

# Christ Church & Holy Trinity CE Primary Schools Federation

## Staff Sickness and Absence Procedure

### March 2022



#### Our shared vision for Christ Church & Holy Trinity Schools

##### Our Christian Vision

In the Parable of the Sower, Jesus Christ tells us that God is like a generous farmer and we are like the soil in which he plants his seeds. At Christ Church and Holy Trinity Schools, we are learning how to be good soil, so that we grow to love God, our neighbour and ourselves and thereby enable every member of our community to flourish. Each day, we endeavour to face up to all that challenges our growth, in order to see with our eyes, hear with our ears and understand with our hearts God's Good News for the world and to cultivate the virtues with which to produce an abundant harvest.

##### Our Mission

Christ Church & Holy Trinity Schools are dedicated to providing a nurturing environment in which all children have the opportunity to reach their maximum academic and social potential. Excellent teaching, learning and relationships are at the heart of our schools.

#### Introduction

When an employee is absent from work for a period of time or with any frequency, a balance needs to be maintained between the need for the work to be done and the need for the employee to have time to recover. Consideration should be given to any support that can be given to enable the employee to return to his/her duties.

The purpose of the procedure is to set out a framework within which to respond to the issues arising from two different types of sickness absence:

#### **Intermittent short term absence**

Intermittent Absence: This covers short-term absences due to a variety of minor, unlinked medical causes. It also covers absences due to one (or more) underlying medical cause. The approach here is that the individual circumstances of each case will be considered with regard to the setting of targets/monitoring periods. However, the Headteacher is entitled to expect reasonable attendance levels and to consider taking action in cases where the pattern of absence gives rise to concern which would normally be when it reaches **9 days sickness absence in a 12 month period**.

#### **Continuous long term absence**

Continuous Absence: This requires an approach based on regular reviews and updating of medical information. Absence which continues **beyond three months** would normally be the trigger for undertaking a health assessment of the situation including the employee's future capability to undertake their job duties.

## **Return to work – informal stages**

It is good practice, and a means of showing pastoral care, for the Headteacher or a line manager to see every member of staff, however briefly, after every sickness absence. However, if any member of staff's level of sickness absence reaches the trigger points in the school's procedure, the Headteacher or line manager must meet with the member of staff.

At the meeting, the Headteacher or line manager should discuss with the member of staff:

- The reason for the absence
- Whether the employee is fit, from a management point of view, to return to his/her post
- Whether there are any reasonable adjustments to the work environment that would aid the employee to maintain a better level of attendance.
- Whether there are any underlying factors that may be affecting the member of staff's ability to fulfil his/her contract.

These informal meetings should be seen as part of the normal management structure. It would not normally be the case that the member of staff would be accompanied at the meeting. However, should the member of staff wish to be accompanied by a companion, this should be permitted. If the member of staff chooses to be accompanied, it may be desirable for the Headteacher or line manager to be accompanied by a member of the senior management team of the school, the Diocesan Board or LA.

The Headteacher or line manager should keep a brief summary of the discussion on the employee's file and send a copy to the member of staff.

Should any member of staff's absence reach the trigger point for formal action to be taken, the Headteacher should inform the member of staff of this and invite him/her to a formal meeting to discuss the issue.

### **Stage One: Intermittent Short Term Absence**

An employee who has a pattern of sickness absence which gives rise to concern or who has had 9 days sickness absence in a 12 month rolling period will have their attendance record reviewed (pro-rata equivalent applies for part time employees).

If the Headteacher decides that they have sufficient information and that the absence is not a cause for concern a note will be sent to the employee confirming there is no need for any action at this time.

If the Headteacher is concerned about the level/reasons for sickness absence a meeting will be arranged with the employee as soon as possible. There is a right of trade union representation at the meeting.

**The purpose of the meeting will be for the Headteacher to:**

- (a) Review the sickness record**
- (b) Consider any relevant medical information which is available (and to obtain further medical information if deemed necessary)**
- (c) Identify the impact of the absence on the service and on work colleagues**
- (d) Discuss the reasons for absence and any information the employee has to offer (e.g., personal, domestic, welfare issues, that the absence was connected to an industrial injury).**
- (e) Consider the employee's explanation**
- (f) Consider any support that can be offered**

If the Headteacher decides that it is not necessary at this time to set targets for improvement this will be confirmed in writing to the employee within 5 working days.

If the Headteacher decides the level of sickness absence is unsatisfactory they will write giving reasons and advise the employee of the following:

- **That there is a need to improve**
- **That a time scale is identified during which absence levels must reduce**
- **The consequences of failure to reduce the level of sickness absence, i.e., that a further monitoring period will be set at Stage 2 of the procedure**
- **That there is a right of appeal to the Governing Body (process set out in Disciplinary Procedure)**

The target for improvement will be that no more than 5 days sickness absence must occur in the 12-week monitoring period.

There is a right of appeal against the decision to set targets at this stage:

- (a) Appeals must be lodged with the Governing Body within 10 working days of receipt of the decision.
- (b) The reason for appealing must be explained in writing and must relate to one of the following grounds:

Unreasonable delay in calling the meeting to review the sickness record

Unreasonable decision in the light of relevant medical information

## Unreasonable decision in the light of personal information provided by the employee

At the end of the timescale for improvement (the 'monitoring period') the Headteacher will review the level of sickness absence. If it is satisfactory to the Headteacher, the employee will be advised in writing accordingly and reminded of the need to sustain the level of improvement. If, during the 12 months following the monitoring period the employee, has a further 9 days sickness absence, he/she will be reviewed at stage 2 of this procedure. Where the employee is absent on a continuous basis for a period in excess of 9 days, the Headteacher will review the reasons for absence. If it appears likely that there will be a period of long-term continuous sickness, the Headteacher should continue to regularly review the reasons for the sickness absence.

### **Stage Two**

This stage is reached in the following circumstances:

Either:

- Sickness absence has exceeded the target set during or at the end of the stage one monitoring period.

or

- The initial improvement achieved at the end of the monitoring period has not been sustained over the following 12 months.

A further meeting will be arranged by the Headteacher, giving 5 days notice, to review the sickness record. Rights in relation to trade union representation are as set out in Stage 1.

If the Headteacher considers the level of sickness absence to be unsatisfactory in the light of the information available:

- A further monitoring period will be set (normally 12 weeks).
- Targets for improved attendance will be set.
- The employee will be warned that failure to reduce the level of sickness absence will result in moving to Stage 3 of this procedure where a decision to dismiss could be made.

There is a right of appeal against the decision to set targets at this stage. Employees must write to the Governing Body within 10 working days giving reasons for their appeal. Trade Union representation is available at the appeal hearing.

If the level of sickness absence is satisfactory at the end of the Stage 2 monitoring period the employee will be advised in writing accordingly and reminded of the need to sustain the level of improvement during the 12 months following the monitoring period. If the employee has a further 9 days sickness absence, he/she will be reviewed at Stage 3 of this procedure.

### **Stage Three**

This stage is reached:

- **Where the employee's sickness absence level fails to improve to meet the targets set during the monitoring period, at stage 2.**

or

- **During the 12 months following the monitoring period at stage 2 the employee has a further 9 days sickness absence.**

In these circumstances the employee should be referred to the occupational health physician for a report to be provided to the Headteacher.

In the light of the medical report, a decision will be made as to how to proceed. The options include:

- No further action at this time
- Consideration of any recommendations the occupational health physician may make in relation to redeployment or ill health retirement. (See below).
- Extending the timescale for monitoring an improvement in attendance
- Referral to the Governing Body for consideration as to whether the employee should be dismissed

If the Headteacher decides that dismissal should be considered the case will be referred to the Governing Body (Disciplinary Committee).

### **Continuous Long Term Absence**

The potential for long-term sickness absence may well be highlighted at Stage 1 when the case is reviewed due to 9 days continuous sickness absence having occurred.

The case of an employee on continuous long-term sickness absence should be regularly reviewed. It is the intention that long-term sickness should be approached in a sensitive yet practical way. At an appropriate stage, but certainly after three months, a Headteacher shall, in normal circumstances, make an assessment of the position based on the following:

- The nature of the illness and any medical information available.
- The likely length of the continuing absence.
- whether the school can continue to cope with the employee's absence and, if so, for how much longer

- any other relevant circumstances

In order to come to a reasonable decision on the merits of the case a Headteacher require information about the medical prognosis. This will necessitate the employee's case being referred for an assessment by the occupational health physician and may include the employee being seen by the occupational health physician.

On receipt of the medical assessment, the case will be reviewed in the light of the medical information, the ongoing impact on service delivery and other factors as set out above. The employee (and trade union representative) will be invited to meet with the Headteacher to discuss the situation and any options that may be available e.g.:

- (a) A recommendation from the Occupational Health Physician in relation to redeployment
- (b) Any adjustments that can be made to job duties/hours/etc., or other support on return to work

It is important at this stage that the employee understands the serious concern which exists about the length of sickness absence and is given reasonable opportunity to tell their Headteacher of any factors or personal circumstances which they would like taken into account in the overall assessment. (Alternatively, the employee can provide written information if they prefer). Any representations submitted from the trade union representative should also be considered.

If the Headteacher decides, in the light of all the information that it is not possible to wait any longer for the employee to return, a letter will be sent advising the employee that termination of service is being considered. The employee will be advised that further representations by them can be made in person or in writing to a meeting of the Governing Body (disciplinary committee) which will convene to decide if the employee should be dismissed. The procedure for setting up a disciplinary committee hearing will be the same as that described in the model disciplinary code.

### **III-Health Retirement**

In cases of chronic ill health permanent incapability to undertake the duties of the post, a recommendation will be made by the occupational health physician in accordance with the terms of the Local Government superannuation scheme that the employee be retired on medical grounds. For teachers a further stage is necessary involving the Teachers' Pension Association.

Where the employee is opposed to the recommendation to retire on ill health grounds, they must be given the opportunity to make representations to the Governing Body (disciplinary committee).

Where there is a clear conflict of medical opinion between that of the occupational health physician and the employee's own physician, an independent medical opinion will be sought.

### **III-Health Redeployment**

If the Occupational Health Physician recommends redeployment, the Headteacher should liaise with the LA to undertake an assessment of redeployment opportunities.

### **Termination of Service**

If the occupational health physician does not recommend retirement on ill health grounds this does not preclude dismissal as the decision to dismiss is a managerial one. If there is a decision to dismiss immediate pension benefits will not be triggered.

Where there is a clear conflict of medical opinion between that of the Occupational Health Physician and the employee's own physician, an independent medical opinion will be sought

### **Right of Appeal**

This is to the Governing Body and is as set out in the disciplinary procedure.

## **Responsibilities in Managing Sickness Absence**

### **Responsibilities of Employee**

- Employees must not use sick leave unless they are medically unfit to attend work or remain at work.
- Employees must provide the school with confirmation of a medical or hospital appointment e.g. hospital letter, medical card appointment or NHS text message.
- Employees must follow their school's arrangement for reporting sickness. Minimum requirements are:
  - To contact the Headteacher by 6.45am on the morning of the absence
  - To inform the school by telephone on 0208 748 7756 by 4pm on the day of the absence to indicate whether the absence will continue the following day.
  - To provide medical and self-certificates promptly
  - To attend a medical examination with the Occupational Health Physician if required.
  - To meet with the Headteacher (or designated manager) on return from sick leave where there is a concern, to discuss the reasons for absence.

### **Rights for Employee**

- To have access to medical information and receive copies of medical reports when required.
- To have trade union representation at all stages of the procedure.

- To be advised as specified in the procedures of the implications of unsatisfactory attendance and to be given an opportunity to improve through the setting of clearly established timescales.
- To receive a copy of the procedure.
- To have cases treated in a confidential manner.
- To expect support in the management of ill-health as far as practical.
- For national and local conditions of services to be applied.

### **Responsibilities of Headteacher**

- To regularly review (or delegates as appropriate) the level of sickness absence of employees in the school and report to the Governors as appropriate.
- To meet with staff on return from sick leave where concerns exist in order to discuss the reasons for absence.
- To maintain regular contact with those on long-term sick leave, advising them when it is considered their job cannot be kept open for much longer.
- To give written notice of all review meetings and hearings and to confirm any decisions within 5 working days setting out the reasons for the decision and any targets which have been set.
- To support staff as far as practical in improving attendance.
- To deal fairly but firmly with an employee whose level of sickness absence is unsatisfactory.

### **Rights of Headteacher**

- To determine that the level of sickness absence is unsatisfactory and needs to improve and to set targets.
- To refer an employee to the occupational health physician for a medical assessment.
- To initiate procedures for the termination of service where the level of sickness absence is no longer acceptable.
- To institute action under the disciplinary procedure where provisions in relation to sick leave are being abused.

**Please note that staff should not leave the premises for any reason without the acknowledgement of the Headteacher or Deputy Headteacher.**



### **Types of Leave and Entitlement**

The following conditions are Local Authority guidelines as part of the support staff and the teachers' respective terms & conditions.

Each case made to the SLT for leave will be considered on its merit.

<b>Types of Leave</b>	<b>Support Staff</b>	<b>Teachers</b>
<b>Bereavement</b>	<p>Up to 3 days paid leave for bereavement will be granted in the case of death of an immediate relative. Designated officer has discretion to extend bereavement leave up to a further 2 days in exceptional circumstances.</p> <p>Funerals: One day's paid leave will be granted for close family members: parents, grandparents and all offspring. Unpaid leave is granted for other funerals.</p>	<p>Up to 3 days paid leave for bereavement will be granted in the case of death of an immediate relative. Designated officer has discretion to extend bereavement leave up to a further 2 days in exceptional circumstances.</p> <p>Funerals: One day's paid leave will be granted for close family members: parents, grandparents and all offspring. Unpaid leave is granted for other funerals.</p>
<b>Compassionate</b>	<p>Employees have the rights to request leave with and /or without pay for compassionate reasons. Headteachers have the authority to grant up to 5 days compassionate leave with pay and up to a maximum of 10 days unpaid leave.</p>	<p>Paid leave not exceeding a total of 3 days in any one year.</p>
<b>Dependency</b>	<p>The purpose of dependency leave is to provide employees with access to paid leave where an emergency or unforeseen situation arises within the employees' domestic circumstances which require their presence away from work.</p>	<p>The purpose of dependency leave is to provide employees with access to paid leave where an emergency or unforeseen situation arises within the employees' domestic circumstances which require their presence away from work.</p>
	<p>Employees may be granted 1 day's paid</p>	<p>Leave with pay for 1 day shall be allowed to a full</p>

<b>Removal</b>	leave for the purpose of moving house, provided that: a) no leave has been granted for the same reason during the previous 3 years	time teacher (other than a supply teacher) for removal of household effects, provided he/she is a householder or tenant.
<b>Unpaid</b>	Headteachers/Governors have authority to grant up to 3 days leave in a year. This includes time for appointments for home domestic issues such as plumber and electrician visits.	Headteachers/Governors have authority to grant up to 3 days leave in a year. This includes time for appointments for home domestic issues such as plumber and electrician visits.
<b>Weddings</b>	Leave of absence with no pay shall be allowed to full time teacher (other than supply teacher) in order to attend the wedding of: the father, mother, child, brother, sister of the teacher. Pay shall ordinarily be limited to 1 day.	Leave of absence with no pay shall be allowed to full time teacher (other than supply teacher) in order to attend the wedding of: the father, mother, child, brother, sister of the teacher. Pay shall ordinarily be limited to 1 day.
<b>Religious Leave</b>	Up to 3 days where religious obligation demands that no work is done on that day	Up to 3 days where religious obligation demands that no work is done on that day
<b>Hospital Appointments</b>	Employees should arrange medical appointments in their own time with minimum disruption to work. For routine hospital appointments, provided sufficient notice is given, leave to attend such appointments will be granted during working hours on application to Headteacher.	Employees should arrange medical appointments in their own time with minimum disruption to work. For routine hospital appointments, provided sufficient notice is given, leave to attend such appointments will be granted during working hours on application to Headteacher

- **These request for leave will be at the discretion of the SLT/HT**

Signed: Avis Hawkins

Name of Schools Christ Church and Holy Trinity Primary Schools Chelsea

Policy review Date: March 2022

Date of next Review: March 2023

Who reviewed this policy? Avis Hawkins, Resources Committee

Ratified by Governors