



*Thinking Schools Academy Trust*  
“Transforming Life Chances”

**Managing Absence & Ill Health Policy**

|                                 |                |
|---------------------------------|----------------|
| This policy was adopted on      | November 2020  |
| The policy is to be reviewed on | September 2024 |

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## Part A – Policy

### 1. Policy Statement

The Thinking Schools Academy Trust (The Trust) is committed to supporting the health, wellbeing and attendance of all Employees. The Trust expects a high level of attendance and requires each Employee to take responsibility for achieving and maintaining good attendance.

The Trust recognises that on occasions Employees may be absent from work due to ill health (including disability) and that health issues may also impact on performance in the workplace.

The Trust is committed to supporting an Employee during a period of absence with the aim of assisting their return to work and maintaining the required levels of performance. The Trust also recognises its obligations under the Equality Act 2010.

Advice will be sought from an occupational health advisor or and the Trust HR Team in the management of ill health issues.

An Employee will be advised of the possible consequences of their absence, including if their employment is at risk.

The Trust will seek to balance the needs of the Academy with the needs of the Employee. Where an Employee is unable to discharge the duties of their post due to ill health and all reasonable alternative options have been exhausted, consideration may be given to terminating employment.

This procedure explains:

- How The Trust will manage absence and ill health issues in a fair and consistent manner
- What is expected from the Headteacher/ Principal/Line Manager and Employees with regards to the reporting and management of absence and ill health.

It does not address absences for reasons other than personal sickness. Non sickness related absences are covered in our Special Discretionary leave policy which can be accessed on the Trusts website.

For teaching staff this policy complies with the Conditions of Service for School Teachers in England & Wales Document 2000 (Burgundy Book) and specifically Section 4 therein.

### 2. Responsibilities of The Trust

- To ensure all Employees are aware of the absence management procedures
- To ensure sickness absence is accurately recorded, monitored and reviewed effectively
- To take appropriate management action where absence and ill health related under performance are causing concern
- To make suitable arrangements to discuss absence and the impact of this – including absence review meetings and return to work discussions
- To discuss / identify with Employees support and strategies for improving attendance and work performance or facilitating a return to work

- To keep in regular and appropriate contact with an absent Employee and make them aware should their employment be at risk. Such contact will be agreed with the employee on a case by case basis.
- To consider suitable workplace adjustments that may facilitate and or improve an employee's attendance at work
- To consider termination of employment only after other potential options have been explored
- To provide a working environment conducive to enabling the Employee to perform safely
- To take reasonable action to maintain Employee's confidentiality in matters relating to health.

### **3. Responsibilities of the Employee**

- To ensure attendance meets the required standards
- To make their Headteacher/ Principal/Line Manager aware of any health issues that may be impacting on their ability to maintain good attendance and performance
- To take care and responsibility of their own health and wellbeing
- To comply with the Academy's absence notification and certification requirements
- To attend meetings where able in connection with the management of absence issues (i.e. return to work meetings, absence review meetings, Occupational Health appointments)
- To work with their Headteacher/ Principal/Line Manager to identify support and strategies for improving attendance or facilitating a return to work where possible.

### **4. Scope**

This Policy and Procedure applies to all Employees of The Thinking Schools Academy Trust.

For those employees who have transferred under TUPE Regulations 2006 the principle of no detriment will apply in respect of transferred policy entitlements.

### **5. Adoption Arrangements and Date**

This procedure was adopted by the Board of Directors of The Thinking Schools Academy Trust on 1st September 2015 and supersedes any previous Absence Management Policy and Procedure.

This policy will be reviewed by the Board of Directors every 4 years or earlier if there is a need. This will involve consultation with the recognised unions.

### **6. Delegated Responsibility**

The management of ill health issues may be delegated to staff other than the Headteacher/ Principal/Line Manager. References to the role of the Headteacher/ Principal/Line Manager in the policy and procedure include their nominee

- **Informal Action**  
Informal action may be delegated to line managers where appropriate.
- **Formal Action**  
Formal hearings to consider matters short of dismissal may be delegated to another manager or the Headteacher/ Principal/Line Manager.
- **Where matters are heard by a manager**

Appeals against any sanction imposed will be heard by the Headteacher/ Principal/Senior Manager.

- **Where the Headteacher/ Principal has considered the matter**

Appeals will be heard by a panel of one or more governors and or a member of the Executive team

- **Dismissal Decisions**

In The Trust responsibility for dismissal decisions has been delegated to the Headteacher/ Principal/Senior Manager, therefore formal hearings to consider dismissal may be heard solely by the Headteacher/ Principal/Senior Manager. If The Head teacher is to be involved in the dismissal hearing all previous stages and meetings should be delegated to senior trust managers.

A panel of one or more governors may be convened to hear the matter in situations where it is not appropriate for the Headteacher/ Principal to perform this function. See **Appendix 7** for the Delegated Responsibility roles.

## **7. Right to Representation**

An Employee is entitled to be accompanied to a formal hearing or appeal by either a workplace colleague or Trade Union Representative.

A workplace colleague or Professional representative is also able to attend formal meetings held under this procedure, including formal absent review meetings.

An Employee may be accompanied by a workplace colleague or Professional Association representative at informal meetings. However, it should be noted that the presence of a representative does not make the meeting formal.

## Part B- Procedure

### 8. Notification of Absence

Employees should, wherever possible, report sickness absence to their Headteacher/ Principal/Line Manager or other nominated person by telephone as soon as possible on their first day of absence before the start of the working day and no later than 1 hour before their start time. Contact should be made by the Employee by telephone and not by text or a third party, unless unavoidable.

Employees should state:

- The reason for their absence / nature of their illness
- The estimated period of absence where known.

If the Employee does not contact their Headteacher/ Principal by the required time the Academy should attempt to contact the Employee by telephone.

Repeated failure to follow these notification requirements may be addressed in accordance with the Trust's Disciplinary Procedure.

### 9. Absences up to and including 7 calendar days

Employees will be required to complete and submit a self-certification form on return to work for all periods of sickness absence not exceeding seven days, inclusive of rest days, public holidays and Academy closure periods.

Where an Employee attends work but later goes home sick during the day – pay will not be deducted and this will not be regarded as a sick day for contractual sick pay purposes. However, such absences will be recorded and considered for absence monitoring purposes.

### 10. Absences of more than 7 calendar days

A Statement of Fitness for Work 'fit note' is required if a period of absence lasts for eight days or more inclusive of rest days, public holidays and Academy closure periods.

### 11. 'Fit Note' Provisions

Should a 'fit note' indicate that an Employee is 'not fit for work' they should remain on sick leave until the expiry of the note. There is not a requirement for the Employee to be signed 'fit for work' by a medical practitioner before returning.

Should the Employee feel fit to return to work prior to the expiry date of the note, the Academy will give this request due consideration and may undertake a workplace risk assessment to establish whether the Employee is fit to return to work early. The Academy reserves the right to ask that the Employee remains on sick leave until the expiry of the note should they feel it is not appropriate for the individual to return.

Should a 'fit note' indicate that an Employee 'may be fit for work' the Academy will discuss with the Employee ways of helping them get back to work. This may include agreeing a phased return to work, amended duties or work place adjustments for a temporary period.

If it is not possible for the Academy to provide the support an Employee needs to return to work, or an Employee feels unable to return, then the statement will be used in the same way as if the GP advised that the Employee was 'not fit for work'.

### **Fit Notes – Exceptional Circumstances**

Ordinarily, a Fit Note will not be required until an employee has been absent for more than 7 continuous days. However, in limited circumstances, such as when an employee is off sick on the last day of term prior to a school holiday or compulsory closure, or where we are concerned about the reason for short term absences, The Trust may require a Fit Note for the whole period of sickness, even if the sickness absence amounts to less than 7 days.

If this is the case, you will be notified of this requirement when you call in to report your sickness absence and are advised to see your GP to obtain a Fit Note. In these circumstances, the cost of issuing any Fit Note shall be reimbursed by the Academy upon production of a receipt by the employee.

Employees who are absent immediately prior to a compulsory Academy closure, will be deemed to be sick for the whole closure or holiday period, unless they confirm in writing to the Headteacher/Line Manager or another designated manager, when they became well.

## **12.Sick Pay Entitlement**

The contractual sick pay entitlement for teachers is in accordance with the Burgundy Book / as set out in the contract of employment. The contractual sick pay entitlement for support staff is set out in the contract of employment. See **Appendix 1** for details of sick pay entitlements for teachers and support staff. Statutory sick pay will be paid to qualifying staff in accordance with statutory provisions.

In exceptional circumstances The Trust has discretion to extend contractual sick pay. This will be considered on a case by case basis in conjunction with and approval from Trust Executive Team.

## **13.Sick Pay Requirements**

Payment of sick pay is conditional upon meeting both statutory and Trust requirements concerning absence notification and medical certification. Appropriate certification is required for the entire period of absence including Trust closure periods and non-working days.

Failure to follow these requirements or provide certification in a timely manner may result in the absence being regarded as unauthorised and in exceptional circumstances The Trust reserves the right to withhold pay.

The making of false sickness declarations will be addressed in accordance with the Trust's Disciplinary Procedure.



## **14. Contact during a period of absence**

The Trust requires Employees to maintain reasonable contact with the Academy during any period of absence, presenting medical certificates in a timely manner and attending review meetings as requested and fit to do so.

Where an absence is for three calendar days or less it is expected that the Employee will contact the Academy each day, unless agreed otherwise.

Where an absence lasts more than three calendar days, the Employee must keep their named contact updated with the situation at agreed intervals until a return date is known.

If the absence is likely to be longer term it is expected that the Headteacher/ Principal/Line Manager and Employee will discuss how best to maintain contact at agreed intervals. Consideration will also be given on how best to keep the Employee updated with Academy news and events during their absence.

In certain circumstances it may not be appropriate for the Employee and their Headteacher/ Principal / line manager to speak (e.g. in instances where the absence is due to work related stress see section 19). Consideration may be given to identifying another appropriate manager to act as a contact point or to facilitate meetings. Only in exceptional circumstances will the Headteacher/ Principal consider a person other than the Employee such as a trade union representative being the point of contact with the Academy.

## **15. Referral to Occupational Health**

Where health issues are impacting on an Employee's attendance or performance, The Trust will seek advice from an Occupational Health Advisor or other appropriate health advisor in order to inform management action or support. An employee does not need to be absent from work for a referral to take place.

It is the Trust's policy to make a referral to an Occupational Health Advisor in the following circumstances (the list is not exhaustive):

- During a period of longer-term continuous absence, where the Employee has informed that they will be unable to attend work due to illness for 3 weeks or more.
- Following frequent or recurring short-term absence which is giving rise to concern. As a guide a referral may be made in instances where there have been 3 periods of short-term absence within a 6-month period – although this may vary depending on individual circumstances
- Where an injury or illness may have an impact on the Employee's ability to undertake their job role
- Where an Employee has a degenerative condition or disability which is or may be impacting on their ability to undertake their job role
- When an application for ill health retirement is made.

The advice of an Occupational Health Advisor may be sought:

- To identify how an Employee's health or medical condition may impact on their attendance or ability to undertake their job
- To ascertain when or if an Employee will be fit to return to work in the foreseeable future
- To provide guidance on what support or reasonable adjustments could be made to facilitate a return to work
- To provide guidance on any adjustments which may support a disabled Employee in the workplace
- To provide guidance on the Employee's ability to attend formal meetings and investigations under any other procedure whilst absent
- To advise how an Employee may be able to improve their health and wellbeing.

An Occupational Health Advisor may refer to the Employee's GP or other medical specialist for further information regarding the Employee's medical condition.

It is expected that all Employees will consent to a referral being made to an Occupational Health Advisor when reasonably asked to do so. It is in the employee's best interest to attend a referral, if an employee refuses to attend the school will be required to make a decision based on the information available to them. Teachers have contractual obligation to attend and failure to do so may impact on contractual sick pay entitlements.

Where consent is refused The Trust may make decisions about the management of an ill health issue based on the available information and without the guidance of an Occupational Health Advisor.

Where a Teacher refuses to engage in an occupational health referral the Trust may be entitled to stop payment of any contractual sick pay entitlement as set out in Section 8, 8.1 of the *'Conditions of Service for School Teachers in England and Wales' (2000)*

Any written report provided by an Occupational Health Advisor will be shared with the Employee. The employee's consent will be sought prior to sending to the Trust. On receipt of the report from the Occupational Health Advisor a review meeting will usually be convened.

If an Employee's absence becomes long term The Trust may request further advice from an Occupational Health Advisor, as necessary.

## **16. Return to Work Meetings**

A return to work meeting should be carried out after every period of sickness absence, regardless of the duration and a return to work form completed by the Line manager and signed by the employee. This includes absences related to disability, pregnancy, injury/accidents at work.

The meeting should be held in a confidential place where disruptions are minimised and should take place within 5 working days of the return date unless there are exceptional circumstances. They should not be onerous but need to be completed as part of the Trust's duty of care and for absence monitoring purposes.

The purpose of this meeting is to:

- Discuss the reason and cause of the absence

- To consider any concerns regarding attendance, levels or patterns of absence
- Confirm that the Employee is fit to return
- Discuss and agree any support that the Employee may need to return to work and sustain a successful return, including recommendations made by a GP or Occupational Health Advisor
- To update the Employee on anything they may have missed during their absence.

In complex cases, where absence has been long term and/or where disability is a factor and instances where an Employee has been absent from work for some time, a member of the HR team may be present at this meeting. Employees may find it useful for a professional association representative or workplace colleague to attend this meeting.

A written record of the return to work meeting will be made and kept on the Employee's personnel file for absence monitoring purposes and a copy provided to the employee within 5 working days. Please use the Return to work Meeting form (**Appendix 2**) for the meeting.

Depending on the reason and length of the absence the Headteacher/Principal/Line Manager may agree further follow up meetings to help ensure that the Employee makes a successful and sustained return to work.

## **17. Reasonable Adjustments and supporting a return to work**

The Trust will seek to provide all reasonable support to enable an Employee to make a successful and sustained return to work following a period of absence or to maintain their performance in the workplace.

The Trust will give due consideration to any reasonable and practicable adjustments recommended in a 'fit note' or by an Occupational Health Adviser or requested by an Employee, as required by the Equality Act 2010.

When considering possible adjustments, the Trust will need to balance the needs of the Employee with what is realistic and practicable given the size and resources of the Academy and the needs of the children

The degree to which an Employee will need support and the nature and duration of any adjustments will be determined by the circumstances and will arise from discussion between the Employee and the Headteacher/ Principal.

Where appropriate a referral to the DWPs Access to Work Program may be made to establish if additional support, assistance (either financial or otherwise) may be provided.

Adjustments may include consideration of:

- A phased return to work
- Adjustments to the working environment
- The outcome of any risk assessment
- A temporary alteration of duties or pattern of work
- Provision of additional equipment to assist the Employee in their duties
- Providing time off for medical treatment or appointments

- Arranging temporary additional support in the workplace
- Redeployment to another role in the Academy or local Trust school.
- Greater discretion in dealing with periods absence

Any agreed supportive measures will be confirmed in writing.

Timescales for phased returns to work will be discussed in advance and medical advice sought to determine when the employee will be able to return to their normal working hours and/or days.

During the first 4 working weeks of a phased return, the employee will be paid their normal contractual salary. If a phased return extends beyond four working weeks then the employee will be paid on the basis of hours actually worked. If the staff member is an all year-round employee and has already accrued annual leave, they may request this to make up any time that they are not at work.

## **18.Trigger Points**

For managing absence, the Trust considers the following absences as a cause for concern. These are referred to as “trigger points”:-

- 4 or more episodes of sickness absence in a rolling 12-month period and/or 10 working days of sickness in a rolling 12-month period and/or;
- Where the number of absences in a short-term period warrants immediate action e.g. 3 episodes or 6 working days in 6 months.
- A pattern of absence which is causing concern e.g. regular Friday or Monday absences or absences regularly occurring on a particular day/week, absences pre or post annual leave, public holidays or payday.

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

For long term absence the trigger point for action is an absence from work for 4 weeks (or more) and/or where there is no prospect of a return to work in the near future.

## **19.Absence related to stress or mental health**

As part of The Trust’s ongoing duty of care, Headteacher/ Principal/line managers should still endeavour to maintain reasonable contact with employees who are absent due to stress or other mental health conditions. If, however, an employee perceives a particular manager to be the cause of their stress, they should be invited to nominate an alternative welfare contact.

Depending on the circumstances, it may be appropriate for contact to be maintained between HR and a nominated trade union, work place colleague or close friend/family member.

The Trust has a duty under health and safety legislation to assess the risk of stress-related ill-health that arises from work. If an employee informs their Headteacher/ Principal/Line Manager that they

are absent due to work-related-stress, they will be offered an opportunity to meet with a senior member of the school management team to carry out an impartial individual stress risk assessment. The purpose of this exercise is to provide the opportunity for the employee to discuss their perceived stressors and for management to suggest ways of minimising stress in consultation with the employee.

Other early intervention strategies may include a) a referral to OH; b) reasonable adjustments to an employee's role/duties; and/or c) signposting the employee to confidential counselling (counselling support phone line: 0845 862 2113) **See Appendix 6** and the **Trust's Wellbeing Policy** for further guidance and support.

## 20.Short Term Absence

### 20.1. Informal Action

In instances of repeated or persistent short-term absences causing concern the Headteacher/Principal/Line Manager will seek to address this informally at an early stage by meeting with the Employee.

As a guide this would usually be **4 separate occasions or 10 days in a 12-month period**, this may vary depending on individual circumstances. The Headteacher/Principal/Line Manager should seek advice on individual cases with HR.

The purpose of this meeting is to:

- Advise the Employee that their level of attendance is unacceptable and discuss how the level of absence is impacting on the individual's performance and the Academy
- Explore reasons for absence and give the opportunity for the Employee to raise any health or other concerns arising from within or outside the workplace that may be impacting on their attendance
- Identify any support that the Academy may be able to provide or any action the Employee can take to improve or sustain attendance
- Agree any follow up action including making a referral to an Occupational Health Advisor or counselling service or undertaking a risk assessment where appropriate
- Explain the Trust's expectations regarding attendance
- Advise the Employee that should an acceptable level of attendance not be achieved and sustained – a future formal meeting to review your attendance could be held in line with the Absence Management Policy.

The employee should be given 5 working days of such a meeting in advance and is permitted to request accompaniment of a workplace colleague or professional association representative.

The Trust reserves the right to move straight to a Formal Absence Meeting where the circumstances warrant and remain relevant, including instances where concerns about the Employee's short-term absence have previously been addressed informally or formally.

The meeting should be recorded on the Informal Short-Term Absence Meeting Form (**Appendix 3**) a copy of which should be sent to the Employee within 5 working days and placed on their personnel file.

### **Monitoring of Attendance following Informal Action**

In most instances it is anticipated that the level of attendance will improve and informal monitoring will continue to ensure satisfactory attendance is sustained. However, in circumstances where an Employee's attendance does not show acceptable improvement the Academy may move to a first formal absence meeting.

In instances where it is suspected that the reason for the absence is not genuine, the matter may be treated as a conduct issue and will be investigated in accordance with the Trust's Disciplinary Procedure that can be found on the Trusts website.

## **20.2 STAGE 1 - First Formal Absence Meeting**

Where attendance does not show acceptable improvement after an informal meeting a first formal absence meeting will be convened.

An Employee will be given 5 working days written notification of the first formal absence meeting and it will inform the employee of their right to be accompanied by a trade union representative or workplace colleague.

This meeting will be conducted by the Line Manager / Headteacher/ Principal.

The purpose of this meeting is:

- For the Headteacher/Principal/Line Manager to **specify/reiterate** the standards required
- **Define** the extent to which these standards are not being achieved (where applicable),
- **Define** the nature and frequency of any support to be provided where applicable, the frequency of the monitoring process and the dates of interim progress and formal review meeting.
- Agree any follow up action including making a referral to an Occupational Health

The employee should be fully involved in the discussion and given an opportunity to discuss their case, answer questions, ask questions, explain any difficulties encountered, and discuss the ways and means by which the issues can be resolved.

There are two possible outcomes from the meeting; set a period of formal monitoring or discontinue the formal procedure as the Headteacher/Principal/Line Manager is satisfied that the issue has now been resolved. The Headteacher/Line Manager will inform the employee of the outcome at the conclusion of the meeting.

### **Monitoring Period**

If a monitoring period is set, the Headteacher/Principal/Line Manager will reiterate the standards required, the extent to which they are not being reached and that failure to improve to the required

standard over the monitoring period could lead to a written warning at the next formal review meeting.

The employee should be informed of support/monitoring and the time period within which the next review will take place. The review period may vary depending on the circumstances of the case but will usually be 12 working weeks and the review meeting can be called forward if employee fails to meet the objective during the period.

Within 3 working days, all the information as stated above should be confirmed in writing to the employee. A copy of this letter will be kept on the employee's personal file

If the formal procedure is discontinued, the Headteacher should then continue to monitor the situation as part of the usual day to day management and set a date to discuss again informally.

### **20.3 STAGE 1- First Formal Absence Review Meeting**

Following the set monitoring period, the Employee will be given 5 working days written notification of the first formal absence review meeting. The employee will be advised of the right to be accompanied by a Trade Union Representative or work colleague and that a formal warning may be an outcome.

The Headteacher/Principal/Line Manager will review the absence throughout the monitoring period formally. The purpose of this meeting is to:

- Review progress towards attendance targets and set further targets and timescales for improvement
- If continuing absence occurs, to explore the impact this is having on the individual's performance and the Academy
- Give the Employee the opportunity to respond to the concerns about their attendance and make any relevant representations or present any mitigating factors
- Consider any relevant advice received from Occupational Health or whether such advice should be sought
- Consider the impact of any support / workplace adjustments which have been put in place and any further support which may be of benefit
- Consider whether the Employee will be able to achieve and maintain a satisfactory level of attendance
- Advise the Employee that should an acceptable level of attendance not be achieved and maintained – the termination of employment may be considered
- Agree when / how a further meeting will be held to review attendance. The review period may vary depending on the circumstances of the case but will usually be within 4-12 working weeks and the review meeting can be called forward if employee fails to meet the objective during the period.

The outcome of this meeting may be:

- To discontinue the formal procedure. The Headteacher/Principal/Line Manager should then continue to monitor the situation as part of the usual day to day management.

- To adjourn the meeting to seek further information or advice e.g. from an Occupational Health Advisor or explore alternative options such as ill health retirement or redeployment, where appropriate
- To issue a **first** formal written warning on the grounds of unsatisfactory attendance.
  - A first formal warning will remain on the employee's file for 6 months from the date of issue
  - a further period of formal monitoring will be set in which the Employee will need to achieve and sustain a satisfactory level of attendance.
  - A move to the **Second formal review meeting (Stage 3)** may be considered if employee fails to meet the objective during the period.
- To issue a **final** formal written warning on the grounds of unsatisfactory attendance.
  - If the seriousness of the attendance concerns are significant
  - The final formal written warning will remain on the employee's file for 12 months from the date of issue.
  - A further period of formal monitoring in which the Employee will need to achieve and sustain a satisfactory level of attendance will be implemented.
  - A **Hearing to consider unsatisfactory attendance (Final Stage)** may be considered if the employee fails to meet the objective during the period.
- The review period may vary depending on the circumstances of the case, but will usually be between 4 and 12 weeks. The review meeting can be called forward if the employee fails to meet the objective set during the formal monitoring period.

The Headteacher/ Principal/Line Manager should provide the Employee with written confirmation of what was discussed and the outcome of the meeting usually within 5 working days of the decision being made.

Where a **formal written warning** is issued the outcome letter should specify:

- The reason for the warning and how long this will remain 'live'
- The improvement in attendance that is required and the timescale to achieve this, and the review period
- Any agreed workplace adjustments / supportive measures
- When a further review of attendance will take place
- Advise the Employee that should an acceptable level of attendance not be achieved or maintained – further formal action, including the termination of employment, may be considered
- Advise the Employee of their right of appeal against a formal warning.

An Employee may appeal in writing against any formal warning within 10 working days of receipt of the written outcome.

#### 20.4 STAGE 2 - Second Formal Absence Meeting

An Employee will be given 5 working days written notification of the Second formal absence meeting and it will inform the employees of the right to be accompanied by a Trade Union Representative or work colleague.



This meeting will be conducted by the Headteacher/ Principal/Line Manager. The meeting will take the structure and contents of the First Formal review meeting. With the possible outcomes:

- To continue a further period of formal monitoring in which the Employee will need to achieve and sustain a satisfactory level of attendance
- To adjourn the meeting to seek further information or advice e.g. from an Occupational Health Advisor or explore alternative options such as ill health retirement or redeployment, where appropriate
- To issue a **final** formal written warning on the grounds of unsatisfactory attendance and continue a further period of formal monitoring in which the Employee will need to achieve and sustain a satisfactory level of attendance.
- The review period may vary depending on the circumstances of the case but will usually be within 4-12 working weeks and the review meeting can be called forward if employee fails to meet the objective during the period. If this is the case the meeting will take the form of a **Hearing (Final Stage)** to consider unsatisfactory attendance.
- To discontinue the formal procedure. The headteacher/Principal/Line Manager should then continue to monitor the situation as part of the usual day to day management.

The Headteacher/ Principal/Line Manager should provide the Employee with written confirmation of what was discussed and the outcome of the meeting usually within 5 working days of the decision being made.

Where a **final formal written warning** is issued the outcome letter should specify:

- The reason for the warning and how long this will remain 'live'
- The required improvement in attendance and the timescale to achieve this
- Any agreed workplace adjustments / supportive measures
- When a further review of attendance will take place
- Advise the Employee that should an acceptable level of attendance not be achieved or maintained – further formal action, including the termination of employment, may be considered
- Advise the Employee of their right of appeal against a formal warning.

An Employee may appeal in writing against any formal warning within 10 working days of receipt of the written outcome.

## 20.5 STAGE 2 –Second Formal Absence Review Meeting

Following the set monitoring period, the Employee will be given 5 working days written notification of the second formal absence review meeting. The format of this meeting will be similar to the first formal absence review meeting.

The employee will be advised of the right to be accompanied by a Trade Union Representative or work colleague and that a **Hearing (Final Stage)** to consider unsatisfactory attendance meeting may be an outcome.

## 20.6 FINAL Stage -Hearing to consider unsatisfactory attendance

Should attendance not improve to an acceptable level or should satisfactory attendance not be sustained within the review period following a Final warning, the Employee will be advised in writing of the requirement to attend a hearing to consider unsatisfactory attendance.

The Employee will be given written notification of the date, time and venue of the hearing. This will not be less than 10 working days' notice. The notification will advise the Employee of the case to be considered and possible outcomes of the hearing – including that dismissal may be an outcome.

The Trust will provide the employee with all relevant documents which will be referred to during the hearing with the notification letter and in any case no later than 10 working days before the hearing.

The Employee has the right to be accompanied at this meeting by a workplace colleague or trade union representative.

The Employee is required to provide, no later than 5 working days before the hearing any relevant documents they wish to be considered.

During the hearing the Employer will present the case for a dismissal and the Employee will be given the opportunity to respond.

In reaching a decision, the manager hearing the case / panel may **consider**:

- The length of the Employee's employment and attendance record
- The impact of the Employee's attendance on their workplace performance and on the Academy and whether this can be sustained. Whether any progress has been made towards attendance targets
- Whether there is any identifiable medical condition which is preventing the Employee from achieving good attendance
- Any specialist advice that has been received regarding the Employee's condition, and their current and future ability to undertake the job role
- The impact of any measures / reasonable adjustments that have been put in place to support the Employee
- Whether all alternative options have been discussed – including redeployment and ill health retirement, where appropriate

The **outcome** of this meeting may be:

- To continue a further period of formal monitoring in which the Employee will need to achieve and sustain a satisfactory level of attendance
- To recommend further information or advice is sought (e.g. from an Occupational Health Advisor) or to explore alternative options such as ill health retirement or redeployment, where appropriate
- To issue a formal written warning on the grounds of unsatisfactory attendance if such a warning has not already been issued
- To dismiss the Employee with notice on the grounds of unsatisfactory attendance or capability due to ill health.

The Headteacher/ Principal/Line Manager should provide the Employee with written confirmation of what was discussed and the outcome of the meeting usually within 5 working days of the decision being made. The Employee may appeal against the decision within 10 working days of receipt of the outcome.

Where dismissal is an outcome, the notification letter should:

- Specify the reason for the dismissal, termination date and any notice period
- Advise the Employee of their right of appeal.

Where a sanction short of dismissal is given, the outcome notification letter should specify:

- The reason for the warning and how long this will remain 'live'
- The required improvement in attendance that is required and the timescale to achieve this
- Any agreed workplace adjustments / supportive measures
- When a further review of attendance will take place
- Advise the Employee that should an acceptable level of attendance not be achieved or maintained – further formal action, including the termination of employment, may be considered
- Advise the Employee of their right of appeal against a formal warning.

It will be deemed sufficient for the Trust to issue written confirmation of the outcome of the hearing to the Employee's last known address.

## 20.7 Appeal

Where an employee feels that the action taken against them is wrong or unjust they should appeal against the decision. The appeal should be sent in writing setting out the grounds on which the employee believes that the decision was flawed or unfair. An Employee may register their appeal in writing within 10 working days of receipt of the written outcome.

In instances where the grounds for appeal are not stated The Trust will ask the Employee to confirm these to enable all parties to give due consideration of the issues prior to the appeal meeting. Any supporting information must be submitted by the Employee no later than the deadline for the receipt of an appeal.

The Trust will provide the Employee with copies of any documents which will be referred to during the appeal in advance and usually no later than 5 working days before the appeal hearing.

An appeal hearing will be convened at the earliest opportunity, usually within 10 working days of receipt. A workplace colleague or trade union representative may accompany an Employee to an appeal.

The purpose of the Appeal is to review the original decision based on the basis of the grounds for appeal presented by the Employee. The outcome may be

- To uphold the previous decision in full
- To uphold the previous decision in part – but reduce the level of the sanction imposed or amend other elements of the decision

- To uphold the Employee's appeal in full and withdraw any sanction.

The panel may not impose a higher level of sanction than reached previously.

The Employee will be notified in writing of the outcome of the appeal, usually within 5 working days of the decision being made.

It will be deemed sufficient for the Academy to issue written confirmation of the outcome of the hearing to the Employee's last known address.

The decision of the appeal panel is final and there is no further right of appeal.

## 21 Long Term Absence

All cases of long-term sickness will be unique and the approach taken by Headteacher/ Principal/Line Manager needs to give consideration to the nature of the illness and the likely duration. In instances of longer-term absence, the Headteacher/ Principal/Line Manager will seek to address this informally at an early stage by meeting with the Employee with sensitivity to individual circumstances.

If an employee has been absent for a consecutive period of 28 working days' or more (or a 4-week continuous period for part-time staff), the Headteacher/ Principal/Line Manager should:

- Agree and maintain reasonable contact throughout the sickness absence (weekly or fortnightly contact may be reasonable)
- Make a referral to Occupational Health with HR's support by week 4 of the absence
- If it is known that the absence will continue for a consecutive period of more than 28 working days, consideration will be made to progress to the next stage of the process on a case by case basis.
- If the employee has not been able to return to work by week 8 of continuous absence and the first formal absence meeting has been completed, consideration will be made to progress to the next stage of the process on a case by case basis.
- A **Final Stage** Hearing may be considered if the employee is unable to return to work within a reasonable period after all the above options have been considered in line with section 21.3.

### 21.1 STAGE 1 - Informal Action – Welfare Meeting

An informal welfare meeting will usually take place **within** the first 4 working weeks of any period of absence - but may be earlier if appropriate. An Employee will be given reasonable notice of a **welfare meeting** and will have the right to be accompanied by a Trade Union Representative or work colleague.

The purpose of this meeting is to:

- Explore reasons for absence and give an opportunity for the Employee to raise any health or other concerns arising from within or outside the workplace that may be impacting on their attendance
- Consider the likely duration of the absence

- Explain how the continuing absence is impacting on the individual's performance and the Academy
- Identify any support or adjustments that the Academy may be able to provide or any action the Employee can take to facilitate or expedite a return to work
- Make a referral to an Occupational Health Advisor or counselling service, undertake a risk assessment or consider any other follow up action that may be appropriate
- Consider whether the Employee will be able to achieve and maintain a satisfactory level of attendance
- Agree when a further review meeting will take place. This should be within 12 working weeks depending on the circumstances of the case.

Should an Employee return to work before the review date the Trust may continue to support and monitor the situation informally to ensure that a successful and sustained return is made.

## **21.2 STAGE 2 - First Formal Absence & Welfare Meeting**

The Headteacher/ Principal/Line manager will convene a Formal Stage 2 Absence & Welfare meeting with the Employee should the employee remain absent or where the employee has returned to work under a phased return.

An Employee will be given 5 working days written notification of the first formal absence meeting and it will inform the employees of the right to be accompanied by a Trade Union Representative or work colleague.

This meeting will be conducted by the line manager / Headteacher/ Principal. The meeting can be held at a mutually agreed location if the individual is not well enough to travel into the workplace or they would prefer it to take place outside of work due to the nature of their absence. If the employee is too ill to attend a meeting, another form of communication may be agreed.

A record of this meeting will be provided to the Employee within 5 working days of the meeting unless there are exceptional circumstances.

The purpose of this meeting is to:

- Discuss the impact of the absence on the individual and the Academy
- Discuss the phased return approach and any further potential absence or treatment
- Consider any advice received from Occupational Health
- Consider whether the Employee will be able to return to work in the foreseeable future
- Consider the Employee's views on continuing in employment
- Consider other options which may be available such as Ill Health Retirement and Redeployment
- Identify any support or adjustments that the Academy may be able to provide or any action the Employee can take to facilitate or expedite a return to work
- Advise the Employee that if they are unable to return to work within a reasonable period consideration may be given to the termination of employment on the grounds of ill health
- Explain that if the Employee is unlikely to be in a position to return to work in the foreseeable future – the situation will be reviewed after an agreed period. This should be within 8 working weeks depending on the circumstances of the case.

The employee should be fully involved in the discussion and given an opportunity to discuss his/her case, answer questions, ask questions, explain any difficulties encountered, and discuss the ways and means by which the issues can be resolved.

At this stage, where there is no prospect of a return to work or the Employee is permanently unfit to undertake the duties of the post and all reasonable adjustments have been considered the Trust reserves the right to move immediately to a hearing to consider the case for dismissal on the grounds of capability due to ill health.

Within 5 working days, all the information as stated above should be confirmed in writing to the employee. A copy of this letter will be kept on the employee's personal file

If the formal procedure is discontinued, the Headteacher should then continue to monitor the situation as part of the usual day to day management and set a date to discuss again informally.

### **21.3 STAGE 3 – Second Formal Absence & Welfare Review Meeting**

Should the Employee remain absent from work, after an agreed interval the Headteacher/ Principal will convene a stage 2 Formal Absence & Welfare Review meeting with the Employee.

The review period may vary depending on the circumstances of the case but the meeting will usually be held after 8 working weeks of absence or once advice is received from an Occupational Health Advisor.

The purpose of this meeting is to:

- Discuss the impact of the absence on the individual and the Academy
- Consider any advice received from Occupational Health
- Consider whether the Employee will be able to return to work in the foreseeable future
- Consider the Employee's views on continuing in employment
- Consider other options which may be available such as Ill Health Retirement and Redeployment
- Identify any support or adjustments that the Academy may be able to provide or any action the Employee can take to facilitate or expedite a return to work
- Advise the Employee that if they are unable to return to work within a reasonable period consideration may be given to the termination of employment on the grounds of ill health
- Explain that if the Employee is unlikely to be in a position to return to work in the foreseeable future – the situation will be reviewed after an agreed period.

The Employee may be accompanied to this meeting by a workplace colleague or trade union representative.

At this stage, where there is no prospect of a return to work or the Employee is permanently unfit to undertake the duties of the post, the Academy reserves the right to move immediately to a hearing to consider the case for dismissal on the grounds of capability due to ill health.

**In exceptional circumstances**, a further absence review meeting may be convened alongside a further review period. Such a meeting will follow the same format as a First and second Formal Absence Review meeting.

However, if having reviewed the case, the Headteacher/ Principal determine that the Employee:

- Is not currently fit for work and is unlikely to be able to return to work or sustain a return within a reasonable period of time;
- Is not currently capable of discharging the duties of the post and is unlikely to be able to do so within a reasonable period;

And

- All other appropriate options have been considered;

A hearing may be convened to consider the termination of employment on the grounds of capability due to ill health.

#### **21.4 FINAL Stage - Hearing to consider dismissal on the grounds of capability due to ill health**

The Employee will be given written notification of the date, time and venue of the hearing. This will usually be not less than 10 working days' notice. The notification will advise the Employee of the case to be considered and possible outcomes of the hearing – including that dismissal may be an outcome.

The Trust will provide the employee with all relevant documents which will be referred to during the hearing with the notification letter and in any case no later than 10 working days before the hearing.

The Employee has the right to be accompanied at this meeting by a workplace colleague or trade union representative.

The Employee is required to provide no later than 5 working days before the hearing any relevant documents they wish to be considered.

During the hearing the Employer will present the case for dismissal and the Employee will be given the opportunity to respond.

In reaching a decision, the manager hearing the case / panel may consider:

- The length of the Employee's employment and attendance record
- The impact of the Employee's ill health on attendance / workplace performance
- The length of the absence and impact of the Employee's ill health on the Academy and whether this can be sustained
- Whether or not it is envisaged the Employee may be able to return to work and if so when
- Any specialist advice that has been received regarding the Employee's condition, current and future ability to undertake the job role and anticipated timescales for return
- The impact of any measures / reasonable adjustments that have been put in place to support the Employee, including the findings of any risk assessment
- Whether all alternative options have been discussed – including redeployment and ill health retirement.

The panel should provide the Employee with written confirmation of what was discussed and the outcome of the hearing within 5 working days of the decision. The Employee may appeal against any sanction within 10 working days of receipt of the notification of the outcome.

Where dismissal is an outcome the notification letter should:

- Specify the reason for the dismissal, termination date and any notice period and
- Advise the Employee of their right of appeal against the dismissal.

It will be deemed sufficient for The Trust to issue written confirmation of the outcome of the hearing to the Employee's last known address.

Where an Employee is not dismissed appropriate next steps and further review date may be confirmed in writing with the Employee.

## 21.5 Appeal

Where an employee feels that the action taken against them is wrong or unjust they should appeal against the decision. The appeal should be sent in writing setting out the grounds on which the employee believes that the decision was flawed or unfair. An Employee may register their appeal in writing within 10 working days of receipt of the written outcome.

In instances where the grounds for appeal are not stated the Trust will ask the Employee to confirm these to enable all parties to give due consideration of the issues prior to the appeal hearing.

Any supporting information must be submitted by the Employee no later than the deadline for the receipt of an appeal.

The Trust will provide the Employee with copies of any documents which will be referred to during the appeal in advance and usually no later than 5 working days before the appeal hearing.

An appeal hearing will be convened at the earliest opportunity, usually within 10 working days of receipt.

A workplace colleague or trade union representative may accompany an Employee to an appeal.

The purpose of the appeal is to review the original decision on the basis of the grounds for appeal presented by the Employee. The outcome may be:

- To uphold the previous decision in full
- To uphold the previous decision in part – but reduce the level of the sanction imposed or amend other elements of the decision
- To uphold the Employee's appeal in full and withdraw any sanction

The panel may not impose a higher level of sanction than reached previously.

The Employee will be notified in writing of the outcome of the appeal, usually within 5 working days of the decision being made.



It will be deemed sufficient for the Academy to issue written confirmation of the outcome of the hearing to the Employee's last known address.

The decision of the appeal panel is final and there is no further right of appeal.

## **22 Non-attendance at formal meetings and hearings**

Where an Employee or their representative is unavailable to attend they should inform the Trust at the earliest opportunity.

If an Employee's representative is unavailable, a hearing or appeal may be deferred by up to 5 working days from the date of the original meeting.

In some instances, it may not be possible for the Employee to attend meetings due to the nature of their illness. The Trust will seek to postpone meetings where this is reasonable and practicable. Other than in exceptional circumstances only one postponement will be granted.

The Trust reserves the right to hold meetings in the Employee's absence where all reasonable efforts to secure their attendance have been unsuccessful. In this event the Employee will be given the opportunity to make written representations or to be represented by a workplace colleague or trade union representative.

Should the Employee not attend and no representations be received the Headteacher/ Principal / panel will make a decision as to the outcome based on the available information.

## **23 Absence / poor performance related to an ongoing medical condition or disability**

In instances where an Employee's disability or ongoing medical condition has an impact on performance in the workplace advice may be sought from an Occupational Health Advisor in the first instance to identify measures that can be put in place to support the Employee. This may include consideration of reasonable workplace support and adjustments under the provisions of the Equalities Act 2010 and / or redeployment to an alternative role.

Regular informal review meetings will be arranged to monitor the situation.

Should there be an ongoing impact on performance these concerns may be addressed through the Trust's Capability Procedure.

## **24 Absence arising from management action to address performance / conduct concerns**

In instances where absence arises directly from management action to address performance and or conduct concerns – the Academy will seek immediate advice from an Occupational Health Advisor on

how to support the Employee in the management of the absence and / or progress the performance or conduct issues.

## **25 Ill Health Retirement**

If an Employee is unable to return to work due to continuing ill health an application for ill health retirement may be appropriate. Referrals for ill health retirement will be made in accordance with the provisions of the Teachers' Pension Scheme or the Local Government Pension Scheme (for Support Staff).

## **26 Medical Suspension**

In some circumstances The Trust reserves the right to suspend Employees in accordance with their duty of care on medical grounds, pending medical advice, should their presence at work be deemed to be detrimental to the health, wellbeing and safety of the individual, colleagues or pupils. Any such suspension will be confirmed in writing, be for a limited period of time and reviewed regularly.

Such suspensions are made on contractual pay and do not count against an Employee's sick leave entitlement or pay.

## **27 Time off for Medical Appointments**

Prior approval must be sought for time off for medical appointments during working hours.

Wherever possible, routine medical appointments should be made outside of working hours. Should this not be possible the Academy will allow reasonable paid time off to attend such appointments, where the request is supported by an appointment card or letter. Whenever possible, appointments should be made at the beginning or end of the Academy day to minimise absence during working hours.

The Trust reserves the right to require an Employee to reschedule non-urgent appointments where their absence would have an adverse impact on the operation of the Academy.

Time off for medical appointments will be recorded but will not be classed as sickness absence.

## **28 Time off for Elective Procedures**

Sick leave cannot be taken for elective procedures such as cosmetic surgery. In situations where employees undergo IVF treatment paid leave will be agreed for one cycle of IVF.

An Employee should make the Headteacher/ Principal/Line Manager aware of the need for any time off under this provision as soon as practicable. Where possible appointments should be made outside of working time or at the start or end of a working day although it is accepted that this is not always possible. The Employee will be required to provide a letter from their doctor.

Alternatively, unpaid leave or annual leave (in the case of employees contracted all year round) may be requested for such absence. An Employee should make the Headteacher/ Principal/Line Manager aware of the need for any time off under this provision as soon as practicable. Should the consequences of the treatment make the Employee unfit for work this would be regarded as sickness absence in which instances the usual absence reporting and certification procedures would apply.

## **29 Absences Related to Drug & Alcohol Dependency**

Absences related to a declared drug or alcohol dependency will be managed as an ill health issue in the first instance. Guidance may be sought from an Occupational Health Advisor and appropriate support and management action taken.

The Trust reserves the right to address instances of misconduct resulting from the use of alcohol or drugs under its disciplinary procedures.

## **30 Accidents at work or due to a Third Party**

Employees should notify the Headteacher/ Principal or other appropriate person of any accident or injury that occurs due to no fault of their own during the course of their work and follow the Trust's procedures for reporting and recording such incidents.

Support staff will receive normal contractual sick pay in these circumstances but this should be recorded separately to other sickness absence.

Teachers who are absent following an accident / injury at work will be paid in accordance with the provisions set out in the Burgundy Book.

Employees should notify The Trust of accidents / injuries where damages may be recoverable from a Third Party. An Employee who is absent from work as a result of an accident and receives damages in respect of loss of pay from a third-party claim will be required to refund to The Trust any sick pay paid to them in relation to the incident.

## **31 Disclosure of formal sanctions in employment references**

Should an Employee have an unexpired formal sanction on file relating to attendance – this would be disclosed, upon request, in any reference provided by the Employer to a prospective Employer

## **32 Minuting Meetings and Record Keeping**

All absences will be recorded. Notes may be taken of all discussions and formal / informal meetings held with an Employee to discuss attendance and ill health issues. Where notes are taken a copy will be made available to the Employee within 5 working days. Minutes will be taken at hearings and appeal meetings and shared with the Employee within 5 working days. The Employee will have the opportunity to check the minutes and comment on the accuracy of the minutes. Where there are discrepancies between the Employer and Employee that cannot be resolved both version of the minutes will be held on record.

Covert recordings of meetings or hearings are expressly prohibited. Any recording of a meetings or hearing must be with the prior consent of all parties.

All records will be treated as confidential and processed in accordance with General Data Protection Regulations 2018 which provides individuals with the right to request and have access to certain data.

### **33 Confidentiality and Data Protection**

The Trust will respect the confidentiality of all information relating to an Employee's health and handle sensitive personal data in accordance with the General Data Protection Regulations 2018.

### **34 Suspected non-genuine absence**

Where it is suspected that an absence is not genuine or that false sickness declarations have been made The Trust may, after appropriate investigation, address the matter through the Trust's disciplinary procedure.

### **35 Unauthorised Absence and Disciplinary action**

Breaches of the absence policy may be dealt with under the disciplinary procedure. These lists are not exhaustive but are examples of misconduct and gross misconduct that may be subject to disciplinary action.

#### **Examples that may be regarded as misconduct**

- Unsatisfactory attendance that is not due to a medical reason or covered by another policy, agreement or statute
- Taking part in activities that are inconsistent with the cause of absence or prejudicial to recovery.
- Wilful failure to comply with the requirements of the absence policy.

#### **Examples that may be regarded as gross misconduct and could result in summary dismissal**

- Making a false claim of incapacity for work due to ill health.
- Altering the contents of medical certificates.
- Carrying out other employment whilst on sick leave without permission.

### **36 Advice and Support to Employees**

Employees are advised to seek support from their Trade Union Representative or Professional Association with regards to absence issues. Employees may address questions about this procedure to the Headteacher/ Principal/Line Manager or other delegated staff member.

Employees are also able to access further support through a variety of resources that are outlined in Appendix 6.

## Appendix 1: Thinking Schools Academy Trust Sick Pay Entitlement

### Teachers

| Length of Service                           | Entitlement   |
|---|---|
| During 1 <sup>st</sup> Year of Service      | Full pay for 25 working days and, after completing 4 calendar months service Half pay for 50 working days |
| During 2 <sup>nd</sup> Year of Service      | Full pay for 50 working days, and then half pay for 50 working days                                       |
| During 3 <sup>rd</sup> Year of Service      | Full pay for 75 working days, and then half pay for 75 working days                                       |
| During 4 <sup>th</sup> and successive years | Full pay for 100 working days, and then Half pay for 100 working days                                     |

### Support Staff

| Length of Service                              | Entitlement for 52-week contract   |
|--|--|
| During 1 <sup>st</sup> Year of Service         | 1 month's full pay and, after completing 4 months service 2months half pay |
| During 2 <sup>nd</sup> Year of Service         | 2 months full pay and 2 months half pay                                    |
| During 3 <sup>rd</sup> Year of Service         | 4 months full pay and 4 months half pay                                    |
| During 4 <sup>th</sup> 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                                    |

For the purpose of sick pay entitlement, the continuous service for support staff and aggregated service for teachers that is recognised in an employee's contract is applied.

The sickness payment is pro-rata for part time staff and contracted weeks worked.

Staff who are employed for a number of weeks per year not stated in the table above may have their sickness payment calculated on a pro-rata basis depending on the number of weeks per year that they work.

The employer has the discretion to extend the period of sick pay in exceptional cases.

The position of an employee should be reviewed at an early opportunity and before their entitlements to paid sick absence expires.

## Appendix 2: Return to Work Meeting Record Form

| Name of Employee   |     |    |
|--|-----|----|
| Name of Manager conducting meeting:  |     |    |
| Date of meeting:   |     |    |
| Last Absence   |     |    |
| Date of first day of sickness:   |     |    |
| Date of last day of sickness:  |     |    |
| Total number of working days lost due to sickness:   |     |    |
| Reason for Absence:  |     |    |
| Total Sickness Absence record over the last 12 calendar months   |     |    |
| Total number of Occasions:   |     |    |
| Total number of working days off:  |     |    |
| Total number of medically certified working days off:  |     |    |
| Reason for occasions:  |     |    |
| Question   | Yes | No |
| Does the Employee feel fit enough to return to work?<br>If no, please explain further:                                       |     |    |
| If this is a recurring illness or likely to occur again?<br>If yes please give details:                                      |     |    |
| Did the Employee seek any medical advice?<br>If yes, please give details:  |     |    |
| Is the Employee taking any medication that may affect their work?<br>E.g. drowsiness/dizziness. If yes, please give details: |     |    |
| Was the absence caused or made worse by workplace factors?<br>If yes, please give details:                                   |     |    |
| Have the relevant forms been handed in? E.g. Medical Certificates.   |     |    |

|   |   |  |   |
|---|---|--|---|
| If absence was due to an injury sustained at work has form HS1 Accident Report, or HS3 Incident of Violence Report been completed and the Health & Safety Officer informed? |   |  |   |
| If the Absence was caused by a third-party accident, has the appropriate form been filled in to notify payroll (who will seek a claim against the insurer)?                 |   |  |   |
| Is any action required to facilitate the employees return to work?<br>If yes please give details:   |   |  |   |
| Action Required/Agreed  |   | Yes  | No  |
| Is the amount/Level of sick absence causing concern?  |   |  |   |
| Is a referral to the Occupational Health Specialist appropriate?  |   |  |   |
| Is a risk assessment required? (Including stress risk assessment)   |   |  |   |
| Risk Assessment Tool:   |   |  |   |
| Description of Risk<br>e.g. the employee is required to lift heavy items but this may make health worse.  | Impact –<br>Medical situation could have on carrying out duties | Probability –<br>Medical situation could have on carrying out duties | Action<br>i.e. reasonable adjustments, training, equipment or support |
|   | High,<br><br>Medium or<br><br>Low                               | High,<br><br>Medium or<br><br>Low                                    |   |
| Further action Required?<br>E.g. Counselling, Oh referral.  |   |  |   |
| Any other Comments:   |   |  |   |
| Signature of Employee:  |   |  |   |
| Date:   |   |  |   |
| Signature of Manager:   |   |  |   |

|       |  |
|-------|--|
|       |  |
| Date: |  |



### App 3: Informal Short-Term Absence Management Meeting Form

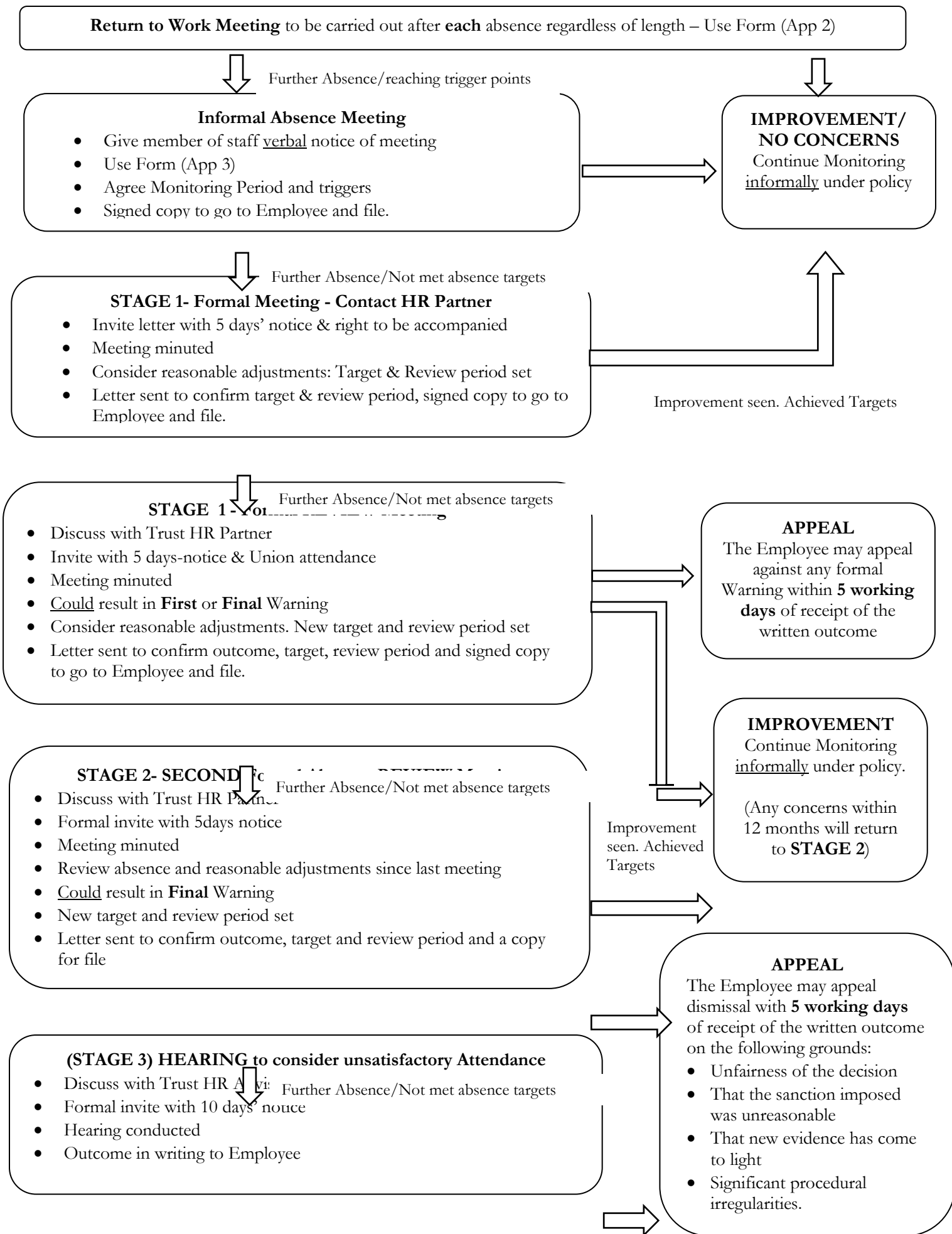
*This form needs to be completed and signed as a record of the informal absence management review meeting between the Line Manager and Employee.*

|  |     |    |
|--|-----|----|
| Name of Employee   |     |    |
| Name of Manager conducting meeting:  |     |    |
| Date of meeting:   |     |    |
| Total Sickness Absence record over the last 12 calendar months   |     |    |
| Total number of Occasions:   |     |    |
| Total number of working days off:  |     |    |
| Total number of medically certified working days off:  |     |    |
| Reason for occasions:  |     |    |
| Question   |     |    |
|  | Yes | No |
| Is there a recurring illness that contributed to these occasions? Is it likely to occur again? If yes please give details: |     |    |
| Has the Employee sought medical advice? If yes, please give details:   |     |    |
| Is the Employee taking any medication that may affect their work? E.g. drowsiness/dizziness. If yes, please give details:  |     |    |
| Was any of the absences caused or made worse by workplace factors? If yes, please give details:                            |     |    |
| Is any action required to support the Employee's improvement in attendance? If yes please give details:                    |     |    |

|  |   |  |   |
|--|---|--|---|
|  |   |  |   |
| Action Required/Agreed   |   | Yes  | No  |
| Is the amount/level of sick absence causing concern?   |   |  |   |
| Has employee been advised to access the Trust Absence Management Policy and aware of where to find it.   |   |  |   |
| Has the Employee been informed about the Trusts Employee Assistance Programme, provided through Smart Clinic?  |   |  |   |
| Is a referral to the Occupational Health Specialist appropriate?   |   |  |   |
| Is a risk assessment required? (Including stress risk assessment)  |   |  |   |
| <b>Risk Assessment Tool:</b>   |   |  |   |
| Description of Risk<br>e.g. the employee is required to lift heavy items but this may make health worse.   | Impact –<br>Medical situation could have on carrying out duties | Probability –<br>Medical situation could have on carrying out duties | Action<br>i.e. reasonable adjustments, training, equipment or support |
|  | High,<br><br>Medium or<br><br>Low                               | High,<br><br>Medium or<br><br>Low                                    |   |
| Further action Required?<br>E.g. Counselling, Oh referral.   |   |  |   |
| Any other Comments:  |   |  |   |
| Detail the Academies expectations regarding employee attendance:<br>( <i>i.e. Period of absence monitoring</i> ):  |   |  |   |
| <b>Signature of Employee:</b> <ul style="list-style-type: none"> <li>• <i>By signing this form, I agree that the information is correct to the best of my knowledge.</i></li> <li>• <i>I am aware that my sickness will be monitored for the agreed period.</i></li> <li>• <i>If deemed appropriate with additional sickness absence, a future formal meeting to review my attendance could be held</i></li> </ul> |   |  |   |

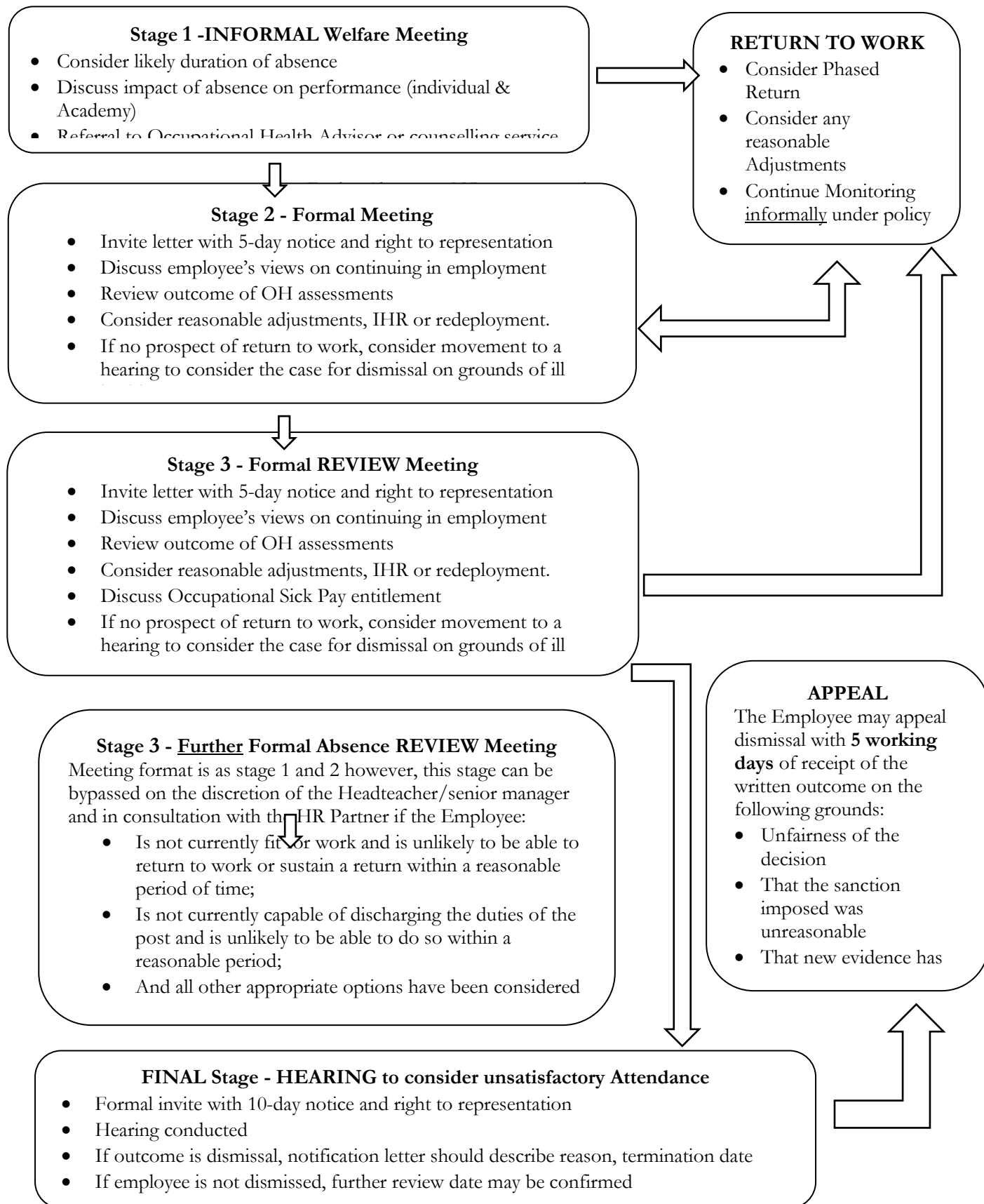
|  |  |
|--|--|
| <i>under the next stage of the Trust's Sickness<br/>Absence Management Policy.</i>   |  |
| Date:  |  |
| <b>Signature of Manager:</b> <ul style="list-style-type: none"> <li>• <i>I confirm that I have discussed the reasons for absence.</i></li> <li>• <i>I confirm that I have raised the concerns and discussed the impact on the students, school and colleagues</i></li> </ul> |  |
| Date:  |  |

## Appendix 4: Short Term Sick Absence Management Flowchart



## Appendix 5: Long Term Sick Absence Management Flowchart

If an employee has been absent for a consecutive period of 28 working days' or more (or a 4week continuous period for part-time staff) –Please advise your HR Partner as soon as you are made aware of a long-term absence case.



## Appendix 6: Employee Health & Wellbeing

### Introduction

The work conducted by the Thinking Schools Academy Trust has the potential to expose employees to risks associated with work related stress and we recognise that our employees may be dealing with stressors outside of work. As an employer we have a number of strategies in place to reduce work related stress and support staff with external stressors. We do understand that even with these strategies in place work related stress can still occur. This appendix sets out the support available for our employees who are suffering with stress. It also outlines the structures TSAT have in place to promote health and wellbeing.

### Support Structures

All employees are encouraged to talk to their line managers if they are feeling stressed, with both external factors and work-related stress. This will enable line managers to develop appropriate measures to control risk associated with stress at work. Employees need to ensure they do not endanger their own health and safety from stress.

When an employee is identified as suffering from stress, a number of measures are available to support the member of staff. The employee's line manager will discuss with the employee with advice from HR on which of these structures are appropriate.

Possible supports structures can be one or more of the following;

### Individual Stress Risk Assessment:

This will identify the factors leading to work related stress and define possible ways of reducing pressure at work and establish an appropriate level of support. Line managers should obtain guidance from HR on completing a stress risk assessment

### Thinking You:

The Trust wellbeing pages can be accessed:  
<https://www.tsatrust.org.uk/about/thinking-you/> and enter the password:  
Th1nk1ngYOU









This will give access to a range of resources that are available through the Trust to support wellbeing.

### Access to free confidential counselling service:

A confidential counselling service is available for all Employees across the Trust provided by Smart **Clinic**. The service offers information, advice and support 24 hours a day, 7 days a week. This includes a telephone support line, access to advice and information, coaching and counselling where appropriate. To access the service please use the contact details below:

- Telephone: 0845 862 2113
- Access the online services via [www.client.smartclinic.com](http://www.client.smartclinic.com) and use your personal log in details.  
Download the app for convenience – details are available online

## Employee Assistance:

|   |  |  |
|---|--|--|
| <h3>24-hour employee assistance line</h3>  <p>Access to 24-hour support from a trained counsellor, legal or financial specialist. Just call 0845 862 2113 and quote Smart Clinic or login to your client area.</p> | <h3>Self-support and guidance</h3>  <p>A wealth of support, guidance and self-directed training programmes, supporting you with issues including anxiety, sleep issues, weight loss and stress.</p> | <h3>App and online client areas</h3>  <p>Smart Clinic services available in your pocket, whenever you want us. To get started, login to your client area and download the Smart Clinic app.</p> |
| <h3>Mental health Therapies</h3>  <p>Structured counselling, CBT, online CBT, anxiety management or stress coaching from the Smart Clinic team. Just login to your client area for access.</p>                   | <h3>Online mental health</h3>  <p>Online CBT and self-help courses available via your client area whenever you need them.</p>   | <h3>CPD Accredited courses</h3>  <p>...including stress management, assertiveness and time management courses.</p>  |

## Occupational Health Referral:

Managers can refer employees to an external occupational health advisor who can fully access an individual's stress and wellbeing. This would normally occur if stress levels were affecting an individual's health.

## Support for Line Managers

Line Managers can access an e learning module, which covers; effective management of stress, identifying symptoms, causes and stress management techniques. For access, please contact James Fenlon at [j.fenlon@tsatrust.org.uk](mailto:j.fenlon@tsatrust.org.uk)

Line Managers can also discuss individual employee's wellbeing and stress with the Trust HR team on 033336 02050 or via email to [human-resources@tsatrust.org.uk](mailto:human-resources@tsatrust.org.uk)

Further detailed information can be found in the Trust's Wellbeing Policy



## Appendix 7: Delegation

The following table sets out who will carry out the key stages under this policy.

Appeals will be heard by a panel of one or more governors who have had no prior involvement in the matter under consideration.

Staff governors should not usually be a member of a governor panel and where they are must ensure that they can deal with the matter impartially and objectively.

The following table sets out the provisions which would normally apply.

| Informal Action taken by | Formal hearing heard by  | Appeal heard by   |
|--------------------------|--|---|
| Line Manager             | Another more senior Manager or Headteacher/ Principal - for matters short of dismissal<br><br>Headteacher/ Principal – where dismissal is a possible outcome | Headteacher/ Principal or 1 or more governors/ Executive Team |
| Headteacher/ Principal   | A panel of 1 or more governors and/or Executive Team   | A panel of 1 or more governors and/or Executive Team          |
| Chair of Governors/CEO   | 3 governors  | 3 governors   |

### Matters relating to the Headteacher/ Principal

Where the Headteacher/ Principal is absent the same principles in relation to reporting, certification and management will apply and will be addressed by a Director of Education

Informal action may be delegated to the Chair of Governors or CEO.

Formal hearings will be heard by a panel of one or more governors who have had no prior involvement in the matter under consideration.

Appeals will be heard by a further panel of one or more governors who have had no prior involvement in the matter under consideration.

Staff governors should not usually be a member of a governor panel and where they are must ensure that they can deal with the matter impartially and objectively.

In instances where there are insufficient governors available to sit on a hearing or appeal panel, the Academy may co-opt other academy governors suitable to hear the case.