

Policy: Managing Staff Sickness and Absence Policy
F&R approval: February 2025
Ratified FGB: March 2025
Review: March 2028

Holy Trinity Church of England (VA) Primary School



Believe • Achieve • Inspire •

Managing Staff Sickness and Absence Policy

SCHOOL VISION

Our vision is for our pupils to flourish in an inclusive, inspirational place of learning where we are happy, respectful, kind and safe.

At Holy Trinity Church of England Primary School our Christian vision shapes all we do.

*"I know that there is nothing better for people than to be happy and to do good while they live."
Ecclesiastes 3:12.*

- we facilitate opportunities so every child can flourish in a place where they feel **safe, happy and confident**.
- staff **well-being** and professional development is valued and supported in order to fulfil their roles, **inspire** others and experience personal **fulfilment**.
- the school provides facilities that enables our pupils to reach their potential in an **optimum learning environment**.
- the **school plays a central role within our community** and enjoys strong **links with the church, local companies and other schools**.
- we create a culture of vigilance to **safeguard** all children.

1. Introduction

This policy has been introduced for the school management of sickness at Holy Trinity CE Primary School.

2. Purpose, Scope and Principles

The Governing Board and the Headteacher have a responsibility for the health, safety and welfare of employees at the school. They also have a responsibility to minimise disruption to the school caused by the ill-health absence of its employees. The purpose of this model policy and procedure is to ensure that:

- the school exercises its duty of care and has proper regard to the health, safety and welfare of its employees;
- the Local Authority's and the Governing Board's broader responsibility to promote a healthy workforce is acknowledged
- all members of staff understand that repeated or long-term absence of staff may have a demotivating effect on colleagues; and is likely to have an adverse effect on pupils' education
- all members of staff understand that absence through sickness incurs indirect costs, often considerable, particularly if supply cover is required
- Sickness absence of support staff can also be disruptive and costly, particularly in the case of those who provide direct support to teachers and pupils in the classroom

In some cases, the length or frequency of absence may mean the continued employment of a member of staff is at risk. In such cases it may be appropriate to conduct proceedings under the ill health capability procedure which is also outlined in this policy. Informal management of sickness absence through return-to-work meetings and other informal methods should always be followed before formal capability steps are taken.

3. Sending an Employee home due to Ill-Health or Suspending an Employee from Duty

If an employee has come into work and their line manager/Headteacher believes that due to their ill-health, they present a risk to themselves, the pupils and/or other staff, they should be sent home. If an individual is sent home under these circumstances the absence will be recorded. Where there is continued concern the employee will be suspended on full pay and should be referred immediately for an occupational health assessment.

Suspension should be considered as the last alternative and should only occur when a Headteacher decides that due to ill-health there is a risk to the employee, the school, pupils or colleagues. The Headteacher should first seek advice from their HR Consultant before suspending an employee.

- A meeting should be arranged and the employee should be informed of the reason that suspension is being considered and given the opportunity to respond before any final decision to suspend is made. This should immediately be confirmed in writing and sent to the employee by hand or recorded delivery
- Where appropriate, the Headteacher should inform the employee's representative
- The leadership team should consider whether the employee can be temporarily redeployed to another post that will not impact on the employee's health, or the wellbeing of those around them including pupils and colleagues
- Where the decision has been taken to suspend an employee suspension will be on full pay
- Any suspension should be brief, and must never be used as a penalty against the employee prior to a sickness absence review meeting
- Suspension can be stressful for employees therefore, while awaiting the outcome of an investigation or examination by Occupational Health, the manager/nominated manager must keep the employee informed of progress
- Ensure the member of the leadership team nominated to act as contact understands that they must maintain confidentiality and not discuss the case with anyone
- School leadership team should ensure the employee's colleagues are given appropriate information bearing in mind that an employee may return to work after suspension
- Should an employee return to work following a period of suspension, this must be handled sensitively. Where the employee has been suspended due to ill-health a phased return may be appropriate

4. Monitoring Absence

4.1 The Headteacher will nominate a person to record and continually monitor the absence record of all staff. The Headteacher will present the overall findings in the Headteacher's report on a regular basis (e.g. thrice a year). Account will be taken of the total number of days absent and if required the frequency of absences. A nominated Governor will monitor the absence record of the Headteacher.

4.2 Types of Absence

4.2.1 Persistent Short Term Sickness Absence

Where there is a recurring pattern of absence, with or without a Fit Note /medical certification, the Headteacher will discuss that problem and any underlying reasons at an early stage with the member of staff. The following trigger points may be considered:

- Five or more instances of absence in any twelve-month period; or
- When an individual accumulates ten or more calendar days absence within any twelve month period; or
- When an absence appears to have a recurring recognisable pattern, for example frequent absenteeism around a weekend.
- Reasons given for absence – is there a common theme or link which gives cause for concern?

The above is a guideline only. The leadership will need to make a judgement on what level of action is appropriate in each situation. For example, if an employee with a good attendance record is absent with influenza or a fractured limb then the leadership may not wish to take any action. However, he or she should ensure that any additional absence is monitored and/or take HR advice.

4.2.2 Long Term Sickness Absence

Long Term sickness absence occurs when an employee is absent from work for a continuous period of 3 weeks or more. Where it is clear at the outset or becomes clear after a time that the absence will be long term, a referral can be made to Occupational Health.

The school should maintain regular contact with the absent employee either by telephone or a home visit if appropriate. A home visit should only take place by prior arrangement with the employee. A file record must be kept of all contact. The employee's expectation and the feasibility of returning to work should be regularly assessed. There may be occasions when long term absences are expected and can be planned for, such as an operation that will require a recuperation period.

It is not necessary to wait until sick pay has expired before investigating matters relating to sickness absence.

4.3 Unauthorised Absence

It is the employee's responsibility to adhere to the absence reporting procedures as covered in section 5. However, if an employee fails to report to work, without informing their line manager, it is important that the situation is investigated and the employee given an opportunity to explain. If, after all reasonable efforts have been made to contact the employee, they still remain absent without authorisation it may warrant an investigation under the School's Disciplinary procedures.

5. Absence Management Procedure

5.1 Reporting Absence

5.1.1 It is the responsibility of every employee to notify their line manager as soon as possible if they are unable to attend for work when expected. In some exceptional cases employees may have genuine difficulties in making contact, e.g. because they live alone or have been taken to hospital. If contact has not been made by the employee's line manager by 8.30am, they should take all reasonable steps to try to contact them. All

employees must follow the sickness absence reporting procedure. Any failure to follow this procedure may result in disciplinary action and / or non-payment of sick pay.

A flow chart and process for managing absence is in Appendix 1.

5.1.2 When an employee becomes aware that they are unable to attend work they must notify the school office and their line manager as soon as possible. If possible, the employee should outline the reason for the absence, and give an estimate of the duration of their illness.

5.1.3 As part of a new employee's induction, the school will provide a staff handbook which stipulates the contact arrangements for reporting absence and details about where to find self-certification of sickness absence forms.

The leadership team may need to make alternative arrangements for staff with disabilities if this contact framework is difficult as a result of their disability.

5.2. Self-certification/Statement of Fitness to Work (Fit Note)

5.2.1 In order to qualify for sick pay employees must provide evidence of sickness or injury and the cause throughout the period of absence. Proof of sickness should be a self-certificate for 1 to 7 calendar days of absence. After 7 calendar days absence employees must submit a Fit Note completed by their doctor. If the Fit Note does not refer back to the first day of absence, the whole period not included must be covered by a self-certificate. Where sickness absence continues, further Fit Notes must be submitted for the continuing absence and forwarded to the manager.

5.2.2 The Statement of Fitness for Work, or 'fit note', is a Medical Statement that GPs issue. It will focus on what the employee may be able to do at work rather than what they cannot do. Doctors will be able to advise one of two options:

- Not fit for work – this means that your 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 that your employee's condition does not necessarily stop them from returning to work. A GP will be able to suggest ways of helping an employee get back to work provided they get suitable help from their employer. This might mean discussing:
 - a phased return to work
 - flexible working
 - amended duties
 - Workplace adaptations

The form can still be used as evidence for why an employee cannot work due to an illness or injury;

- The information on the form is advice to the employee. It is not binding on the employer;
- Employers' obligations under the Equality Act have not changed.

5.2.3 A certificate issued by a dentist may be accepted for a maximum of 4 consecutive days for pain following high level dental treatment.

5.2.4 A self-certificate will not be required for appointments such as hospital, dental, doctor, etc. Wherever possible employees should schedule such appointments at a time where least disruption to colleagues and pupils will be caused. If it is not possible to arrange an appointment outside of school hours an absence request form needs to be completed and given to the office and/or line manager.

5.2.5 All injuries, accidents, illnesses or diseases arising from work activity must be reported to the office as soon as possible after the incident regardless of their severity. The employee should ensure that the details of the incident including the remedial actions taken are completed on an Incident Report Form (which can be found in the Schools office) and that a copy is sent to the HR department at the Local Authority.

5.2.6 All self-certificates, medical certificates and medical reports are confidential and the information contained in them must not be disclosed to any person whose official work does not require them to know the content. All records will be covered by the Data Protection Act and will be held confidentially.

5.2.7 Deliberately misleading or false statements may be dealt with under the school's disciplinary procedure.

5.2.8 Employees must keep their line manager informed throughout their period of sickness absence. The form of contact and frequency will be agreed between the employee and their line manager. Line managers should keep a record of their contact with the employee.

5.2.9 Employees are expected to return to work as soon as they are fit to do so.

5.3 Return to work interview

5.3.1 For all employees that have had 7 plus calendar days off work an informal meeting should be held between the Headteacher on the first day of return. It is important to ensure an employee's health is satisfactory when she or he returns to work and to establish whether or not any work factors are affecting the employee's health. It also demonstrates the school's commitment to monitoring the health and well-being of its employees. A meeting will also give the opportunity for the Headteacher to authorise the self-certification form.

5.3.2. The meeting should be in private, informal and helpful to the employee. It is useful for a written record to be kept of the main points raised at the meeting. Typical format for the interview is as follows:

- Welcome the employee back
- to review the absence period

And if appropriate:

- Check the employee's current health and that she or he is ready to work normally again. Lighter duties or a change of routine may be necessary for rehabilitation in the short term. The Occupational Health Service may provide advice.
- The Headteacher should make the employee aware of any changes that have occurred during his or her absence.
- Find out if the illness is likely to recur and if further time-off e.g. treatment is necessary
- Invite a staff member to brief the employee on how their work was covered during their absence, and to help them pick up their work again.
- Remind the employee of their previous absence record, referring to the trigger points (para 4.2.1). In cases where absence is potentially a cause for concern, demonstrating that their absence is being monitored can improve attendance.
- Discuss the reasons for the absence and the level of absence, and whether there are any underlying work-related or domestic welfare problems or other difficulties.
- Discuss the improvement that is expected; the course of action to take; the period of time to improve; the possible consequence if no improvement is made.
- Employees should be made aware when they are near to reaching the trigger points and that reaching these could result in a Sickness Absence Review Meeting. Employees should be offered support to prevent this.
- If an employee has reached the trigger points in a Return to Work Meeting, the employee should be made aware that a Sickness Absence Review Meeting will be scheduled and a first written warning could be given at this meeting.

6. Referral to Occupational Health

6.1 Where the employee's recovery period is uncertain, the absence is likely to go on for a significant period or where the manager has concerns about the health of an individual, a referral to Occupational Health can be made.

- The line manager must talk to the individual and explain that he/she will be making the referral
- If the employee chooses not to give consent he/she needs to be aware that the school may have to make a decision about his/her future employment without the help of a medical opinion, which may be to his/her disadvantage

Occupational Health will:

- Confirm the nature of the illness

- Confirm whether or not the individual is likely to attend work regularly and resume the full duties of the post in the foreseeable future; or whether a phased return is appropriate
- Confirm whether there is a disability, how it affects him/her and whether any adjustments are required
- Identify ways in which duties or circumstances could be rearranged, subject to the reasonableness of such adjustments, taking into account the fitness and ability of the employee
- If not, whether there are other kinds of work which would suit his or her abilities or which, with further training, could be considered
- Confirm whether ill-health retirement is an option

6.2 Possible Outcomes of Occupational Health Assessment

6.2.1 Fit for work with no adjustments

The employee is fit to return to work with no adjustments to his/her working pattern. It is advisable that the Headteacher arranges a Return to Work Meeting to discuss and agree actions.

6.2.2 Continue to Monitor

It may be that no immediate action is necessary other than to continue to monitor the situation and to organise temporary cover. This approach will be appropriate where a full recovery is likely within a timescale that will not cause unacceptable operational difficulties.

6.2.3 Reasonable Adjustments

The Occupational Health Physician may suggest adjustments to the employee's working environment in order to facilitate his/her return to work. It is for the School to decide what adjustments are reasonable based on the suggestions made in the report and with due regard to the Equality Act 2010.

6.2.4 Phased Return to Work

There may be certain cases where following a long term illness the Occupational Health Physician recommends that it would be beneficial for an employee to return to work on a part-time basis, until his/her health has fully recovered. It is expected that a phased return to work should last no more than 6 weeks. The school will be required to pay the employee his or her normal full salary during the duration of the phased return but for no longer than 6 weeks.

Employees will receive their full pay entitlement during this period of up to 6 weeks. This arrangement should be reviewed regularly during the agreed period. Where the employee cannot return to their contractual duties/hours within the 6 weeks this should be reviewed with a view to extending the phased return for a short period where it is considered they will be able to meet their contractual obligations at the end of the extension. During this extended period they will only be paid for the hours worked and for any remaining contractual hours the Occupational Sick Pay Scheme will apply. Consideration can also be given to temporarily or permanently reducing the employee's hours and pay with their agreement. Where, due to operational demands, a phased return or light duties cannot be implemented the employee will be unable to return until fit for normal duties.

6.2.5 Change of Role

The Occupational Health Physician may suggest that the employee would benefit from a change in role or change of duties sufficient for it to be considered a new role wherever this is practical. The School's HR Consultant will be able to advise the Headteacher further on this.

7. Return to work after long term sick absence

7.1 Once the Occupational Health report has been obtained the Headteacher in consultation with the HR provider will consider whether the employee is likely to return to work.

7.2 At an appropriate time, the Headteacher will arrange a meeting with the employee to discuss the options available, having taken advice from the HR provider and Occupational Health. The employee may choose to have a representative or a colleague present. The options that could be discussed to support the return to work plan include:

- Checking the date the employee will be fit to work
- Rehabilitation arrangements - offering assistance for short term working arrangements
- Reduced hours of work

8. Retirement on ill-health Grounds

Ill-health retirement should be a last resort option once all other reasonable adjustments have been considered. The Local Government Pension Scheme requires employers to obtain a certificate from an Independent Occupational Health Physician before making decisions on pension benefits. The Teachers Pensions Agency requires employees to apply for retirement benefits through the Occupational Health Physician once he/she has completed the relevant [forms available online](#).

All support staff must be referred by the school to the Occupational Health Physician who will assess them and give the authorisation to retire on ill-health grounds.

8.1 Procedure for ill-health retirement

8.1.1 An informal meeting should be arranged with the Headteacher and an HR representative. The employee should be informed that she or he may be accompanied by a Trade Union representative or a work colleague.

8.1.2 There is no minimum age for ill-health retirement. If termination of employment is due to ill-health grounds, the employee (unless employed under Teachers Pay and conditions) on termination of employment will also be entitled to pay statutory or contractual notice whichever is the greater. As a teacher themselves makes the application for ill-health there is no notice payable in these circumstances.

8.1.3 The employee must be informed in writing of the decision that they are to retire on the grounds that he or she is permanently incapable of discharging his or her current job or any other comparable employment and of their right to appeal.

8.1.4 Employees should be given the right to appeal against the decision that they are to be retired on the grounds of ill-health. In most cases it is unlikely that the employee will wish to take up this right as they will have been fully involved in discussions leading up the retirement, and in the case of a teacher, they will have made an application to the pension fund. It must be recognised, however that an employee in the Local Government scheme may not agree and the decision to dismiss on ill-health grounds is therefore a dismissal.

9. Terminal illness

9.1 In these circumstances there will always be a need to consider the individual employee's circumstances in a sensitive way. Advice should be sought from the HR provider, as it is important to provide the employee with all the information they may require on the options available to them.

9.2 The line manager will contact the employee or nominated member of their family and ask whether they wish to be made aware of their entitlements e.g. benefits and options under the pension scheme.

10. Dismissal on the grounds of ill-health

10.1 If dismissal on the grounds of ill-health is being considered, the Headteacher should contact the HR Consultant first for advice. Employees may be dismissed on grounds of ill-health, but in doing so the Governing Board must be able to demonstrate that a full and proper medical investigation has been carried out and that alternative solutions or arrangements, such as redeployment or reasonable adjustments to working methods, have been properly considered. This will need to have been documented throughout the process.

10.2 Dismissal on the grounds of ill-health may fall into two categories:

1. persistent short term ill-health which is not of a permanent nature and occurs over an intermittent period of time thus rendering the individual unable to perform satisfactorily the duties of his/her post because he/she is not at work often enough.

2. long term ill-health whereby the medical condition from which the employee suffers is of a permanent or long term nature, thus rendering him/her incapable of discharging the duties and responsibilities of the post;

10.3 In employee relations terms, ill-health is a fair reason for dismissal. It is however, of great importance that the employer should be able to demonstrate that they acted reasonably and in accordance with the School's procedure both in the interests of the person concerned and, if the case was brought to an Employment Tribunal, to prove that their decision to dismiss was justified and supported by good evidence

and a correct procedure. Dismissal on grounds of ill-health can only be determined at an Ill-Health Capability Hearing as part of the Ill-Health Capability Review Procedure. (See section 11 below).

10.4 The expiry of sick leave is not in itself a fair reason for dismissal. If a dismissal is determined, after a full and proper process of investigation and consultation, the employee will be entitled to the full notice of termination (as provided by the relevant contract of employment or statutory requirements) on full pay, even if the employee has exhausted his/her full and half sick pay entitlement.

11. Ill-Health Capability Review Procedure

Once the level of absence has been identified as a problem and having taken into consideration the points in section 4, the Headteacher should consider taking action as outlined in this capability review procedure.

The Headteacher should decide whether he/she or another senior colleague should conduct the meetings at each stage. If the Headteacher is the subject of concern it is normally the Chair of Governors who would be responsible for such a case.

If the employee is unable to attend a Review Meeting or Hearing due to illness or fails to take part in the Procedure, the procedure may continue in the employee's absence as follows:

- The employee must submit a fit note for the period of absence.
- Any written submission or representations made by the employee, or on their behalf, will be considered.
- At least two attempts will be made to arrange a hearing that the employee can attend.
- If the employee is still unable to attend, the hearing can proceed with a Union representative or work colleague of their choice.
- If the employee does not wish any other person to attend as their representative they must inform their line manager in writing and may make a written submission. But where the employee does not inform the line manager in writing and/or submits their own written submission for consideration within the specified time frame the hearing can then proceed without the presence of the employee or representative.

11.1 Ill-Health Capability Review Procedure – Persistent Short Term Absences

11.1.1 First Sickness Absence Review Meeting (see Appendix 3)

If an employee's sickness absence levels have not improved despite being addressed in their Return to Work Meetings, and the employee has reached the trigger points as listed in section 4, the Headteacher will invite the employee to a First Sickness Absence Review Meeting.

The Headteacher will agree a date with the employee and then should confirm the invitation to the First Sickness Absence Review Meeting in writing (see Appendix 4) giving the employee at least 5 working days' notice. The employee may be accompanied by a trade union/professional association representative or work colleague.

The Headteacher should prepare for the meeting by ensuring that they have clearly identified the employee's sickness absence levels and the support that has been provided.

In the First Sickness Absence Review Meeting the Headteacher will:-

- Explain the concern about the absence level and reasons for that concern, such as operational difficulties caused
- Listen to reasons and respond appropriately
- Consider whether to refer the case to the Occupational Health Unit, if not already done
- State that sustained improvement in attendance is expected and set an appropriate monitoring period and targets for improvement
- Identify any support required
- Give the employee a first written warning, if appropriate, and explain that continued failure to improve attendance to the specified level may lead to a Final Sickness Absence Review Meeting which could lead to his/her employment being put at risk

- Fully record the details of the meeting
- Send a letter to the employee confirming all the details of this meeting (Appendix 4)

The employee will have the right of appeal as outlined in section 13 against any warning given.

11.1.2 Final Sickness Absence Review Meeting

If the employee has made insufficient or no improvement by the end of the Monitoring Period set at the First Sickness Absence Review Meeting or they have breached any targets before the end of the Monitoring period, the Headteacher will ask the employee to attend a Final Sickness Absence Review Meeting, at which the employee will have the right to be accompanied by a trade union/professional association representative or work colleague.

The Headteacher will agree a date with the employee and then should confirm the invitation to the Final Sickness Absence Review Meeting in writing giving the employee at least 5 working days' notice.

In the Final Sickness Absence Review Meeting the Headteacher will:-

- Explain the concern about the continued absence level and reasons for that concern, such as operational difficulties caused
- Listen to reasons and respond appropriately
- State that sustained improvement in attendance is expected and set an appropriate monitoring period and targets for improvement
- Identify any support required
- Give the employee a final written warning, if appropriate, and explain that continued failure to improve attendance to the specified level will lead to an Ill-Health Capability Hearing which could result in dismissal
- Fully record the details of the meeting
- Send a letter to the employee confirming all the details of this meeting

The employee will have the right of appeal as outlined in section 13 against any warning given.

If the employee has made insufficient or no improvement by the end of the Monitoring Period set at the Final Sickness Absence Review Meeting or they have breached any targets before the end of the Monitoring period, the Headteacher may arrange an Ill-Health Capability Hearing which may lead to dismissal. In the event of an Ill-Health Capability Hearing final advice from Occupational Health should be sought if appropriate and the Schools HR Consultant should be informed.

If at any stage an employee has reached an acceptable level of improvement, monitoring should revert back to informal arrangements.

If the employee has reached the end of their monitoring period and then their levels of absence cause concern again within 12 months, the process begins at 11.1.2 – Final Sickness Absence Review Meeting.

11.2 Ill-Health Capability Review Procedure – Long Term Absences

Once the level of absence has been identified as a problem and having taken into consideration the points in section 4, the Headteacher should consider taking action as outlined in this capability review procedure.

The Headteacher should decide whether he/she or another senior colleague should conduct the meetings at each stage. If the Headteacher is the subject of concern it is normally the Chair of Governors who would be responsible for such a case.

In the case of longer term ill health, the Headteacher should keep in regular contact with the employee to discuss progress. It is recommended that a First Sickness Absence Review meeting is held with the employee at approximately two to three months usually following a referral to Occupational Health. When long-term ill-health, in the opinion of the Occupational Health Physician, makes it impossible for the individual employee to discharge efficiently the duties of the post then consideration of early retirement on grounds of ill-health may be considered. If retirement is not considered an option but there is little likelihood of the person returning to work in a reasonable timeframe, it is possible to move directly from a First Sickness Absence Review to the Ill-Health Capability Hearing stage.

11.2.1 First Sickness Absence Review Meeting

If an employee's absence has continued for two to three months the Headteacher will invite the employee to a First Sickness Absence Review Meeting.

The Headteacher will agree a date with the employee and then should confirm the invitation to the First Sickness Absence Review Meeting in writing giving the employee at least 5 working days' notice. The employee may be accompanied by a trade union/professional association representative or work colleague.

The Headteacher should prepare for the meeting by ensuring that they have clearly identified the employee's sickness absence levels and the support that has been provided.

In the First Sickness Absence Review Meeting the Headteacher will:-

- Explain the concern about the absence level and reasons for that concern, such as operational difficulties caused
- Listen to reasons and respond appropriately
- Consider whether to refer the case to the Occupational Health Unit, if not already done
- Set an appropriate monitoring period and confirm that a further review will take place following this period. The length of the monitoring period will depend on individual circumstances, the nature of the illness and the advice given by the Occupational Health Advisor
- Identify any support required
- The meeting should consider any advice from an Occupational Health Advisor, the likely return to work date of the employee, options for phased returns or other possible support or adjustments for the employee which may facilitate a return to work
- Fully record the details of the meeting
- Send a letter to the employee confirming all the details of this meeting and advise the employee when their absence will be reviewed again and that their continued absence may ultimately lead to their dismissal on the grounds of capability.

11.2.2 Final Sickness Absence Review Meeting

If the employee continues to be absent by the end of the set Monitoring Period the Headteacher will ask the employee to attend either a Final Sickness Absence Review Meeting or an Ill-Health Capability Hearing depending on advice from Occupational Health regarding the prospect of a return to work in a reasonable period of time. The employee will have the right to be accompanied by a trade union/professional association representative or work colleague.

Where it is decided to hold a Final Sickness Absence Review meeting the Headteacher will agree a date with the employee and then should confirm the invitation to the Final Sickness Absence Review Meeting in writing giving the employee at least 5 working days' notice.

In the Final Sickness Absence Review Meeting the Headteacher will:-

- Explain the concern about the continued absence level and reasons for that concern, such as operational difficulties caused and then agree an appropriate monitoring period. The length of the monitoring period will depend on individual circumstances, the nature of the illness and the advice given by the Occupational Health Advisor.
- Listen to reasons and respond appropriately
- The meeting should consider any further advice from an Occupational Health Advisor, the likely return to work date of the employee, options for phased returns or other possible support or adjustments for the employee which may facilitate a return to work.
- Identify any support required.
- Fully record the details of the meeting.
- Send a letter to the employee confirming all the details of this meeting and advise the employee when their absence will be reviewed again and that their continued absence is likely to lead to their dismissal on the grounds of capability.

If the employee continues to be absent by the end of the set Monitoring Period the Headteacher may arrange an Ill-Health Capability Hearing which may lead to dismissal. In the event of an Ill-Health Capability

Hearing final advice from Occupational Health should be sought if appropriate and the Schools HR Consultant should be informed.

If at any stage an employee has reached an acceptable level of improvement, monitoring should revert back to informal arrangements.

12. Ill-Health Capability Hearing

12.1 Arranging an Ill-Health Capability Hearing

The Headteacher will arrange a suitable date for the hearing to take place, allowing flexibility in order to ensure the employee can be accompanied if required by a trade union or professional association representative. The employee must receive at least ten working days' advance notice in writing of:

- the purpose of the hearing;
- the level of sickness absence that has led to the hearing being held;
- the stage reached in the procedure;
- when and where the hearing will be conducted;
- who will be attending;
- the right to be accompanied by a work colleague or trade union representative;
- the requirement for confidentiality;
- The requirement for the employee to provide, in at least 3 working days before the hearing, all documents that he/she intends to present at the hearing.

The persons hearing the case (panel of governors) have to be impartial. They should not have been involved in any of the preparatory work, should have no detailed knowledge of the case prior to receiving any papers for the hearing.

12.2 Conducting an Ill-health Capability Hearing

The Chair of Governors will normally conduct the Ill-Health Capability Hearing. Alternatively a panel of 3 Governors will conduct the hearing if the Headteacher is the subject of concern or the Headteacher has been involved in the previous sickness absence review meetings.

12.3 Procedure for the Ill-health Capability Hearing

- a) The Headteacher or chair of the governors' panel introduces those present and describes their status, reminds those present of the purpose of the hearing; that adjournment is possible; that a written record of the meeting will be made; and that the proceedings of the hearing are confidential
- b) The case for the employer is presented by the appropriate manager. The employee or representative may ask questions of the employer at the end of the presentation. The Headteacher or panel members may also question the presenting officer at the end of the presentation
- c) The response for the employee is presented. The employer, and then the Headteacher or the panel, may question the employee at the end of the presentation
- d) When all the evidence has been heard, the Presenting Officer sums up, gathering together the points of the case, not introducing new evidence
- e) The employee or representative sums up
- f) The Headteacher or panel will need to reach a conclusion on:
 - whether there is sufficient evidence to agree to dismissal
 - whether there is more information or further reviews to be done before dismissal is agreed
- g) The Headteacher's or panel's decision is conveyed, wherever possible, orally by the Headteacher or Chair of the Panel in the presence of both parties and will be confirmed in writing to the employee within 5 working days of the conclusion of the hearing.

12.4 The Ill-Health Capability Hearing Decision

The options available to the panel when deciding what action is to be taken include:

- a) To take no further action.

- b) To continue to review the employee's attendance for a stated period, at the end of which they will conduct a further hearing at the same stage with the employee to determine if the service should be terminated or continue; or
- c) To dismiss the employee.

If the decision is dismissal, then the employee will be informed immediately and advised of the right of appeal. The decision of the Headteacher (or Governing Board Panel), the reasons for it and the appeal arrangements will be confirmed in writing to the employee within 5 working days of the conclusion of the hearing.

13. Appeals

All employees have the right to appeal against any formal action (i.e. warnings or dismissal) taken against them under the School's Managing Staff Sickness and Absence Policy.

At an appeal any sanction or penalty imposed will be reviewed, but it cannot be increased. The Clerk to the Governing Board, or a suitably impartial person, will arrange all appeal hearings and inform all the parties concerned.

Whilst the appeal is not a re-hearing of the original case, new evidence is permissible. If either party wishes to introduce new evidence, they should give notice to the other party at least three working days before the appeal hearing. If either side produces new evidence at the appeal hearing, it is open to either side to request an adjournment for further investigation.

LEAVE OF ABSENCE

Decisions Regarding Requests for Time Off

1. The Headteacher (or Chair of Governors if it is the Head requesting time off) has the delegated decision as to whether to grant time off and whether it should be paid or unpaid. Appeals against the Headteacher's / Chair's decision should be made to governors via the Grievance procedure.

Any abuse of the policy will be dealt with under the School's Disciplinary procedure.

A formal record of requests including a description of the circumstances and whether or not the request was granted in accordance with the framework of the policy will be maintained by the school.

Statement of intent

The Governors of Holy Trinity CE Primary School recognise the importance of consistency, openness and equality in responding to requests from staff for special leave of absence for family and personal reasons. This policy recognises:

- the statutory entitlement to unpaid time off to attend to urgent matters related to dependants
- national and local agreements
- best practice which seeks to maintain good working relationships between staff and management
- the operational needs of the school

It is intended that this policy will provide a clear and workable framework to enable requests for leave of absence for staff working in schools to be reasonably and fairly handled. This policy recognises that the operational needs of the school are a priority and there may be times when the Headteacher has to refuse a request for leave.

It should be noted that there might be occasions when circumstances arise not identified in this policy. In such circumstances the decision regarding leave of absence remains within the discretion of the Headteacher or Chair of Governors if it is the head requesting time off.

Each case will be judged on its own merits and circumstances. The granting of time off in one case will not necessarily set a precedent for other cases.

In setting this policy the school has taken into account the arrangements available for short term cover for absent teachers and the school's commitment that teachers will only rarely be required to cover.

Care will be taken in applying this policy to ensure compliance with equality legislation and Local Authority policies on avoiding discrimination.

All paid leave granted in line with this policy will be prorated for part time employees.

2. Time off for dependants

The Employment Relations Act 1999 amended 2010, provides all employees with the right to take reasonable unpaid time off to deal with certain unexpected or sudden emergencies relating to dependants.

Staff taking time off under this right must notify the Headteacher of their absence on the day they take time off and if possible to give notification in advance. Circumstances when an employee may take time off are:

- If a dependant falls ill, or has been injured or assaulted
- When a dependant is having a baby
- To make longer term care arrangements for a dependant who is ill or injured
- To deal with a death of a dependant
- To deal with unexpected disruption or breakdown of care arrangements for a dependant
- To deal with an incident involving the employee's child during school hours

The school is aware of the statutory rights to parental and adoption leave and will obligate these requirements.

3. Compassionate leave

Paid compassionate leave is granted in the following circumstances:

- Sudden, serious illness of near relative, spouse or child – up to 5 days paid leave.
- Death of a near relative, spouse, partner or child – up to 5 days paid leave
- Funeral of a near relative, spouse, partner or child – 1 day of paid leave
- Employees wishing to attend the funeral of other relatives, friends or colleagues may take unpaid leave.

A near relative is considered to be a Spouse/Partner, child, parent, parent-in-law, sibling, sister or brother-in-law, grandparent. Relatives who do not fall within this would be at the discretion of the Headteacher.

4. Sick children

It is recognised that it can be difficult for working parents to respond to the need to care for sick children. Staff have a statutory right to unpaid time off to make arrangements for the care of a dependent child. This arrangement applies to all staff with dependent children. For seriously ill children see compassionate leave.

5. Leave to attend significant events

The Governors recognise that from time-to-time staff may have the opportunity to attend a significant event during term time. For example, the graduation ceremony for a son or daughter or the wedding of a close family member.

Teachers and term time only staff do not have a leave allowance, which can be taken during term time. This policy enables staff to take one day of unpaid leave in a school year in order to attend a significant event. Staff must seek the express permission of the Headteacher for unpaid leave in advance of the event. The operational needs of the school will be considered before granting leave and there may be times when the Headteacher will need to refuse a request for leave.

6. Interviews

All staff may take reasonable paid leave to attend selection interviews for jobs. Requests to take leave to attend an interview must be made to the Headteacher in advance of the event. Employees must produce evidence of attendance if requested to do so by their line manager or Headteacher.

7. Other leave

7.1 Examination duties

Teaching staff undertaking professional duties in connection with external examinations may take paid leave under the arrangements contained in Appendix 2 of the Conditions of Service for School Teachers in England

and Wales. Employees must produce evidence of attendance if requested to do so by their line manager or Headteacher.

7.2 Jury Service

Employees may take paid leave to undertake jury service or to appear as a witness. They are required to claim the allowance for loss of earnings from the Court and an equivalent amount will be deducted from the employee's salary. Employees must produce evidence of attendance if requested to do so by their line manager or Headteacher.

7.3 Moving house

Staff are encouraged if at all possible to make arrangements to move house during school closures. However, if this proves impossible, staff are granted one day of paid leave in order to move house. The Headteacher is permitted to ask for documentary evidence relating to why the move could not take place during school closures.

7.4 Medical and Dental Appointments

Employees are expected to make appointments outside normal working hours wherever possible. However if necessary paid time off to attend appointments will be granted. Staff attending such appointments must seek the permission of their line manager or Headteacher before attending. The Headteacher and Line Manager have the right to request to see appointment cards.

Paid time off will be permitted for the purpose of cancer screening.

Fertility treatment - Employees requesting time off for fertility treatment will in general be supported. The specific needs will need to be addressed, and the various provisions for leave set out in this policy will be used to enable this to happen where reasonable. This may mean time off for medical appointments, making full use of compassionate and special leave. The leave may be paid or unpaid depending on the specific circumstances. In any event the situation will be treated with sensitivity.

7.5 Time off to attend ante-natal appointments

The Maternity Regulations provide the right for all women to take paid time off to attend antenatal care. Ante-natal leave for fathers and partners is also available for employees who have a qualifying relationship with a pregnant woman or an expected child are entitled to take unpaid time off work to accompany that pregnant woman at up to two antenatal appointments. Employees must produce evidence of appointments if requested to do so by their line manager or Headteacher.

7.6 Time off for Public Duties

Staff who are appointed to an important office in public service, e.g., as a Magistrate or Local Government Councillor will be granted up to 18 days paid leave of absence in a school year.

Staff who hold such public office should advise the Headteacher at the time of their appointment.

7.7 Time off for Volunteer Members of the H.M Forces

Volunteer members of HM Forces will be granted up to two weeks' paid leave of absence in any school year to attend summer camp where this cannot be arranged during a school vacation. If volunteers are mobilised the law protects employment and requires reinstatement on return from mobilised service.

7.8 Leave for Religious Festivals and Holy days

Regulations do not require employers to provide time or facilities for religious or belief observance in the workplace. However request for time off will be treated sympathetically where it is reasonable to do so. Time off will be unpaid.

7.9 Time off to accompany a fellow employee in a disciplinary or grievance situation

Reasonable paid time off will be granted to accompany a fellow worker at a disciplinary or grievance hearing.

7.10 Trade Union and Professional Association Duties

Staff undertaking recognised Trade Union or Professional Association duties are provided paid time off as defined in the LA facilities agreement.

7.11 National sporting fixtures

Staff are granted reasonable paid time off where they are a national representative in sporting event.

8. Deductions from Pay

Where the time off granted is unpaid, the deduction from salary will be at the following rates:-

- Teaching staff: 1/365th of the annual salary for each day's absence
- All other staff: 1/190th or 1/195th of the annual salary for each day's absence for those employees who work the same amount of hours each day on a term time only contract. For other employees or those employees who work different hours each day, calculation for unpaid leave should be made based on the number of hours that they would have been expected to work that day using the hourly rate on the pay scales

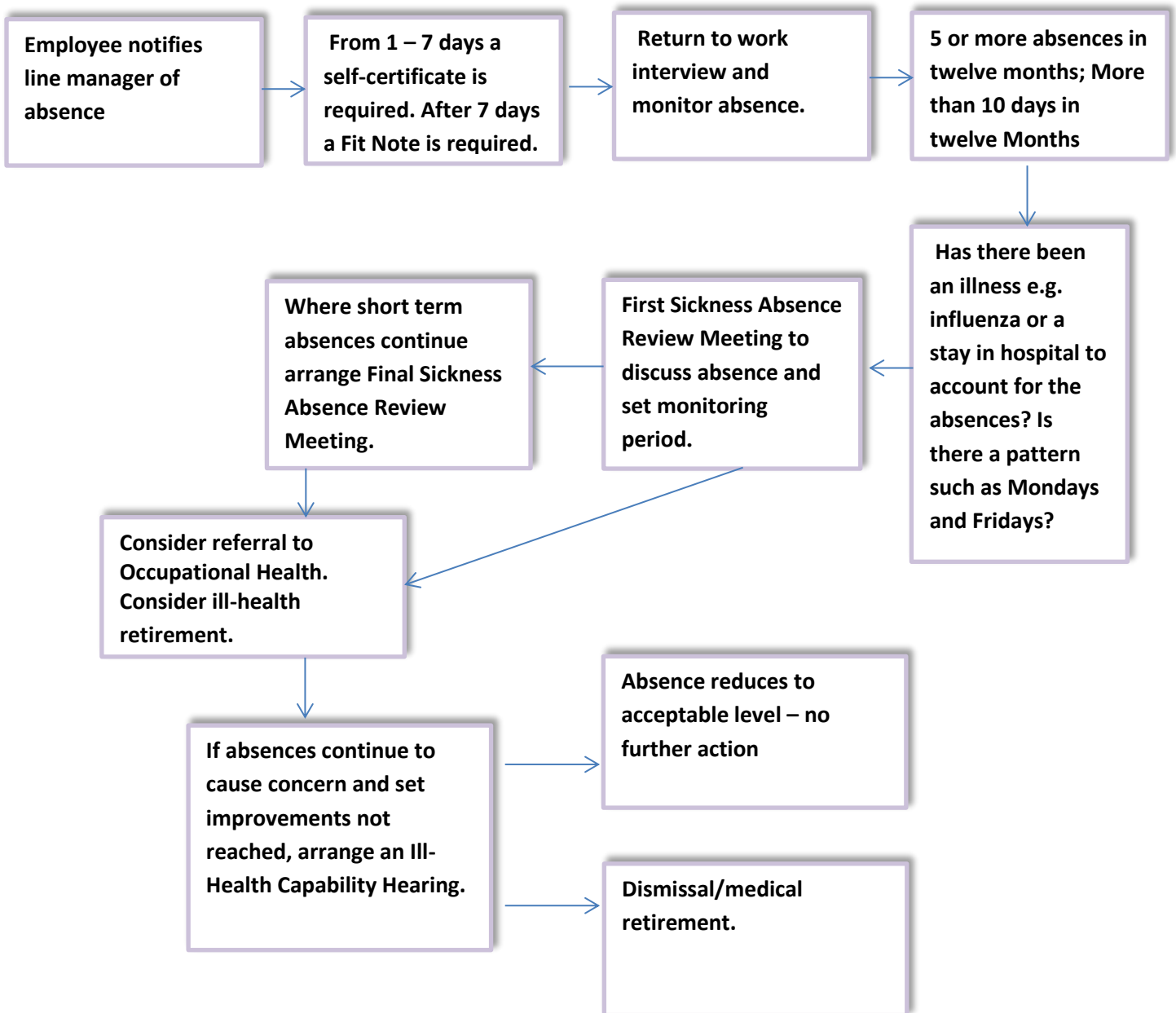
This policy was adopted by Holy Trinity CE Primary School and agreed by the Finance and Resource Committee and ratified by the Full Governing Board.

Approved by.....on behalf of the School Governing Board.

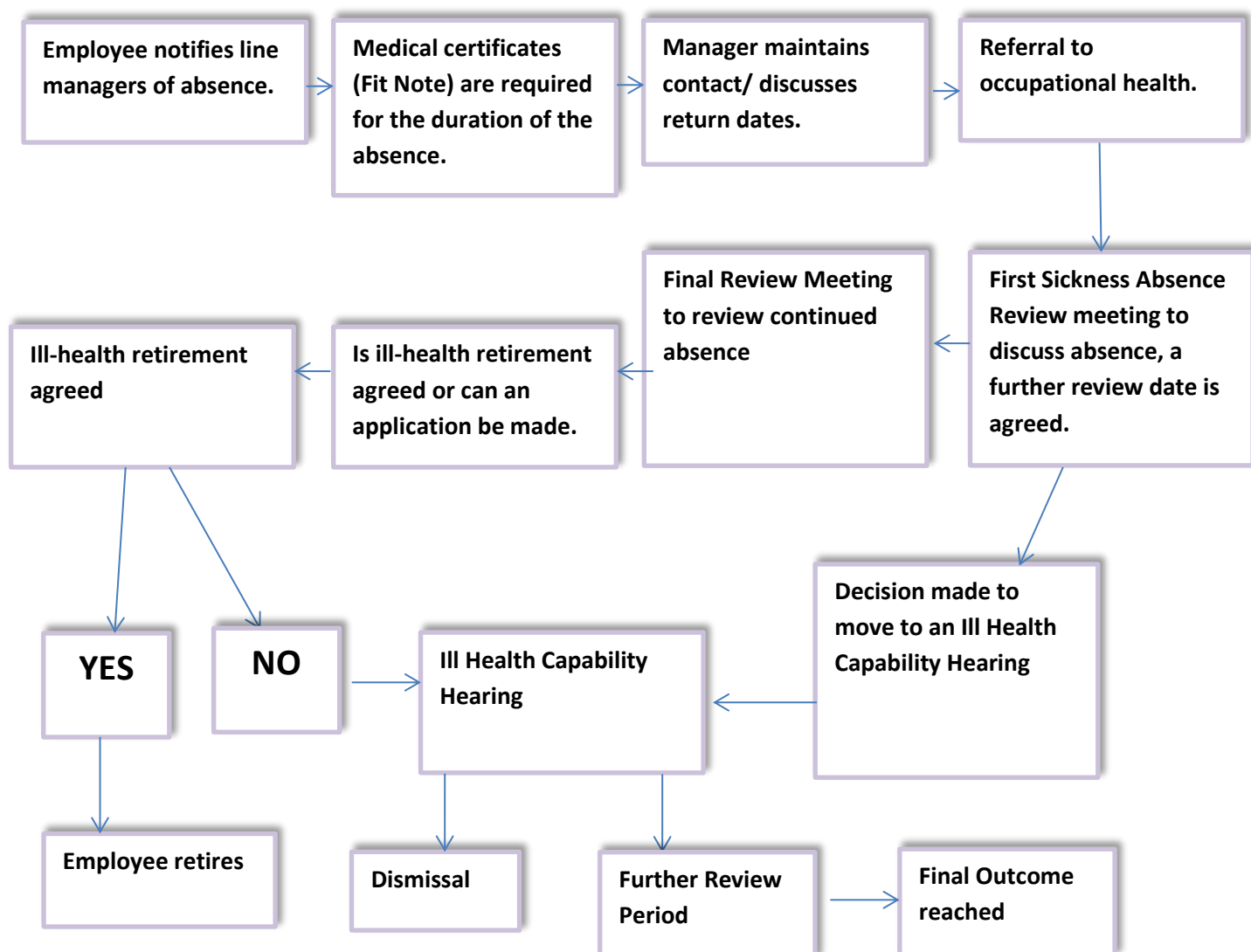
Signature:.....

Date:.....

Appendix 1. Short Term Absence



Appendix 2. Long Term Absence



First Sickness Absence Review

Employee:	
Date:	
Present at meeting:	
Reason for meeting:	
Absence level in last 12 months (state time period) Episodes of absence and total days:	<i>Policy states:</i> • Five or more instances of absence in any twelve-month period • Ten or more calendar days of absence within a twelve-month period
Reasons given:	
Detail support given to date:	
Detail what the employer is going to do to improve attendance / Detail any further support required:	
Detail what the employee is going to do to improve attendance:	
Target (include % and time frame) Monitoring period?	
Written warning given?	

Appendix 4

Letter inviting employee to First Absence Review Meeting

Dear ,

INVITE TO FORMAL ABSENCE REVIEW MEETING

Absence Review Meeting to be held under the formal procedure of the school's policy for Managing Staff Sickness and Absence

I am inviting you to attend a formal First Sickness Absence Review meeting under our school's Managing Staff Sickness and Absence Policy to discuss your unacceptable level of sickness absence, which has met one or all the triggers as outlined below (see 4.2.1 in policy):

- Five or more instances of absence in any twelve-month period
- Ten or more calendar days of absence within a twelve-month period

The meeting, will be held at on (date) at/in (location). Present at the meeting will be Jo Griffith, Headteacher and Carmel Barnes, Assistant Headteacher. As this is a formal meeting you may be accompanied by your Trade Union Representative or a work colleague.

During the meeting we will review your absence record, explore the reason for each absence and agree whether any further support may be appropriate. The outcome of this meeting will be to agree an action plan, which may include a target for improvement within a set period of time.

Please confirm your attendance and let me know if anyone will be accompanying you by emailing me on j.griffith@holytrinityprimary.org

Yours sincerely,



Mrs J. Griffith

Headteacher

Managing Staff Sickness and Absence Policy attached to email