing)

Confidential

Dear

#### **Sickness Absence Procedure – Stage Three (Hearing)**

We met on **[date]** and **[date]** to discuss your sickness absence **OR** continued sickness absence. As your absence is still causing concern you are requested to attend an Absence Hearing on **[insert date and time]** in/at **[venue]**.

The Hearing will review your sickness absence record.

You will be given the opportunity to put forward any mitigating circumstances and written evidence or relevant statements that you wish to be considered at the Hearing, these should reach me by **[insert date]**, at the latest.

I enclose copies of documentation that will be referred to and considered by the Hearing.

You are entitled to be accompanied by a union representative/professional association or a work colleague.

I must advise you that the decision of the Hearing may result in your dismissal.

I shall be chairing the meeting and will be advised by **[insert name of ER Adviser]**. Notes will be taken by **[name]**.

Please confirm by **[insert date]** that you will be attending this Hearing and the name of the work colleague or union representative who will be accompanying you.

Yours sincerely

Head Teacher

## Letter 4 (outcome of Hearing)

**Confidential**

Dear

### **Sickness Absence Procedure – Outcome of Stage Three Hearing**

I refer to the Absence Hearing that you attended on **[insert date]**. The notes of the meeting are attached.

As you know, the meeting was held to consider your unacceptable level of sickness absence.

**I confirm that** [insert outcome]

**You have the right to appeal against the decision to** [insert outcome]. **If you wish to appeal, you must write to** [insert, as per Procedure] within .....days. Your appeal will be heard by.....

Yours sincerely

Head Teacher