



Pinfold Street
Primary School



Management of Sickness Absence Policy and Procedure (LA)

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Document information

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Purpose	This procedure aims to ensure that any sickness absence is dealt with promptly, in a fair and supportive manner. Governors should be aware that their involvement in the early stages of this procedure is likely to prejudice their involvement at a later stage.		

Document accessibility

If you would like this information in another language or format please speak to your Headteacher/Principal.

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1. Introduction

- 1.1 The School/Academy is concerned for the well-being of its employees and seeks to protect their health and safety by creating a sound working environment. When illness or injury occurs, employees are paid appropriate sick pay (in accordance with their terms and conditions of employment).
- 1.2 This procedure does not form part of any employee's contract of employment.
- 1.3 This procedure has been implemented following consultation with the Joint Negotiating Committee for Schools (Schools' JNC) (including representatives from the recognised unions for School/Academy's) and may be amended from time to time following further consultation with Schools' JNC.
- 1.4 Individuals have a responsibility for their own health and attendance at work. The school/academy will support, advise and help where any underlying health or welfare issues are identified which may be contributing to levels of absence.
- 1.5 The Policy also applies to new staff on Probation period and Apprentices.

2. Principles

- 2.1 This procedure is intended to ensure that sickness absences are handled promptly, sensitively, consistently and confidentially by the school/academy. This procedure covers all sickness absence, including absences as a result of industrial injury, pregnancy related sickness absences and disability related absence.
- 2.2 The procedure will be initiated by the Headteacher/Principal, who may then delegate to an appropriate Team Leader/Manager within the school/academy (referred to as designated person within this procedure).
- 2.3 If a Headteacher/Principal is subject to this procedure, then the role normally undertaken by them will be carried out by a nominated Governor, usually the Chair of Governors, in which case all references to Headteacher/Principal in this procedure should be replaced by Governor.
- 2.4 Governors should be aware that their involvement in the early stages of this procedure could prejudice their involvement at a later stage.
- 2.5 Headteacher/Principals should show understanding and exercise discretion towards employees who are genuinely absent for reasons of ill health or injury. Care needs to be taken in handling cases of sickness absence in order to ensure that action taken is not construed as harassment of the employee, particularly if there is an indication that the absence may be linked to work related issues.
- 2.6 All absences should be recorded and monitored accurately and regularly by school/academy and appropriate documentation forwarded (if applicable) to the Council for salary calculation and absence monitoring purposes.
- 2.7 Headteacher/Principal should make employees aware that they have the right to be accompanied /represented throughout the procedure by a work colleague or a representative of a recognised trade union/professional association.
- 2.8 No action will be taken under the formal review stage in respect of a trade union or professional association representative until the circumstances of the case have been

discussed with a senior representative or paid official of the trade union or professional association.

- 2.9 A period of long term absence will count as a single period of absence for the purpose of frequent short term absence monitoring and management.
- 2.10 Where an employee indicates or is diagnosed with an ill health issue that would be covered under the Equality Act 2010, it is essential that the school/academy considers, and where possible, makes reasonable adjustments. The school/academy will seek advice and support from Human Resources in these circumstances.
- 2.11 Abuse of this procedure may result in sick pay being withheld and/or action being taken under the Disciplinary Procedure. For example,
- Absence is not genuine or not for the reason provided;
 - The employee is undertaking inappropriate activities whilst off sick, such as carrying out work for another organisation;
 - The correct sickness absence notification and evidence procedure has not been followed
 - Non-attendance to absence meetings or occupational health appointments without providing evidence of a valid reason

3. Employee's responsibilities

- 3.1 Employee's who are going to be absent must notify the school/academy as soon as possible and no later than the first day of absence, other than in exceptional circumstances. The school/academy would expect to be notified as early as possible, but at least 30 minutes before the employee's normal start time in order to make necessary arrangements for cover.

The employee must speak in person to the Headteacher/Principal, Deputy or other designated representative at the school/academy and has the right for information supplied to be treated in strictest confidence. Unless the Headteacher/Principal has agreed otherwise, it will not be acceptable, unless there are exceptional circumstances, for this contact to be made by a third party or by text message or e mail.

However, in cases of serious illness someone acting on behalf of the employee must contact the Headteacher/Principal, Deputy or other designated representative.

- 3.2 The employee or his or her representative should supply the following information:

- the reason for the absence;
- how long they expect the absence to last;
- contact details;
- the expected date of return, as soon as this is known or indicated;
- information on any urgent work issues and any work outstanding that could have an impact during their absence;

If the employee is not able to return on anticipated date, school/academy should be informed as soon as possible, but no later than 30 minutes before the start time;

- 3.3 The employee is expected to keep the school/academy informed regarding any prolonged absence so that cover can be arranged in a timely way. If the absence is continuous, medical notes must be provided regardless of bank holidays and school holidays.
- The employee must ensure that medical notes are provided to the School/Academy for the entire period of absence.
- 3.4 All short term absences for sickness, a self-certification should be completed from days 4 to 7. The self certification form available from the school/academy office.
- If absence extends beyond 5 working days, a doctor's note/fit note must be provided from the eighth day onwards and notes should be submitted within 4 working days of it being signed to ensure that pay is calculated correctly.
- Failure to timely submit a doctor's note/fit note to cover the employee's absence could result in pay being stopped.
- 3.5 Employees will be expected to cooperate on all matters under this procedure, including attendance at sickness absence review meetings and/or Occupational Health appointments as required. Repeated failure to attend such meetings and appointments (without a medical reason) may be deemed as a failure to comply with this policy and sick pay may be withdrawn and or meetings will go ahead in the employee's absence.
- 3.6 Employees should avoid any activity or action which may delay their recovery and affect their eligibility for sick pay.
- 3.7 If an employee considers that they are affected by a disability or any medical condition which affects their ability to undertake their work, they should inform the Headteacher/Principal or designated person.

4. School/Academy responsibilities

- 4.1 The school/academy will support and advise where any underlying health or welfare issues are identified which may be contributing to levels of absence.
- 4.2 The school/academy will ensure that any sickness absence that is notified to them is recorded (and reported to the employer where applicable) and make appropriate arrangements, where necessary, to cover work and to inform colleagues and others as necessary (while maintaining confidentiality).
- 4.3 The school/academy will maintain regular contact via absence review meetings with employees who are absent on long term sick leave.
- 4.4 The school/academy will keep absent employees informed of relevant developments within the school/academy in writing (or as otherwise agreed with employee).

5. Short Term Absence

- 5.1 Usually defined as those lasting less than 20 working days (four week). Frequent and persistent absences occur when a pattern of absences is established (such as every Monday or Friday, sporting events etc)

- 5.2 The Headteacher/Principal or designated person should carry out a return to work interview with the employee as soon as practicable following their return following all sickness absence.

The purpose of the meeting is to check on the employee's welfare, discuss any underlying health issues and to formally record the absence and issues associated with it. Any notes of the meeting should be kept by the Headteacher/Principal and copied to the employee, and the appropriate self certification documentation should be completed.

- 5.3 Both Informal and Formal management of short term absence will occur when an employee has been absent for (See Appendix 1):

- 3 periods of absence within a rolling period of 12 months (this can include a period of long term sickness absence*), or
- 2 working weeks (cumulative) minimum within a rolling period of 12 months

These are called trigger points. The following paragraphs show the actions taken at various stages of the procedure. The stages are progressive and are intended to remind and enforce the attendance standards that are expected, with support mechanisms to encourage this

*For the purposes of identifying trigger points, any period of long term absence will count as an occurrence, i.e. it will count towards 3 periods of absence within a rolling 12 month period. A period of long term absence will not however count towards the 2 working weeks (cumulative) within a rolling period of 12 months.

Informal and Formal management of short term absence may also apply where there are unacceptable patterns of absence. These may include:

- frequent and persistent absences
- frequently calling in sick on certain days (patterns to sickness absence) e.g. Mondays or Fridays, or on days for which time off has been refused
- frequently having just over the 4 week threshold so it falls into long term

- 5.4 It is vital to understand that there may be an underlying medical reason for an employee's short term absences and an opinion from Occupational Health should be sought if appropriate. Where illness or underlying causes of absence are likely to be covered by the disability provisions of the Equality Act 2010 advice should be obtained from Human Resources regarding the implementation of any reasonable adjustments. This should be confirmed in writing to the employee and form part of the regular and timely reviews under the procedure. Currently all triggers will include all health related absences however the triggers can be increased for an employee as a reasonable adjustment.

- 5.5 When one of these trigger points is reached, the Headteacher/Principal or designated person should check the accuracy of the sickness absence record and investigate promptly. If the Headteacher/Principal concludes that further action is appropriate, then an Informal monitoring absence review meeting should be arranged.

5.6 Informal Monitoring Absence Review Meeting

- The Informal monitoring absence review meeting should be arranged as soon as possible giving the employee 5 working days notice.
- The Headteacher/Principal or designated person may wish to seek

advice from Human Resources prior to the meeting.

- The employee should be advised of the meeting in writing, with dates, time and venue stated together with confirmation of who will be attending the meeting on behalf of the school/academy

5.7 **Absence Review Meeting**

The meeting will be confidential and the following matters are likely to be covered during the meeting:

- discussing the cause(s) of absence and
- any related episode of absence
- whether there is an underlying cause
- any patterns, frequency to the absences
- How long the absence is likely to continue;
- If it is likely to reoccur in the future;
- considering options to help improve attendance;
- ask whether the School/Academy can do anything to assist in the return to work;
- discussing a possible referral to Occupational Health;
- If a referral to occupational health has been made, arrange a further meeting to discuss the recommendations from the report, reinforcing expectations regarding attendance levels
- documenting any agreed plan of action
- Attendance standards set by the Headteacher/Principal for the next 12 months should be set and signed by the employee with dates identified to review progress.
- The employee to be informed by the Headteacher/Principal or designated person that the monitoring process will continue and the possible consequences of insufficient improvement could result to proceeding to the formal stages of the policy.
- The employee must be notified of the outcome at each stage in writing within 5 working days.

5.8 **Formal Stages of Absence Review Meeting**

- At the formal stages, the employee is entitled to have the right to be accompanied by a work colleague or trade union representative.
- Absence Review Meeting guidelines (5.7) should be followed
- At the Formal Stages, an appropriate level of absence warning may be given and this should be confirmed in writing.
- The employee should be informed that a possible consequence of insufficient improvement could be further formal action.
- The employee must be notified of the outcome at each stage in writing within 5 working days.
- Extensions to the absence review period can only be actioned once in any live warning period and must be no longer than 6 months

5.9 **First Absence Warning**

The Headteacher/Principal or designated person having considered all of the relevant information may use their discretion and a) conclude that no formal action is required for those absence reasons but will continue with the monitoring process or b) issue a first absence warning confirmed in writing at the first formal review meeting. The record of this warning is active for 12 months from the date the absence ended and will be retained on the personal file. The warning will be expunged after a period of 12 months satisfactory attendance

Attendance will not be deemed to have been satisfactory if the attendance standards set at the first formal meeting are not met.

Any decision made should adhere to the process of being justified and transparent.

- 5.10 In the event that attendance standards are not met then the Headteacher/Principal or designated person will arrange a Final formal absence review meeting in accordance with the procedure identified at paragraph 5.11.

5.11 **Final Absence Warning**

The Headteacher/Principal or designated person having considered all the relevant information may use their discretion and a) conclude that no further formal action is required for those absence reasons but will continue on with the monitoring process or b) issue a final absence warning confirmed in writing at the final absence review meeting (if a First absence warning has been issued previously).

The letter to the employee must make it clear that any further unsatisfactory attendance could result in dismissal. The record of this warning is active for 12 month's from the date the absence ended and then reverts to a First absence warning for a further 12 months. The record of the warning will be retained on the personal file and expunged after a period of 2 years satisfactory attendance.

Attendance will not be deemed to have been satisfactory if the attendance standards are not met.

Any decision made should adhere to the process of being justified and transparent.

- 5.12 In the event that there is a further failure on the part of the employee to meet the standards set out in the attendance standards agreed at the final formal review meeting, the Headteacher/Principal or designated person will meet with the employee to advise them of this and to notify them that a meeting of the Staffing Committee is to be arranged to consider their continued employment. (Refer to Paragraph 10 Dismissal Procedure and paragraph 10.8 Arrangements for Meeting of the Staffing Committee)

6. **Long Term Absence (Appendix 2)**

6.1 **First Formal Absence Review Meeting**

Sickness is considered to be long term when an employee has been absent for a period of 4 consecutive working weeks or more. If there is no prospect of an early return to work, a first formal absence review meeting should be arranged which will normally take place after 4 weeks, unless special circumstances indicate that an earlier visit may need to be made.

6.2 All absence review meetings should be pre-arranged with the employee and will normally take place at The Education Development Centre (Pelsall Lane, Walsall) but can be arranged to take place elsewhere at the employee's request in exceptional circumstances, such as where the employee is housebound due to mobility restrictions. The Headteacher/Principal or designated person (which may be the HR Advisor) will carry out the visit. The employee should be advised that they may ask a work colleague or trade union representative to be present. Advice and/or assistance in undertaking such visits should be sought from Human Resources, particularly if there is an indication that the absence may be linked to work related issues or a disability.

6.3 The following should be discussed during the visit:

- the cause of the absence and relevant details of the diagnosed illness;
- how long the absence is likely to last;
- an update on their health and any other factors at work or at home which might be contributing to the absence;
- use of alternative therapies such as CBT, counselling and physiotherapy
- any suggestions that could be considered in order to help the employee return to work (this will need to be discussed later with the Headteacher/Principal if they are not present);
- assessing (if applicable) the illness in terms of a disability
- a referral to the Occupational Health Advisor, if appropriate in the circumstances. Referrals will not be made unless this has first been discussed with the employee; and
- possible outcomes if the employee feels unable to return to work (i.e. transfer to reduced employment, stepping down of responsibilities, retirement through ill-health, voluntary resignation, redeployment, dismissal)

6.4 **Further Formal Absence Review Meeting(s)**

If the absence continues the Headteacher/Principal or designated person should arrange a second formal absence review meeting, normally at around the 8-9 week absence period or sooner if necessary:

- The employee should be advised of the meeting in writing, with dates, time and venue, and confirmation of who will be attending.
- The employee should be notified of their right to be accompanied by a work colleague or trade union representative. If the meeting takes place at their home, the employee may choose to be accompanied by a family member or close friend and this will not normally be refused.
- Human Resources may attend the meeting (the employee should be notified of their attendance in advance of the meeting).

6.5 The following should be discussed during the meeting:

- The reason for absence;
- Determining how long the absence is likely to last;
- Consider whether referral should be made to occupational health if not already referred
- Consider if medical notes from employee's general practitioner should be requested
- Explore any reasonable assistance or adjustments which may support an earlier return to work

Progress on any alternative therapies used such as CBT, counselling and physiotherapy

6.6 Further absence reviews may be arranged as appropriate in order to monitor and re-evaluate the situation. Unless there are particular circumstances which indicate a shorter interval, absence reviews will normally be carried out every 8 - 9 weeks and regular contact can also be made by telephone.

6.7 If an employee refuses a first formal review meeting, a referral will be made to the Occupational Health Advisor to ascertain if there is a valid reason for the refusal and to assess the employee's health and support required.

6.8 **Final Formal Absence Review Meeting**

In the event that the employee remains absent, a final formal absence review meeting should be arranged. (refer also to paragraphs 10.5 and 10.6). The following should be discussed at the final formal absence review meeting:

- The reason for the continued absence;
- Determining how long the absence is likely to last;
- Review any recent medical advice from occupational health and/or information sought from the employee's general practitioner;
- Considering the employee's ability to return to/remain in their substantive role in view of both the employee's capabilities and the needs of the school/academy and any adjustments that can reasonably be made to the role to enable the employee to do so;
- Considering any redeployment opportunities and whether any adjustments can reasonably be made to assist in redeploying the employee;
- Agreeing a way forward, action that will be taken (and a time-scale for review if appropriate), including warning the employee that they are at risk of dismissal.

6.9 In the event that the employee and appropriate medical advice indicate that the employee is unable to return to work in the foreseeable future and taking into account the needs of the school/academy, the Headteacher/Principal or designated person should arrange to authorise that this matter is taken to a meeting of the Staffing Committee to consider their continued employment (as set out in paragraph 10.8).

7. **Occupational Health Advice**

7.1 Referrals to Occupational Health can be made through Human Resources. A referral is usually made in long term absence cases but can also be useful in cases of short term absence or sooner with stress related absences.

The Occupational Health Advisor will need to be provided with details of the absence(s) including any relevant background information and details of the job/duties normally undertaken by the employee, and should be specifically requested to advise on the following:

- the current/future ability of an employee to carry out the duties of their post at the school/academy;
- the ability of an employee to undertake duties of a different nature;
- support that may be given to the employee to enable their return to work and/or their attendance to improve;

- are there any reasonable adjustments or a phased return to work recommended that the school might need to consider to support the employee
- whether further information from the employee's doctor/consultant is needed in order to properly assess their condition (In these circumstances, written permission must first be obtained from the employee and this will normally be sought through the Occupational Health Advisor);
- in the case of non-teachers who contribute to the Pension Scheme, whether ill-health retirement allowing access to benefits from the Local Government Pension Scheme can be supported; and
- in the case of teachers who contribute to the teachers' pension scheme Occupational health will complete the necessary documentation.

7.2 A confidential written report will be returned to the originator of the referral (usually the Human Resources Advisor) and will be retained on the employee's personal file. The content will be discussed with and disclosed to the employee and Headteacher/Principal and all recommended courses of action will be explored. Every effort will be made to accommodate any recommendations of the Occupational Health Advisor in relation to supporting a return to work. All decisions made by the school/academy (with reasons) in respect of reasonable adjustments should be recorded.

7.3 Where it is felt that the recommendations are not appropriate to enable the employee to undertake their role effectively, then further advice should be sought from occupational health. In such circumstances the matter should be referred back to your Human Resources Advisor.

7.4 Referral to an additional independent medical advisor may be considered appropriate in certain circumstances.

7.5 School/Academy's should be aware that they are required to meet any costs associated with a referral to Occupational Health.

8. Reasonable adjustment

8.1 Headteacher/Principals should, where practicable, make reasonable adjustments to jobs and workplaces/environments for employees with a disability (Equality Act 2010). This is to ensure that disabled employees have the chance to remain in work. Reasonable adjustments may also be introduced on a temporary basis to aid an early return to work.

Examples of reasonable adjustments are:

- physical adjustments to the workplace;
- changing working hours;
- reduced hours of work (pay may be adjusted accordingly however in certain circumstances this may be accommodated without a reduction in pay on a short term basis);
- time off for appointments/treatment including recovery time and rehabilitation;
- training for the employee and their colleagues;
- getting new, specialist equipment or adapting existing equipment; and
- providing alternative work.
- Adjustment to absence triggers specifically related to a health condition. Occupational health advice should be sought.

8.2 The school/academy should discuss reasonable adjustments with the employee and seek their suggestions as to what the school/academy can do to assist them.

8.3 When making a decision of whether a reasonable adjustment is practicable the school/academy will need to take into account any financial, practical or technical issues that may have a significant adverse effect on its ability to deliver its service. Advice should be sought from Human Resources before making a final decision.

9. Redeployment

9.1 Health related redeployment is difficult and in the first instance should be explored by the Headteacher/Principal within their own school/academy. If this is not possible, other redeployment options will be explored through your Human Resources Advisor, with advice from the Occupational Health Advisor.

9.2 Rehabilitation measures can assist and support a successful return to work and may include the following on a temporary or permanent basis:

- reduced hours of work (pay may be adjusted accordingly however in certain circumstances this may be accommodated without a reduction in pay);
- provision of specialist equipment; additional support or training; and limited duties or responsibilities.

10. Dismissal on the grounds of ill health

10.1 Prior to termination of employment, an employee may receive confirmation from the Pension Scheme that retirement on the grounds of permanent ill-health has been granted. In these circumstances, advice should be sought from the Human Resources Team.

10.2 The employer must ensure that a fair process has been followed showing:

- that agreed procedures have been followed;
- that the employee has been kept fully informed throughout the process;
- that reasonable adjustments have been considered and implemented where possible;
- that the decision to dismiss is based on recent medical advice (where an employee has failed to cooperate with this then decisions should be made on the information available);
- that the employee's need for time to recover their health is not compatible with the need for work to be done;
- that all possible alternatives to dismissal (e.g. redeployment) have been explored and discounted for good, demonstrable reasons.

10.3 Reference should be made to the provisions of The Education (Health Standards) (England) Regulations 2003 in relation to the health standards of those employed to carry out a relevant activity.

10.4 Dismissal Procedure

This may be implemented where the conditions of a final written warning relating to frequent short term absence have not been met, or where following the final formal absence review meeting there is no reasonable prospect of a return within the paid period

of sick leave. A representative of the Director of Children's Services (usually an advisor from Human Resources) should be consulted on any potential dismissal in maintained schools and invited to attend any meetings which may result in dismissal. Academies should seek advice from their HR Advisor at the earliest opportunity regarding any possible dismissal proceedings.

10.5 A final meeting (as outlined at 6.8) with the employee must be arranged to ensure that all options have been fully considered and explored and to ensure that they understand that the next stage will be a meeting to consider possible dismissal.

10.6 Following discussion, if it is the view of the Headteacher/Principal that consideration is to be given to dismissal of the employee, dismissal proceedings will be initiated. The Education Act 2002 provides for dismissals to be undertaken by the Headteacher/Principal. However in order to demonstrate a fair and objective procedure, it is strongly advised that potential dismissals are referred to a subcommittee of the Governing Body, i.e. the Staffing Committee. This is particularly important in smaller school/academys where the Headteacher/Principal is likely to have implemented, monitored and reviewed the various stages of the Sickness Absence Management Procedure and it would therefore be inappropriate for them also to take decisions regarding dismissal.

10.7 **Arrangements for Meetings of the Staffing Committee**

Following a decision to initiate dismissal proceedings, the Clerk to the Governing Body shall arrange a meeting of the relevant Committee as soon as possible. The employee shall be invited to attend the meeting and is entitled to:

- be represented by a trade union/professional association representative, or accompanied by a work colleague;
- receive, no later than 5 working days before the meeting, written notice of the date, time and venue of that meeting;
- be given a copy of any written material which is to be presented at the meeting, including details of specific concerns regarding attendance level and sufficient detail to enable the employee to prepare a response and
- be advised of the name of the presenter of the case (this will usually be the Head teacher); of any witnesses to be called; and who will be hearing the case.

10.8 The employee shall be entitled to put their case to the Staffing Committee, the composition of which shall comply with the appropriate regulations in relation to school/academy governance.

The decision shall be one of the following:

- to determine that the employee should continue to work at the school/academy and that no further action under this procedure is required;
- to extend the period of time allowed for improvement or to assess if a reasonable adjustment is beneficial and sustainable, supported with a warning that if improvements in attendance are not achieved, Governors may reconsider dismissal; or
- determine that the employee ceases to work at the school/academy.

10.9 The decision shall be given to the employee in writing by the Clerk to the Governing Body, and a copy shall be sent to the employer. Notification of the decision shall be conveyed to the Governing Body.

- 10.10 In cases where the period of time for improvement has been extended, at the end of the prescribed timescale the Headteacher/Principal shall submit a report to the Staffing Committee giving details of progress made. The Staffing Committee will then reconsider the matter as described above.
- 10.11 Where a Committee has determined that an employee should cease to work at the school/academy, the employee should be notified of their right of appeal. In maintained schools, written notification should be sent to the Director of Children's Services or their representative. For employees of Walsall Council, the dismissal will then be actioned on behalf of the LA within 14 days of the notification being given. The employee will be given notice, or pay in lieu of notice for non-teaching staff only, in accordance with their contract or with the statutory minimum, whichever is the greater.
- 10.12 In the event of an employee exhausting in part or in full their entitlement to occupational sick pay and being given notice of the termination of their contract (without returning to work) on the grounds of permanent incapacity or some other reason related to the sickness absence, the employee shall be paid full salary for the notice period with normal deductions only.
- 10.13 The Headteacher/Principal and an appropriate representative shall be entitled to attend, for the purpose of giving advice, all proceedings of the governing body relating to a determination that an employee should cease to work at a school/academy.
- 10.14 Appropriate paperwork confirming termination of employment (e.g. termination letter, leavers form) should be sent to your payroll provider at the earliest opportunity to ensure that the employee is paid salary/notice pay up to the relevant date.

11. Rights of Appeal

An employee will have the right of appeal. If they choose to do so, they will use the Appeals Procedure by giving the required notice in writing to the Chair of the Appeal Committee, setting out the grounds for their appeal. The decision of the Appeals Committee is final and there is no further right of appeal within school/academy procedures.

12. Annual Leave

12.1 Sickness during annual leave for staff employed under NJC terms and conditions

If an employee falls sick during a period of annual leave, a doctor's note should be provided and they will be regarded as being on sick leave from the date of the note for the period of annual leave which is covered by the note. A doctor may charge for this medical statement and the cost will not be reimbursed by the school/academy.

12.2 Termination of employment and outstanding annual leave

If an employee's contract of employment is terminated and they have taken more than their pro rata entitlement of annual leave, the school/academy will recover the costs via the final salary payment. If an employee does not return to work before the end of the leave year, then the entitlement to leave would be accrued. The Head teacher will need to discuss with

the employee how this leave is taken or paid upon return to work or termination of employment.

12.3 Term time only employees

Term time only employees also continue to accrue annual leave during sickness absence but the entitlement is offset by any period of school/academy closure that occurs during that leave year, either before or after the sickness period. This means that in most cases, the employee will not be owed any leave.

- 12.4 On the rare occasion that there are insufficient school/academy closures to accommodate leave during the leave year, the employee is allowed to take any remaining leave during term time, only within that leave year. Where there is not enough time before the end of the leave year to take the remaining leave, the employee is allowed to carry the leave over to the following leave year and is required to take this leave during the remaining periods of school/academy closure after leave entitlement for that year has been accommodated. Unless agreed otherwise, the leave year for staff working in school/academy and associated children's centres is 1 April to 31 March.

12.5 Staff employed under Teachers terms and conditions

For the purposes of accruing and taking leave entitlement, teachers are treated in the same way as term time only staff and the amount of leave is based on the statutory leave entitlement which is currently 28 days, including bank holidays. The leave year for teachers is regarded as being from 1 September to 31 August.

13. Industrial Injury

All injuries, accidents, incidents at work must be reported as soon as possible and recorded on the appropriate Accident Reporting form for the injury to be assessed as "industrial", including injuries arising from violent incidents. If an employee feels that their absence or injury is caused at work, this should be put in writing to the Head teacher so that an investigation can be carried out involving all appropriate parties, including Occupational Health. Consideration must also be given to Walsall Council procedures for determining injury allowance payments and to the specific provisions in place for school/academy teachers as outlined in the Conditions of Service for School Teachers in England and Wales (the Burgundy Book).

An employee who is absent from work due to an accident or injury at work should be treated in the same way as if their absence was due to sickness and therefore the procedure should be followed.

14. Medically Enforced Absence (Medical Suspension)

A medical suspension is where an employee is told to refrain from work on medical grounds by the Head teacher who believes the employee is unfit to attend work. This should only be used as a last resort. Medical suspension is on full pay. Advice should be sought from your Human Resources provider before deciding on medical suspension. Any medical suspension must be kept under close review and will be classified as an absence.

Any medical suspensions must be kept under close review (no less than every two weeks) to ascertain the suitability of a return to work or until the employee confirms of their sickness absence.

A referral to occupational health should be made, where appropriate, with a meeting arranged to discuss the options available. Where it is confirmed by occupational health or the GP that the employee is not fit to attend work, the employee's absence will start the date the medical suspension began. The sickness absence policy will apply.

15. Disability Related Absence

Employees are encouraged to advise if they have a disability and/or their absence is related to an ongoing/underlying medical condition so that appropriate support can be provided. Early occupational health intervention should be made in order for reasonable adjustments to be considered. Where reasonable adjustments have been implemented and attendance levels are still unacceptable, the employee's absence should continue to be managed in accordance with the policy.

16. Maternity related absence

Where it is confirmed that absences are related to pregnancy/maternity, such absences will be recorded but these absences will be discounted for the purpose of absence triggers. Advice should be sought from HR.

If the employee is absent from work with a pregnancy related illness, within 4 weeks of their due date, maternity leave will start automatically. Parenting policy will apply and advice should be sought from HR.

17. Stress related absence

Where sickness absence is stress related, an immediate referral to occupational health should be made to fully support the employee. A welfare meeting should also be held.

Employees should be reminded of Walsall's Council Employee Assistance (and counselling) Programme (EAP) Care First which is available to employees of schools (Community and Voluntary Controlled Schools). Advice should be sought from HR.

18. Terminal Illness

Where the employee is terminally ill careful and sensitive management will be required.

Each individual case will be considered regarding the employee's preferred outcome and all available options will be taken into account including continuation of work.

Further advice should be sought from HR.

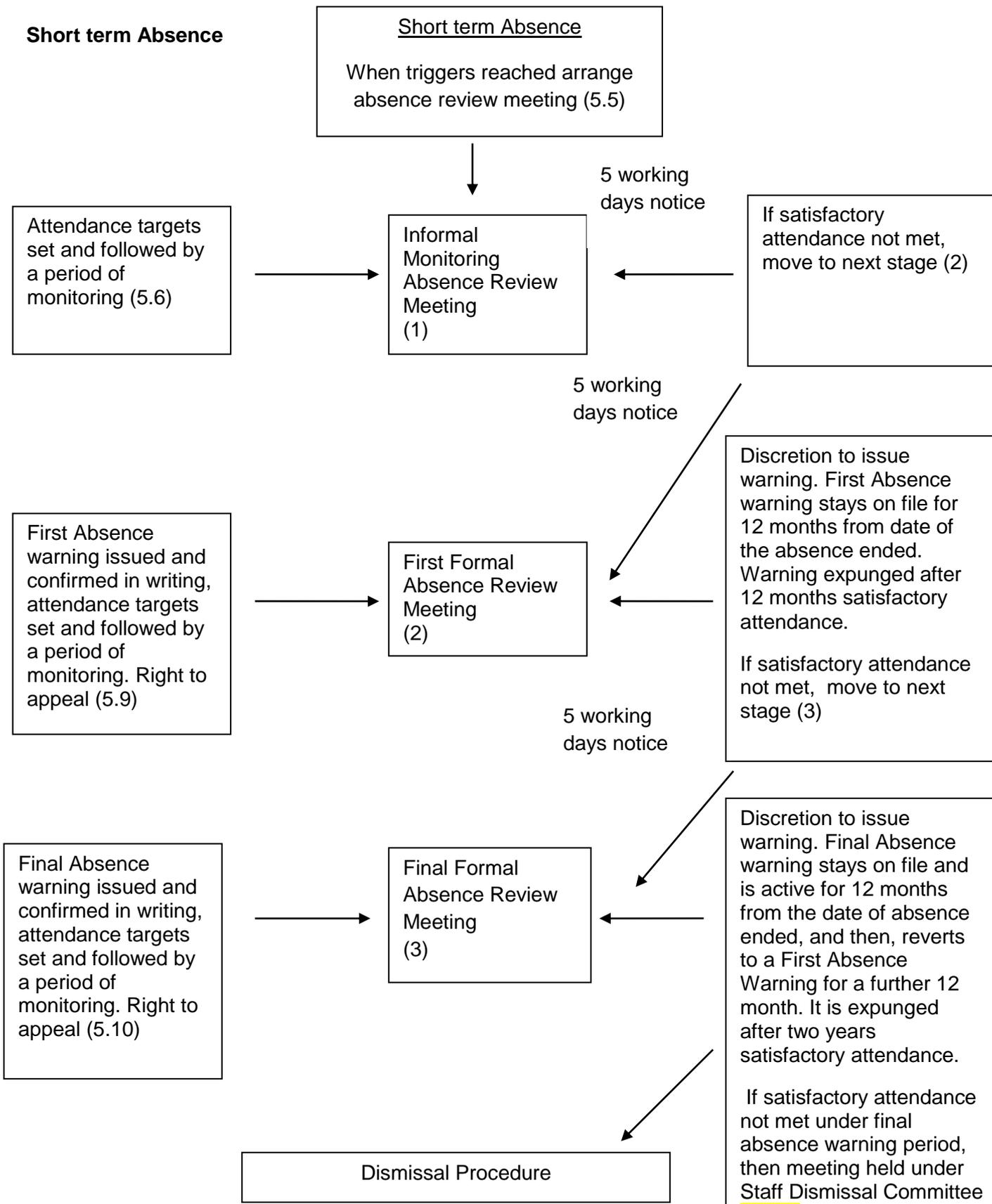
19. Ill Health retirement (IHR)

Ill Health Retirement maybe considered for employees where it is anticipated that the employee will not be able to return to work in any capacity for the foreseeable future. Before a decision is taken on applying for IHR all possible alternatives must be considered.

IHR can only be determined via an occupational health assessment and approval. Advice from HR should be sought.

Appendix 1

Management of Sickness Absence and Procedure Flowchart



Appendix 1

Long term Absence

