



# Sickness Absence Policy

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|----------------------------------|--------------------------|
| <b>Lead persons:</b>             | Headmaster               |
| <b>Support persons:</b>          | SLT                      |
| <b>Governing Body Committee:</b> | Resources, Staff and Pay |

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## 1. POLICY STATEMENT

- 1.1 This Sickness Absence Policy sets out our procedures for reporting sickness absence and for the management of sickness absence in a fair and consistent way. The Crypt School is committed to taking steps to reduce absence to an absolute minimum and to ensure that all absences are fully justified.
- 1.2 The penalties for not managing absence may seem obvious as the immediate effects are problems which need to be resolved in the short term. There are however less obvious but potentially more damaging effects:
- (a) The expense incurred in the cost of replacement staff, lost teaching time or administrative time.
  - (b) The impact on students' learning.
  - (c) Disruption of work flow.
  - (d) Undue and unfair pressure on others.
  - (e) Bad feeling against the individual for taking advantage of the situation.
  - (f) Loss of confidence in management for not resolving the situation.
  - (g) In extreme circumstances a breakdown in discipline, for example "copycat" absences.
- 1.3 Sickness absence can vary from short intermittent periods of ill-health to a continuous period of long-term absence and have a number of different causes (for example, injuries, recurring conditions, or a serious illness requiring lengthy treatment).
- 1.4 We wish to ensure that the reasons for sickness absence are understood in each case and investigated where necessary. In addition, where needed and reasonably practicable, measures will be taken to assist those who have been absent by reason of sickness to return to work.
- 1.5 Absence in itself is not a breach of the rules. It can be a real but temporary illness, it can be an indication of a serious medical condition. It can also however be an indication of:
- (a) Poor morale in an individual or a group
  - (b) A disciplinary problem
  - (c) A motivational problem.
  - (d) A misunderstanding or ignorance of the rules.

All these causes are possible. It will fall to the Line Manager or Senior Member of Staff (the Bursar, the Deputy Headmaster or the Headmaster) to assess the problem and its true cause and to seek a solution.

The basic principle to resolving problems at the earliest possible stage and at the lowest possible level should always be applied. Many problems are delicate and of real concern to the individual and this must be borne in mind.

The aim of the policy is to secure sustained improvement in attendance at work. However poor attendance or an inability to carry out the role for which you have been employed can result in dismissal.

1.6 This policy does not form part of any employee's contract of employment and it may be amended at any time. We may also vary the procedures set out in this policy, including any time limits, as appropriate in any case.

1.7 If you are not sick, but require time off for an emergency or for another reason, then you should speak to the Headmaster, who will consider compassionate leave and family care leave requests. The Governors have authorised the Headmaster to grant up to 5 days paid compassionate leave in a year, of which 3 days can be for supporting dependents, where for example a son or daughter is unwell.

## **2. WHO IS COVERED BY THE POLICY?**

This policy covers all employees at all levels and grades, including senior managers, trainees, part-time and fixed-term employees.

Prior to appointment being confirmed, a successful candidate for a job must complete form Med 1, and be medically cleared. The rules regarding absence and reporting absence will be made clear, including entitlements to sick leave and sick pay. If the individual has supervisory responsibility, then the School's arrangements for recording and monitoring absence will be made clear.

## **3. DISABILITIES**

3.1 We are aware that sickness absence may result from a disability. At each stage of the sickness absence meetings procedure (set out in paragraph 12 of this policy), particular consideration will be given to whether there are reasonable adjustments that could be made to the requirements of a job or other aspects of working arrangements that will provide support at work and/or assist a return to work.

3.2 If you consider that you are affected by a disability or any medical condition which affects your ability to undertake your work, you should inform your line manager

and the Headmaster. Where appropriate the school will take advice from Occupational Health to support it in complying with The Equality Act (2010).

#### 4. SICKNESS ABSENCE REPORTING PROCEDURE

4.1 You should refer to your contract for details of our sickness absence reporting procedure.

If you do not have a sickness absence reporting procedure in your contract, you should follow the procedure set out below.

If you are taken ill or injured while at work you should report or be taken to the Bursar or Estate Manager or other senior member of staff in her absence, and you must be given permission to leave work. Managers should carefully consider what arrangements need to be made for anyone who is unwell to be accompanied home and or to receive medical treatment where necessary.

If you cannot attend work because you are ill or injured you should normally telephone the data administrator by 7:30am. The following details should be provided:

- (a) The nature of your illness or injury.
- (b) The expected length of your absence from work.
- (c) Contact details.
- (d) Any outstanding or urgent work that requires attention.

4.2 Managers should ensure that:

- (a) Any sickness absence that is notified directly to them is recorded and reported to the data administrator and the Estate Manager.
- (b) Arrangements are made, where necessary, to cover work and to inform colleagues (while maintaining confidentiality). It is expected that in most circumstances a teacher who is unwell for a short period of time will set cover work for his / her classes. After a period of five days, in most circumstances it is expected that the Head of Department will set cover work.

4.3 You should expect to be contacted during your absence by your line manager, or a departmental colleague or the Headmaster, who will want to enquire after your health and be advised, if possible, as to your expected return date.

## 5. EVIDENCE OF INCAPACITY

5.1 For sickness absence of up to seven calendar days you must complete a self-certification form which is available from the Data Manager. On your return to work you must complete the Absence Declaration Form, and arrange a convenient time to discuss your absence with your line manager. Line managers must sign the form, enter any relevant comments to assist the School to assess any special requirement you may need to continue to work. Self-certification forms are recorded and kept on file.

5.2 For absence of more than a week you must obtain a certificate from your doctor (a "Statement of Fitness for Work") stating that you are not fit for work and the reason(s) why. This should be forwarded to the Estate Manager as soon as possible. If your absence continues, further medical certificates must be provided to cover the whole period of absence.

5.3 If your doctor provides a certificate stating that you "may be fit for work" you should inform your line manager and the Headmaster immediately. We will discuss with you any additional measures that may be needed to facilitate your return to work, taking account of your doctor's advice. This may take place at a return to work interview (see paragraph 10). If appropriate measures cannot be taken, you will remain on sick leave and we will set a date to review the situation.

5.4 Should your absence be before or extend past the start of a new School term you are required to obtain a fit for work note from your doctor.

5.5 Where we are concerned about the reason for absence, or frequent short-term absence, we may require a medical certificate for each absence regardless of duration. In such circumstances, we will cover any costs incurred in obtaining such medical certificates, for absences of a week or less, on production of a doctor's invoice.

## 6. UNAUTHORISED ABSENCE

6.1 Cases of unauthorised absence will be dealt with under our Disciplinary Procedure.

6.2 Absence that has not been notified according to the sickness absence reporting procedure will be treated as unauthorised absence.

6.3 If you do not report for work and have not telephoned to explain the reason for your absence, your line manager or Estate Manager or the Headmaster will try to contact you, by telephone and in writing if necessary. This should not be treated as a substitute for reporting sickness absence.

**7. SICK PAY**

7.1 You should refer to your contract for details of the sick pay to which you are entitled.

7.2 If a period of sickness absence is or appears to be occasioned by actionable negligence, nuisance or breach of any statutory duty on the part of a third party, in respect of which damages are or may be recoverable, you must immediately notify the Estate Manager and the Headmaster of that fact and of any claim, compromise, settlement or judgment made or awarded in connection with it and all relevant particulars that we may reasonably require. If we require you to do so, you must cooperate in any related legal proceedings and refund to us that part of any damages or compensation you recover that relates to lost earnings for the period of sickness absence as we may reasonably determine, less any costs you incurred in connection with the recovery of such damages or compensation, provided that the amount to be refunded to us shall not exceed the total amount we paid to you in respect of the period of sickness absence.

**8. KEEPING IN CONTACT DURING SICKNESS ABSENCE**

8.1 If you are absent on sick leave you should expect to be contacted from time to time by your line manager or the Estate Manager or the Headmaster in order to discuss your wellbeing, expected length of continued absence from work and any of your work that requires attention. Such contact is intended to provide reassurance and will be kept to a reasonable minimum.

8.2 If you have any concerns while absent on sick leave, whether about the reason for your absence or your ability to return to work, you should feel free to contact your line manager or the Estate Manager or the Headmaster.

**9. MEDICAL EXAMINATIONS**

9.1 We may, at any time in operating this policy, ask you to consent to a medical examination by our Occupational Health Department or a doctor nominated by us at our expense.

9.2 You will be asked to agree that any report produced in connection with any such examination may be disclosed to us and that we may discuss the contents of the report with our advisers and the relevant doctor.

**10. RETURN-TO-WORK INTERVIEWS**

10.1 If you have been absent for a short period of time, and / or on just one or two occasions in a year, then you should have a very brief discussion with your line

manager, when completing the Self-Certification Declaration Form on your return to work.

10.2 If you have been absent on sick leave for more than 4 days in a year and / or after the third period of absence in a year, we will arrange for you to have a return-to-work interview under Stage: 1 sickness absence meetings procedure (as per paragraph 12 and 14). This meeting will be with your line manager and the Bursar or the Deputy Headmaster A return-to-work interview enables us to confirm the details of your absence. It also gives you the opportunity to raise any concerns or questions you may have, and to bring any relevant matters to our attention. The average number of days taken off sick during a year by staff at The Crypt School, for whom there are no medically diagnosed underlying health issues is 3 to 4 days.

10.3 Where your doctor has provided a certificate stating that you "may be fit for work" we will usually hold a return-to-work interview to discuss any additional measures that may be needed to facilitate your return to work, taking account of your doctor's advice. This meeting will be with the Bursar or the Deputy Headmaster.

## **11. RETURNING TO WORK FROM LONG-TERM SICKNESS ABSENCE**

11.1 We are committed to helping members of staff return to work from long-term sickness absence. As part of our sickness absence meetings procedure (see paragraph 12), we will, where appropriate and possible, support returns to work by:

- (a) Obtaining medical advice;
- (b) Making reasonable adjustments to the workplace, working practices and working hours;
- (c) Considering redeployment; and/or
- (d) Agreeing a return to work programme with everyone affected.

11.2 If you are unable to return to work in the longer term, we will consider whether you are entitled to any benefits under your contract and/or any insurance schemes we operate.

## **12. SICKNESS ABSENCE MEETINGS PROCEDURE**

12.1 We may apply this procedure whenever we consider it necessary, including, for example, if you:

- (a) Have been absent for more than 4 days in a year.
- (b) Have been absent due to illness on a number of occasions;
- (c) Have discussed matters at a return to work interview that require investigation.

- 12.2 Unless it is impractical to do so, we will give you 3 days' written notice of the date, time and place of a sickness absence meeting. We will put any concerns about your sickness absence and the basis for those concerns in writing or otherwise advise why the meeting is being called. A reasonable opportunity for you to consider this information before a meeting will be provided.
- 12.3 The meeting will be conducted by the Bursar or the Deputy Headmaster or the Headmaster, and will normally be attended by your line manager. You may bring a companion with you to the meeting (see paragraph 13).
- 12.4 You must take all reasonable steps to attend a meeting. Failure to do so without good reason may be treated as misconduct. If you or your companion are unable to attend at the time specified, you should immediately inform the Bursar or the Deputy Headmaster or the Headmaster who will seek to agree an alternative time.
- 12.5 A meeting may be adjourned if the Bursar or the Deputy Headmaster or the Headmaster is awaiting receipt of information, needs to gather any further information or give consideration to matters discussed at a previous meeting. You will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.
- 12.6 Confirmation of any decision made at a meeting, the reasons for it, and of the right of appeal will be given to you in writing within 5 days of a sickness absence meeting (unless this time scale is not practicable, in which case it will be provided as soon as is practicable).
- 12.7 If, at any time, your line manager, the Bursar or the deputy Headmaster or the Headmaster considers that you have taken or are taking sickness absence when you are not unwell, they may refer matters to be dealt with under our Disciplinary Procedure.

### **13. RIGHT TO BE ACCOMPANIED AT MEETINGS**

- 13.1 You may bring a companion to any meeting or appeal meeting under this procedure.
- 13.2 Your companion may be either a trade union representative or a fellow employee. Their identity must be confirmed to the manager conducting the meeting, in good time before it takes place.
- 13.3 Employees are allowed reasonable time off from duties without loss of pay to act as a companion. However, they are not obliged to act as a companion and may decline a request if they so wish.

- 13.4 Some companions may not be allowed: for example, anyone who may have a conflict of interest, or whose presence may prejudice a meeting.
- 13.5 We may at our discretion, permit a companion who is not an employee or union representative (for example, a family member) where this will help overcome particular difficulties caused by a disability, or difficulty understanding English.
- 13.6 A companion may make representations, ask questions, and sum up your position, but will not be allowed to answer questions on your behalf. You may confer privately with your companion at any time during a meeting.

**14. STAGE 1: FIRST SICKNESS ABSENCE MEETING**

- 14.1 This will follow the procedure set out above on the arrangements for and right to be accompanied at sickness absence meetings.
- 14.2 The purposes of a first sickness absence meeting may include:
- (a) Discussing the reasons for absence.
  - (b) Where you are on long-term sickness absence, determining how long the absence is likely to last.
  - (c) Where you have been absent on a number of occasions, determining the likelihood of further absences.
  - (d) Considering whether medical advice is required.
  - (e) Considering what, if any, measures might improve your health and/or attendance.
  - (f) Agreeing a way forward, action that will be taken and a time-scale for review and/or a further meeting under the sickness absence procedure.

**15. STAGE 2: FURTHER SICKNESS ABSENCE MEETING(S)**

- 15.1 Depending on the matters discussed at the first stage of the sickness absence procedure, a further meeting or meetings may be necessary. Arrangements for meetings under the second stage of the sickness absence procedure will follow the procedure set out above on the arrangements for and right to be accompanied at sickness absence meetings.
- 15.2 The purposes of further meeting(s) may include:
- (a) Discussing the reasons for and impact of your ongoing absence(s).
  - (b) If it has not been obtained, considering whether medical advice is required. If it has been obtained, considering the advice that has been given and whether further advice is required.

- (c) Where you are on long-term sickness absence, discussing how long your absence is likely to last.
- (d) Where you have been absent on a number of occasions, discussing the likelihood of further absences.
- (e) Considering your ability to return to/remain in your job in view both of your capabilities and our business needs and any adjustments that can reasonably be made to your job to enable you to do so.
- (f) Considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeploying you.
- (g) Where you are able to return from long-term sick leave, whether to your job or a redeployed job, agreeing a return to work programme.
- (h) If it is considered that you are unlikely to be able to return to work from long-term absence, whether there are any benefits for which you should be considered.
- (i) Agreeing a way forward, action that will be taken and a time-scale for review and/or a further meeting(s). This may, depending on steps we have already taken, include warning you that you are at risk of dismissal.

**16. STAGE 3: FINAL SICKNESS ABSENCE MEETING**

16.1 Where you have been warned that you are at risk of dismissal, we may invite you to a meeting under the third stage of the sickness absence procedure. Arrangements for this meeting will follow the procedure set out above on the arrangements for and right to be accompanied at sickness absence meetings, with the exception that 10 days' notice will be given before this meeting.

16.2 The purposes of the meeting will be:

- (a) To review the meetings that have taken place and matters discussed with you.
- (b) Where you remain on long-term sickness absence, to consider whether there have been any changes since the last meeting under stage two of the procedure, either as regards your possible return to work or opportunities for return or redeployment.
- (c) To consider any further matters that you wish to raise.
- (d) To consider whether there is a reasonable likelihood of you returning to work or achieving the desired level of attendance in a reasonable time.
- (e) To consider the possible termination of your employment.

16.3 Termination will normally be with full notice or payment in lieu of notice.

## **17. APPEALS**

- 17.1 You may appeal against the outcome of any stage of this procedure and you may bring a companion to an appeal meeting (see paragraph 13).
- 17.2 An appeal should be made in writing, stating the full grounds of appeal, to the Headmaster within 10 days of the date on which the decision was sent to you.
- 17.3 Unless it is not practicable, you will be given written notice of an appeal meeting within one week of the meeting. In cases of dismissal the appeal will be held as soon as possible. Any new matters raised in an appeal may delay an appeal meeting if further investigation is required.
- 17.4 You will be provided with written details of any new information which comes to light before an appeal meeting. You will also be given a reasonable opportunity to consider this information before the meeting.
- 17.5 Where practicable, an appeal meeting will be conducted by a manager senior to the individual who conducted the sickness absence meeting, or by a Governor or Governors.
- 17.6 Depending on the grounds of appeal, an appeal meeting may be a complete rehearing of the matter or a review of the original decision.
- 17.7 Following an appeal, the original decision may be confirmed, revoked or replaced with a different decision. The final decision will be confirmed in writing, if possible within 5 days of the appeal meeting. There will be no further right of appeal.
- 17.8 The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay.

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