

Ninestiles Academy Trust

**Strength through Diversity
Ambition through Challenge
Excellence through Curiosity**

Policy title	Sickness Absence Policy
Rationale	<p>1.0 Introduction</p> <p>This Policy relates to <u>all</u> categories of staff employed by Ninestiles Academy Trust and outlines the procedures to be followed in the event of sickness absence. The policy is aimed at enabling sickness and other absences to be addressed consistently and fairly by:</p> <ul style="list-style-type: none"> • providing a supportive environment for those members of staff affected by ill-health; • providing a framework within which cases falling within the ambit of the Equality Act can be more readily identified and supported; • balancing the interests of the individual and the operational needs of the trust and its schools in cases of long-term sickness and debility; • encouraging and developing a positive culture towards attendance at work with a consequent benefit of reduced rates of absence due to sickness. <p>Staff who are ill will be treated sympathetically and every effort will be made to assist recovery and safeguard their employment. However, it should be recognised that the loss of working days through sickness can have a significant impact on the trust and its schools in terms of the effect on pupils and students, work not completed, and the cost of arranging absence cover. Repeated sickness absence places additional pressure on all colleagues.</p> <p>Entitlement levels for contractual sick pay are as per Birmingham City Council’s current policy. However, all staff should be aware that sickness leave is not an automatic entitlement and may not be available in the event of a failure to follow any of the procedures identified in this policy.</p>
Policy statement	<p>2.0 Sickness Absence – Reporting Procedure</p> <p>2.1 <u>Day 1 and Day 2</u></p> <ul style="list-style-type: none"> • If ill health prevents attendance at school staff should call the school mobile on (insert school mobile here) between 6:30am and 7:30am, stating their name and reason for absence. If the Principal or their nominated officer does not answer the call, a message should be left and the Principal or their nominated officer will return the call as soon as they are able. (Calls can be made on the evening before the absence if staff know they will not be in school the following day). Staff should then call and speak to their Principal (or their nominated officer) between 2:00pm and 2:30pm on each day of absence to give an indication as to whether they are likely to be in the following day, so that cover can be arranged as necessary. This should happen on

each day of absence until either the staff member returns to work or they are in receipt of a fit note from their GP.

- Staff should not normally ask anyone else to make contact on their behalf unless, in exceptional circumstances, it is not possible to do so;
- The Principal (or their nominated officer) must be informed if the member of staff believes that their condition may be related to an activity or incident at work;
- Staff must inform their Principal (or their nominated officer) of any meetings or other important information relating to their work, which might be affected by the absence;
- If any member of staff is unwell at work they must contact the Principal (or their nominated officer) immediately for permission to leave work and seek medical advice.

2.2 Day 7 (7th working day of sickness absence)

- Staff must contact their Principal (or their nominated officer) to report that they are still sick and that they have obtained, or will be obtaining, a 'fit note' from their General Practitioner.

2.3 Every Further 5th Working Day

- Staff must contact their Principal (or their nominated officer) to report that they are still sick and to give an indication of when they expect to return to work.

All telephone calls with the school to report initial or continuing sickness must, whenever possible, be made within 60 minutes of the time when the member of staff is normally due to start work. In exceptional cases where it is impossible to notify the Principal (or their nominated officer) within the required period, arrangements should be made to do so at the earliest opportunity. The member of staff may still be considered to be in breach of the policy if the Principal (or their nominated officer) does not consider the reason given for the delay acceptable.

Staff who do not comply with the above procedure, and fail to report their absences as required, will be deemed to be absent without permission. This will result in loss of pay. Continued non-compliance will lead to action being taken in accordance with the schools' disciplinary procedure and if there is no contact at all it may be considered that the member of staff no longer wants to work at the school and their employment may be terminated.

3.0 **Sickness Absence – Fit Notes**

3.1 What are fit notes and how do they work

A fit note provides information on how an individual's condition affects their ability to work. This will help the school understand how they may be able to help staff return to work sooner. The fit note will advise that the individual is not fit or may be fit to return to work.

The doctor may also:-

- advise when the member of staff may be fit for work with some support
- suggest common ways to help the member of staff return to work
- give information on how the member of staff's condition will affect what they can do

This may mean:-

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

Whilst the school does not have to act on the advice from the doctor on a 'may be fit for work' statement, the school will discuss this advice with the individual member of staff to see if they can return to work taking into account the illness or injury. If it is possible for the employee to return to work an agreement will be reached on how this will happen, what support the employee will receive and how long the support will last.

If the employee and the school agree that it is not possible for the employee to return to work until the employee has recovered further, the employee does not need to return to their doctor for a new fit note.

3.2 When are fit notes required?

- All sickness absences up to and including the 7th continuous calendar day (including long term sickness) must be covered by a self certification form which is available from the School Business Manager/Administration (Absence) assistant and must be completed by the member of staff on the day of their return to work.
- Periods of sickness absence in excess of 7 continuous calendar days must be covered by a 'fit note' which must be sent to their Principal (or their nominated officer) without delay.
- Provision of 'fit notes' – special circumstances. A doctor's 'fit note' covering each day of absence must be obtained if a member of staff is sick:
 - During a period of notice;
 - On the day either side of a public bank holiday;
 - On the day either side of a school holiday period;
 - During the first 6 months of employment.
- A 'fit note' may also be required for each day of absence if this has been one of the determined courses of action following an absence review meeting (see below)
- 'Fit notes' obtained after the sickness absence will not be accepted.

Failure to provide 'Fit notes' as required will result in loss of pay and possible disciplinary action.

4.0 Sickness Absence – General Points

- Absences before completion of ½ day (12.00) of the working day will be recorded as ½ day;
- The general procedure for reporting sickness absence also applies to staff who are away from the school when they fall sick (for example, on a school journey or on a training course);
- For staff working part-time or job share for less than 5 days a week or uneven hours each day, the time-scales are to be counted pro rata for the purposes of completing the sickness record and in consideration for the Principal (or their nominated officer)'s monthly review.

5.0 Returning to Work

Immediately on return to work following sickness, staff must complete a self certification form or produce a 'fit note' if they have not already done so. A short informal 'return to work meeting' will also be held where any concerns can be raised by the member of staff or their Principal (or their nominated officer) and to discuss any recommendations made by the doctor to enable the individual to return to work.

At the meeting, if the member of staff has any concerns about their return to work, then these should be discussed with the Principal (or their nominated officer) so that the school can provide adequate support and assistance to the individual.

If an employee falls sick just before a school holiday and is fit to return to work during the holiday period, then a fit to return to work certificate must be obtained from their doctor. Otherwise a 'fit note' must be obtained to cover the full holiday period. The school will only reimburse the cost of a 'fit note' when it is required by the school but would not normally be issued by a doctor. The school will only pay for a 'fit note' when a receipt is produced showing the cost.

6.0 Sickness Management and Support Arrangements Trigger Points

Sickness absence levels for individuals are monitored on a twelve month rolling period. The trigger point at which the Line Manager/Principal or appropriate senior member of staff are required to consider the employee's sickness absence is where an employee has accumulated:

Short Term/ Intermittent Absence

- A total of ten or more separate or continuous working days absence over the past twelve months (pro rata for part time staff may be appropriate subject to individual working patterns - see Guidance note 2), or
- Three periods of sickness absence, over the past six months, or

- Where there is a cause for concern regarding an employee's health, even where there may be no absence, or there is a particular pattern of absence that has not yet reached one of the trigger points above (for example Monday and/or Friday absence).

6.1

Note: It is accepted that in certain instances e.g. for a broken leg or post-operative recuperation a period of absence exceeding the trigger may be required. In such circumstances, at the discretion of the Principal (or their nominated officer), a sickness absence review meeting may not be held.

6.2 Sickness Absence Review Meeting

A meeting will be held, normally within 2 weeks of the end of the period mentioned above. The member of staff will be given at least 5 working day's written notice of the meeting and may be accompanied by a work colleague or trade union representative. The purpose of the meeting will be:

- To ensure the employee is fit to return to work from a management viewpoint (rather than on medical opinion) and to assist the employee to undertake work duties. Assistance may be offered from the Principal (or their nominated officer) direct or via another agency, as appropriate;
- To remind the member of staff of the sickness absence policy and to ensure that they are aware that their absence record is giving cause for concern;
- To ascertain whether there are any underlying problems contributing to the absence, either at work or home, and to consider possible ways of helping to resolve them;
- To agree action for the future including targets to be achieved and the setting of a date for a further review. The length of any monitoring period will be 13 weeks.
- To indicate what the next step will be if the employee's attendance does not improve.

The meeting should be used as a structured method to communicate between the Principal (or their nominated officer) and the employee, covering:

The standards required;

- How standards are not currently being met;
- The consequences of not meeting the standards for the employee and the service;
- The employee's reasons for absence or for the employee to put forward issues related to work or of a personal nature (with the Principal (or their nominated officer) specifically including the matter of disability) which may either impact upon the absence or the implementation of the procedure (e.g. he/she may express a wish for further meetings to be attended by some-one of the same gender).

The Principal (or their nominated officer) should confirm to the employee in writing the salient points of the meeting and the outcomes to be pursued.

Other action which may be pursued as a result of a sickness absence review meeting includes:

- Referral to the Occupational Health Service;
- Requirement to submit a 'fit note' for each day of absence;
- A monitoring period;
- Temporary adjustment to duties/workload;
- Job redesign (of a temporary or permanent nature).

6.3 Second and Subsequent Review Meetings

The Principal (or their nominated officer) should use these meetings to recap whether the defined standards of performance have been achieved. There are two possible outcomes:

- Performance/attendance now meets required standards - The Principal (or their nominated officer) will state this to the employee and indicate that it will be confirmed in writing.

Performance/attendance has not improved to required standards – The Principal (or their nominated officer) will confirm this to the employee and use the meeting to:

- again explore those issues of discussion from the previous meeting but within the context that an initial meeting has been held;

- if appropriate, determine a further reasonable period for the employee to meet the required standards;
- determine the next stage of the process which will follow if a further monitoring period has been agreed for the employee to meet the required standards;
- if appropriate, advise the employee that the formal capability procedure is to be invoked.

The Principal (or their nominated officer) will again confirm to the employee in writing the salient points of the meeting and the outcomes to be pursued. To summarise, optional decisions arising out of the second and any subsequent review meetings are:

- confirmation that performance/attendance now meets required standards;
- arrangement of a further monitoring period and review meeting date;
- a decision to invoke formal capability action (see below).

This decision should take account of:

- the gravity of the poor performance;
- the previous instances that the sickness procedure has been invoked.

6.4 Decision meeting- frequent short term sickness absence

In cases where frequent short term sickness absence is the main cause for concern, a Decision Meeting will usually take place to review an employee's attendance levels in line with previously agreed Attendance Improvement Plan(s) at the end of the Second Attendance Monitoring Period of 13 working weeks (i.e. 26 working weeks from commencement of formal monitoring under this procedure).

The options available to the principal are as follows:

- To take no further action as the employee's absence has substantially improved during the Second Formal Attendance Monitoring Period
- Writing to the employee to summarise the current overall staff attendance levels in the school or academy and explaining the extent to which the employee's attendance levels still fall short of this standard despite the support put in place. The letter should also warn the employee that, (subject to medical advice from occupational health and a meeting to discuss advice received where appropriate), the case may now be referred to a committee of councillors for a hearing which may lead to termination of their employment due to unsatisfactory attendance.
- If the principal or nominated manager feels that some improvement in attendance levels has been made during the Second Attendance Monitoring Period but not enough to justify taking no further action, writing to the employee to confirm that the Second Formal Attendance Monitoring Period will be extended for a further reasonable period on a case by case basis.

The principal or nominated manager should also confirm in writing within 3 working days the outcome of the Decision Meeting, including a summary of the key points discussed, confirmation of outcome reached and next steps.

Managing long term sickness absence

Sickness absence will be considered long term if an employee has been absent for four continuous weeks or more.

Informal Discussion(s)

If an absence has lasted for four continuous weeks or more and there is no likelihood of an early return to work, a welfare meeting should be arranged with the employee either at the academy, at home or at a neutral location with the employee's agreement. There may also be special circumstances during which an earlier welfare visit should be arranged.

The employee should be invited to provide any further documents that would aid the discussion, including medical evidence.

During the welfare meeting, the employee will be invited to discuss all or some of the following according to the circumstances:

- a) the cause of the absence and relevant details of the diagnosed illness if known;
- b) how long the absence is likely to last (if known);
- c) any other factors at work or at home which might be contributing to the absence;
- d) suggestions of support/actions/reasonable adjustments/risk assessments that could be put in place by the employee or the school or academy to help the employee return to work (including ergonomic assessments from other external agencies where appropriate);
- e) the benefits of referral to occupational health and review of referral paperwork if the academy has prepared this in advance
- f) date for future meetings/contact;
- g) where appropriate, possible alternatives if the employee is unable to return to work e.g. mutually agreed reduction in working hours by a temporary or permanent variation in contract and/or stepping down of responsibilities. If an employee wishes at this early stage to discuss the possibility of ill-health retirement or otherwise leaving employment, these matters may also be discussed.

After the initial welfare meeting, further informal meetings may be arranged as appropriate with the employee in order to discuss and re-evaluate the situation. Medical information (whether from a fit note, occupational health or other relevant consultants/medical specialists as appropriate) will be essential to discussions about appropriate action and should form the basis of regular communication between the employee, principal or nominated manager. It is often useful for occupational health to review an employee's medical situation at appropriate periods and for the academy to discuss the latest report with the employee.

If it appears from regular communication with the employee and consideration of latest fit notes that s/he is fully fit to return or that s/he may be fit to return, subject to specific adaptations (such as a phased return to work), a return to work meeting should be arranged by the principal or nominated manager prior to the return to work to discuss any support that can be offered and/or updates on work matters.

First formal attendance meeting- long term sickness absence

If, despite attempts at informal contact/welfare support, it is apparent from an occupational health report (or from other relevant medical evidence) that the prognosis for an employee's return to work is uncertain or unknown, consideration should be given to inviting the employee to a **First Formal Attendance Meeting**.

The purpose of the meeting will be to determine:

- a) the medical treatment that the employee is receiving and the prognosis for recovery;
- b) the employee's views on how much longer s/he will be off work and his or her expectation of being able to return to work within a reasonable period;
- c) what additional adjustments or supportive measures the academy could put in place to facilitate his or her return to work. (the

employee should be encouraged to suggest these but advice may also be sought from occupational health and/or a HR Consultant);

- d) any additional available support for the employee e.g. mutually agreed reduction in working hours by a temporary or permanent variation in contract and/or stepping down of responsibilities (if an employee wishes to discuss the possibility of ill-health retirement or otherwise leaving employment at this stage, these matters may also be discussed);
- e) the impact that the current period of long term sickness absence is having and whether in all the circumstances, the academy can reasonably be expected to wait any longer for the employee to return to work;
- f) to advise the employee that as a last resort, and once all other possible suggestions have been considered (i.e. consideration for ill-health retirement by occupational health, mutually agreed reduction in working hours by a temporary or permanent reduction in working hours, stepping down of responsibilities) that his or her case will be referred to a committee of councillors and that the outcome may be dismissal due to ill-health capability.

Following the discussions, the principal or nominated manager will adjourn to consider the evidence and the options available, which may include:

- a) Setting up a date for a return to work meeting with the employee as a return to work is now possible within a specific reasonable timescale.
- b) Setting a further reasonable period to allow for additional management support and/or recovery. During this period, the school/academy will consider to consult with the employee and to review appropriate medical advice. This option to be supported with a warning that if the employee is unable to guarantee a return to work date within a reasonable defined period, then s/he may still need to be referred to a committee of councillors for consideration of future employment;
- c) If the employee has been granted ill-health retirement, either agreeing an end date (in the case of teachers) or explaining that his or her case will now need to be referred to a committee of councillors for lack of capability due to ill health (in the case of support staff). Support staff cannot access benefits under their pension scheme until they have been formally dismissed.

The principal or nominated manager should confirm in writing within 3 working days the outcome of the First Formal Attendance Meeting, including a summary of the key points discussed/action points, confirmation of outcome reached and next steps.

The point at which dismissal on grounds of ill-health may be appropriate will vary depending on the individual circumstances of a case. Dismissal should always be a last resort once all reasonable alternatives have been considered. The key question for the academy (and which a Tribunal would examine) will be whether or not in all the circumstances, it can reasonably be expected to wait any longer for the employee to return to work. Each case should therefore be considered individually and early advice should be sought from a HR Consultant before an employee is invited to a hearing.

Decision meeting- long term sickness absence

If following the First Formal Attendance Meeting, the head teacher, principal or nominated manager has established through on-going consultation with the employee (including

recent medical advice and/or the impact of additional management support) that a return to work date remains unknown or uncertain, the employee will be invited to a **Decision Meeting**. If possible, the meeting should be held at the academy. However, it may be appropriate for the meeting to be held at the employee's home or at a neutral venue with his or her consent.

The purpose of the meeting will be to review all of the points listed at paragraph above and to gauge if and when the employee is in a position to return to work based on latest medical advice and/or the employee's own views.

Following the discussions, the principal or nominated manager will adjourn to consider the options available having regard to:

- a) Setting up a date for a return to work meeting with the employee as a return to work is now possible within a specific reasonable timescale;
- b) Setting a further period to allow for additional management support. This option to be supported with a warning that if the employee is unable to guarantee a return to work date within a reasonable defined period, then s/he may be referred to a committee of councillors for consideration of future employment;
- c) Confirming to the employee that his or her case will now be referred to councillors for lack of capability due to ill-health on the basis that there is no prospect of his or her return within a reasonable timeframe and that all reasonable alternatives to dismissal have been considered.

The principal or nominated manager will normally refer a case to a committee of councillors for a hearing with a recommendation that they consider termination of employment if:

- a) there is little or no likelihood of an employee who has undergone a period of long term sickness absence returning within a reasonable period, and this absence is having a detrimental impact on students/pupils' education and/or on fellow colleagues; and/or
- b) recommended or implemented adjustments are not considered reasonable for the school or academy in the long term.

The Principal or nominated manager should confirm in writing within 3 working days the outcome of the Decision Meeting, including a summary of the key points discussed/action points, confirmation of outcome reached and next steps.

Hearing by a committee of councillors for short-term and long term absence

General Principles

The dismissal of an employee on the grounds of ill-health capability or unsatisfactory attendance should be a last resort only after all other options have been fully considered and after all possible adjustments have been considered to support the employee's continuing employment.

Preparation

In preparation for the hearing, current medical advice should be sought from an occupational health provider. If the latest medical advice is 1 or 2 months old and there have not been significant changes to the employee's medical condition, new medical advice will not be necessary. Regardless of the type of absence causing concern, it is essential to verify whether or not there is an underlying illness or disability that is causing the employee to have so much time off, and to obtain a prognosis of the illness, before an employee is considered for dismissal for ill health capability or unsatisfactory attendance.

A formal notice to an employee inviting him or her to attend a hearing should be issued in writing, with an explanation of the hearing's purpose, the reasons for the hearing and its place in the procedure. Copies of any relevant documents should be attached to the

notice. The letter must remind the employee of his or her right to be accompanied or represented. To ensure that the employee has enough time to prepare and to seek advice, at least 10 working days' notice must be given.

The employee should be asked to confirm that s/he will be attending the hearing, who will be representing him or her, and a list of any witnesses s/he intends to call. The employee should also be reminded to provide this information along with any documentation s/he wishes to rely on at least five working days before the hearing. Names of any witnesses from both sides should be circulated in advance and all witnesses should be asked to provide a written statement for consideration at the hearing.

It is useful to agree a date with the employee's representative before sending the formal notice. The employee may suggest an alternative time and date for the hearing as long as it is reasonable and is not more than five working days after the original date. The committee may reject the suggestion but will only do so if it is unreasonable, when they may proceed to hear the case in the employee's absence. Advice on what is reasonable may be sought from a HR Consultant.

Who conducts the hearing?

The hearing will be conducted by an appropriate committee of councillors.

Who presents the hearing?

The principal will usually present the case if it is being heard by a committee of councillors.

Representation

The employee can be accompanied and represented by a trade union representative or work place colleague.

Decision

The committee of councillors will consider all of the evidence about non-attendance, including mitigation presented by the employee, and decide on one of the following options:

- a) To take no further action in relation to the employee; or
- b) To determine that the employee should be given notice and cease to work at the school due to ill health capability (long term sickness) or unsatisfactory attendance (frequent short term sickness).
- c) To set a final reasonable review period to allow for additional formal monitoring and/or management support. This option to be supported with a warning that if the situation has not been resolved satisfactorily by the end of a reasonably defined period, then the committee of councillors will reconvene to reconsider the employee's continued employment.

The committee shall announce the decision to the parties in person or subsequently in writing. Any oral announcement shall be confirmed in writing within a reasonable period, including the right of appeal.

The committee of councillors should take advice from a HR Consultant on the duties to be undertaken by the employee during the notice period.

Appeals

An employee has the right of appeal against the decision of the committee of councillors . An appeal shall be made to the appeals committee established by the governing body.

The appeal may be against:

- a) a determination that an employee should cease to work at the school/or be dismissed; or
- b) a determination that an employee should be set a final reasonable review period to allow for additional formal monitoring and/or management support.

The purpose of the appeal is to give the employee the opportunity to have his or her grounds of appeal considered by a committee of councillors who have had no previous involvement in the case (known as the appeals committee).

An employee may appeal by giving written notice of the appeal (including grounds and all relevant supporting evidence) to the clerk to councillors within 10 working days of receiving notification of the outcome of the hearing. An employee must clarify the exact reasons for the appeal, which must be relevant to the outcome of the hearing.

The clerk will arrange the appeal as quickly as possible. The clerk should make every effort to agree a date with the employee's representative if they are already involved in the case, before sending out the formal invite letter and supporting paperwork to the relevant parties.

The employee may suggest an alternative time and date as long as it is reasonable and is not more than 5 working days after the original date. The appeals committee may reject the suggestion if it is unreasonable and may proceed to hear the case in the absence of the employee or the employee's representative. The appeals committee may also defer the date of the hearing to reach mutual agreement on a particular date.

The clerk shall give reasonable notice of the hearing to all participants..

Following an adjournment to consider the evidence, the appeals committee may:

- a) dismiss/reject the employee's appeal (so that the original decision stands); or
- b) uphold/accept the employee's appeal and determine what further action should be taken; or
- c) uphold/accept the appeal and amend the period defined for further improvement and/or management support as decided at the original hearing.

The appeals committee may announce the decision orally to the parties or may notify the employee of the decision within 5 working days of the hearing.

If an appeal against a determination to cease to work is successful the letter of dismissal can be withdrawn and the employee can be reinstated without a break in service.

The decision of the appeals committee is final within this procedure.

7.0 Sickness Procedure and the Use of Capability/Discipline Procedures

Sickness is not in itself a disciplinary offence but it may be a contributory factor, particularly in cases concerning capability. For this reason an employee's overall performance, and the possible impact the amount of absence has had on that performance, will be discussed at any sickness absence review meeting. The School's capability procedure outlines the courses of action to be taken where such action becomes necessary.

Failure to follow the school's sickness absence policy and procedures or the falsification of reasons for absence may result in disciplinary action. It is imperative, therefore, that employees and Principal (or their nominated officer)s are fully aware of the sickness absence procedures and ensure there are no breaches of school policy.

8.0 Principal's Discretion

At Ninestiles Academy trust and in all its constituent schools, the Principal (or their nominated officer) will exercise common-sense when following these procedures, particularly in cases of recurring or chronic illness, hospitalisation and for staff with disabilities. In such cases they will seek professional support and advice from the school's personnel service provider and/or the Occupational Health Service, etc. particularly when establishing the existence of a disability. The Principal (or their nominated officer) will

recognise the statutory requirement placed on them not to discriminate against a person who has a disability.

9.0 Defining Disability

Under the Equality Act 2010 disability is defined as *"physical or mental impairment which has a substantial and long-term adverse impact on his/her ability to carry out normal day to day activities"*.

In many cases this will be clear i.e.

- there is an impairment, which is not specifically excluded under the Act;
- the impairment has a substantial adverse effect, i.e. more than trivial and represents a limitation which extends beyond the normal differences in abilities which exist among people;
- it is long term. The long term effect is of an impairment which has lasted:
 - 12 months or where the total period for which it is likely to be at least 12 months;
 - or
 - is likely to last for the rest of the life of the person affected.

10.0 Confidentiality

Many of the issues surrounding sickness absence are of an extremely personal and private nature to the employee concerned.

At Ninestiles Academy Trust and its constituent schools, the Principal (or their nominated officer)s will be sensitive to any employee's difficulties and appreciate the strict confidence of any information provided. Information should only be shared with other staff on a genuine "need to know basis". Inappropriate breaches of confidence may be considered as a disciplinary offence.

Once the Principal (or their nominated officer) is aware of an employee's disability there will be a means which is suitably confidential for bringing the information together, e.g. Occupational Health Service, so the Principal (or their nominated officer) can fulfil their duties under the Equality Act 2010. On occasions it might be necessary for the Principal (or their nominated officer) to implement reasonable adjustments for a disabled employee without knowing precisely why they have to do so. It may be necessary to tell one or more of a disabled person's colleagues (in confidence) about a disability which is not obvious or where special assistance is required. This will depend on the nature of the disability and the reason others need to know. The Principal (or their nominated officer) will in all cases consult with the disabled employee before revealing personal information. Disclosure could be held to be discriminating if the Principal (or their nominated officer) would not reveal similar information about another person for an equally legitimate management purpose.

11.0 Records and Documentation

Absence returns showing all occasions of sickness must be submitted to the contractor for Payroll. The employee's personnel record will also be updated with each spell of sickness absence and will be kept by the School Business Manager.

The Principal (or their nominated officer) will keep a thorough record of the actions they take in respect of employee's sickness absence. This will include a record of sickness absence, sickness/guidance interviews, consideration of job redesign options etc.

12.0 Home Visits

All home visiting should be approached with sensitivity, and in the light of the employee's circumstances. Where practical, a home visit will be arranged after 6 weeks continuous absence, or before, depending on the nature and circumstances of the illness. The Principal (or their nominated officer) will not turn up unannounced at the home of a sick employee, but establish a mutually agreed date and time, confirming arrangements in writing beforehand. The Principal (or their nominated officer) will normally be accompanied on these visits.

If a visit to an employee's home is inappropriate, the visit may be arranged at the school or other suitable venue e.g. the school or the trust office. Discretion will need to be exercised. Transport may be provided for the employee if warranted.

If a home visit has been arranged and a third party does not permit entry, then an appointment should be made at the employee's place of work or other suitable venue.

13.0 Return to Work - Long Term Absence

In cases where the employee has had an extended absence, advice will normally be sought from Occupational Health with regard to whether the condition should be treated as a disability.

Regardless of whether or not the employee has a disability, reintroduction, or induction into the workplace must be addressed. At a simple level this may involve acclimatisation and information updating. However, it may also require temporary adjustments to working arrangements, such as shorter working days.

In cases where a serious change to the normal working arrangements appears warranted, advice may be sought from the schools personnel service provider, and, phasing, time scale and pay arrangements agreed and documented. Professional advice may also need to be obtained from the Occupational Health Service on any health issues.

14.0 Receipt of Reports from Occupational Health

Reports from the Occupational Health Service will provide valuable information to the Principal (or their nominated officer) in determining an appropriate response to the employee's absence(s) from work. Reports, and the resulting response, may fall into these categories:

14.1 If there is an underlying medical reason

Medical opinion to be considered in the light of service needs and the likely duration as well as the requirements of the Equality Act. Possible responses include no further action, job redesign, redeployment, relocation, ill-health retirement, and termination of employment on grounds of incapacity.

14.2 If there is no underlying medical reason

Inform employee of Occupational Health Service view and ask employee for an explanation.

14.3 If there is no satisfactory explanation

Inform the employee that this may give rise to disciplinary action. Consider setting new time scales and targets. Confirm any intended action in writing.

In accordance with the Access to Medical Reports Act 1988 Occupational Health or the School must gain a person's written permission before they approach their doctor for a medical report.

15.0 Considering Job Re-Design

Job redesign may be considered for all employees returning from long-term absence. This may be particularly appropriate if an employee becomes disabled whilst employed or their disability worsens. The Principal (or their nominated officer) will consider making reasonable adjustments to work patterns in terms of both physical requirements and in relation to the job description.

The following list gives examples of what it may be reasonable for the Principal (or their nominated officer) to include:

- Allocating some of the employee's duties to another person;
- Transferring them to an existing vacancy;
- Altering their working hours;
- Allowing time off for rehabilitation, assessment or treatment;
- Arranging training;
- Providing supervision.

The Principal (or their nominated officer) will in all cases seek to modify the job to accommodate the employee's changed needs by considering all of these steps. The alterations should be fully discussed with the disabled employee and the way in which a job is redesigned will be with his/her agreement.

16.0 Considering Relocation / Redeployment

Where it becomes apparent that an employee is no longer able to continue working at the same location due to illness or disability, and suitable adjustments cannot reasonably be made, relocation of the employee must be attempted.

In cases where this is not possible alternative posts of a similar nature should, where possible, be identified in other departments across the Trust. The School based on information provided by the employee, e.g. identifying the experience, skills, knowledge, achievements and potential, would undertake identification of new posts.

In cases where the same or a similar post is not available other posts within the Trust should be considered for the employee. This may require medical advice from the Occupational Health Service on the tasks that the employee can undertake.

17.0 Accidents and Assaults

All sickness, including that due to accidents and assaults, is to be considered in applying this procedure. Absence due to accidents and assaults at work (or directly work-related) must be identified and recorded separately from the sickness absence scheme.

The Principal (or their nominated officer) will ensure that these incidents are reported in accordance with the school's health and safety procedures.

The School holds Employers' Liability insurance for all employees in the event of injury or death in the course of their employment.

In all other parts, the procedure will be applied as for sickness absence, in order to ensure staff are dealt with on an equitable and satisfactory basis.

18.0 Dental, Doctor, and Hospital Appointments

An official appointment card must accompany requests for time off for dental and hospital appointments. Appointments should always be made in order to ensure minimal disruption to attendance at work. Employees are encouraged to attend appointments before the start or at the end of the working day. Where this is not possible they should make up the equivalent of the time they have been absent from duty.

Where an employee needs to attend a series of appointments for on-going treatment, the Principal (or their nominated officer) should be told about the arrangements as soon as possible. If appropriate, the absence should be recorded as sickness absence and dealt with within these procedures.

A record will be kept at the times a member of staff arrives at school late or leaves early due to medical/dental appointments. Members of staff are required to inform their Principal (or their nominated officer) and a record will be kept when a member of staff leaves the school early or when they return late. The Principal (or their nominated officer) will monitor this record.

Pregnancy and maternity related absence

All pregnancy and maternity-related absence should be disregarded when monitoring and managing attendance under this procedure, namely all management action up to and including dismissal. Pregnancy and/or maternity-related illness should be considered separately from other types of illness and it should not count towards an employee's overall attendance record. Sickness absence associated with a miscarriage should also be treated as pregnancy-related and be disregarded for the purposes of this procedure. However, it is still advisable to meet with the individual employee to discuss the reasons for their absence and their wellbeing as part of a return to work meeting, to carry out any appropriate risk assessment and to enquire about whether reasonable adjustments are necessary

Monitoring and review	Principals/HR function
Links	Staff code of conduct Staff disciplinary code

Staff responsible	Principal
Committee responsible	Board of Directors
Date approved	July 2018
Review date*	July 2020

**Please note that should any further national guidance be issued by external agencies that are relevant to this policy, it will be updated accordingly prior to the review date shown above and referred to the next academy council meeting*