



## Sickness Absence Policy

<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 The Crypt School is committed to providing the highest standards of education and regular attendance is essential to achieving this. The aim is to encourage regular attendance and if necessary, manage unacceptable levels of absence. Where problems arise in relation to attendance, where possible the school's preference is to resolve these without recourse to a formal procedure. However occasionally circumstances may require formal steps to be taken and the aim of this policy is to ensure that any such problems are dealt with in a fair and consistent way.
- 1.2 All employees should familiarise themselves with this policy so that they know what is expected of them if they become ill and are unable to attend work.
- 1.3 Sickness absence has an adverse impact on the pupils and colleagues and affects the efficiency of the school and the delivery of education. Such effects can include:
- (a) The impact on students' learning.
  - (b) The expense incurred in the cost of replacement staff, lost teaching time or administrative time.
  - (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.
- 1.4 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).
- 1.5 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.
- 1.6 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 is the responsibility of the Line Manager to monitor / assess sickness absence ,its true cause and to work with the employee to seek a resolution.

The basic principle is that problems should be resolved at the earliest possible stage and at the lowest possible level of the Sickness Absence Policy. Some absence issues may be sensitive and of real concern to the individual and this must be borne in mind. Certain conversations may be facilitated with a manager of the same gender, if that is appropriate.

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.

- 1.7 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.
- 1.8 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 five 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. Where appropriate the school will take advice from Occupational Health.

#### **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 In extreme cases of illness the employee may not be able to follow this procedure. In such instances someone else may make contact on their behalf. Contact should be made as soon as possible.
- 4.3 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.

4.4 You should expect to be contacted during your absence by your line manager, who will want to enquire after your health and be advised, if possible, as to your expected return date.

4.1 If you do not report for work and have not telephoned to explain the reason for your absence, your line manager, 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.

## 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 and 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 one week you must obtain a medical 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 line manager and then 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. 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 Where we are concerned about the reason for absence (which may include where absence starts directly before or extends past a School Term), or frequent short-term absence, we may require you to produce 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.

5.5 If you are absent from work through sickness that does not necessarily mean that you are unable to attend or participate in work-related procedures such as disciplinary or grievance procedures. Medical evidence may be sought in such circumstances as appropriate.

## **6. NON-GENUINE SICKNESS ABSENCE**

- 6.1 If the school has reasonable grounds to suspect that an employee's sickness absence is not genuine, it may invoke the disciplinary procedure. This can result in dismissal.
- 6.2 Absence that has not been notified according to the sickness absence reporting procedure may be treated as non-genuine 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 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.

## **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 Where an employee is absent from work for one day or more, they will be required to attend a Return to Work Interview with their line manager on their return. This meeting may be short and/or informal.
- 10.2 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.
- 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 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.
- 12.2 Where a line manager is concerned about the number of days or pattern of absence of an employee, this may be treated as persistent absence and the process below



will be adopted. Where an employee's absence is considered to be excessive the employee's contract may be terminated.

- 12.3 The Crypt acknowledges that there are different types of persistent absence which fall broadly into the following categories:

An employee who demonstrates a pattern of persistent absence, either randomly or on particular days (e.g. Mondays or Fridays);

An employee who does not attend work regularly enough to make a satisfactory contribution, with or without self-certification or medical certification.

Typically, we will apply this procedure where an employee;

- (a) Have been absent for more than 4 days in the previous 12 months.
- (b) The number of occasions of absence is a matter of particular concern;
- (c) QW
- (d) Have discussed matters at a return to work interview that require investigation.

- 12.4 Where an employee is considered to be persistently absent they will be invited to an informal meeting to discuss their absence levels and given an opportunity to explain the possible causes.

- 12.5 It is important that a full discussion takes place to enable the line manager to give appropriate support. The absence may not always be due to external factors therefore, working environment should also be considered, where appropriate. This stage is the informal process and a file note of this meeting should be signed by both parties and retained.

- 12.6 Where a concern still exists regarding an employee's continuing attendance, the line manager may wish to start the formal process. The decision to move to the formal process may be given at the end of the meeting or within three working days if new information has been provided. It is important that a full discussion takes place at each stage to enable the line manager to provide or arrange appropriate support.

- 12.7 Unless it is impractical to do so, five working days' written notice will be given 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.

- 12.8 The meeting will usually be conducted by a member of staff who has been appointed by the Headmaster. You may bring a companion with you to the meeting (see paragraph 13).
- 12.9 The formal meetings at Stage 1 and Stage 2 of the procedure will be conducted by the a member of staff appointed by the Headmaster unless there is a significant reason why this should not happen. A Senior Member of the leadership team normally the Deputy Head or Headmaster will convene any Stage 3 meetings.
- 12.10 You must take all reasonable steps to attend any meetings under this procedure. Failure to do so without good reason may be treated as misconduct. If you or your companion is unable to attend at the time specified, you should immediately inform the hearing manager who will seek to agree an alternative time.
- 12.11 A meeting may be adjourned if the hearing manager is awaiting receipt of information or 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.
- 12.12 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 five working 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).
- 12.13 There may be circumstances in which it is not appropriate to adopt all the stages of this procedure, and in such circumstances, that will be discussed with you.

### **13. STAGE 1: FIRST SICKNESS ABSENCE MEETING**

- 13.1 This will follow the procedure set out above on the arrangements for and right to be accompanied at sickness absence meetings.
- 13.2 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 reasons for each and considering whether they are linked or separate and assessing 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) Implementing a way forward, which may include setting attendance targets, a time-scale for review and/or a further meeting under the sickness absence procedure. This stage will allow line management to assess the employee's attendance issues and offer support as appropriate

13.1 Where an employee does not meet the level of attendance expected then the line manager may start the second stage of the formal process.

13.2 The employee's attendance will be monitored and if the agreed level of attendance is achieved then the process will stop.

13.3 Where an employee's attendance deteriorates significantly during any review period such that they will not be able to meet the expected level, then it is possible to move to the next stage earlier.

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

14.1 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.

14.2 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 reasons for each and considering whether they are linked or separate and assessing the likelihood of further absences.
- (e) Considering your fitness to return to work/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) Implementing a way forward, which may include setting attendance targets, a time-scale for review and/or a further meeting under the sickness absence procedure, or giving you an indication that further absences may put you at risk of dismissal.

## **15. STAGE 3: FINAL SICKNESS ABSENCE MEETING**

15.1 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.

15.2 The purposes of the meeting will be:

- (a) To review the meetings that have taken place to date and the matters that have been 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.

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

## **16. APPEALS**

16.1 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).

16.2 An appeal should be made in writing, stating the full grounds of appeal, to the Headmaster within 10 calendar days of the date on which the decision was sent to you.

16.3 You will usually be given written notice of an appeal meeting within five working days of receipt of your appeal letter and the appeal will be held as soon as practicable. Any new matters raised in an appeal may delay an appeal meeting if further investigation is required.

- 16.4 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.
- 16.5 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.
- 16.6 Depending on the grounds of appeal, an appeal meeting may be a complete rehearing of the matter or a review of the original decision.
- 16.7 Following an appeal, the original decision may be confirmed, revoked or replaced with a different decision. The final decision will be confirmed in writing, within five working days of the appeal meeting. There will be no further right of appeal.
- 16.8 *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 of employment or pay.*

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

- 17.1 You may bring a companion to any formal meeting or appeal meeting under this procedure.
- 17.2 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.
- 17.3 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.
- 17.4 Some companions may not be allowed: for example, anyone who may have a conflict of interest, or whose presence may prejudice a meeting.
- 17.5 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.
- 17.6 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.

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