



FINHAM PARK
MULTI ACADEMY TRUST

FINHAM PARK MULTI ACADEMY TRUST

SICKNESS ABSENCE POLICY





CONTENTS PAGE

Section

| | |
|-----------------------|---|
| 1 | Introduction |
| 2 | Scope and Purpose |
| 3 | Definitions |
| 4 | Disabilities |
| 5 | Sickness Absence Reporting Procedure |
| 6 | Evidence of Incapacity |
| 7 | Unauthorised Absence |
| 8 | Sick Pay |
| 9 | Keeping in Contact During Sickness Absence |
| 10 | Medical Examinations |
| 11 | Return to Work Interviews |
| 12 | Returning to Work from Long Term Sickness Absence |
| 13 | Sickness Absence Trigger Points and Meetings |
| 14 | Right to be Accompanied |
| 15 | Stage 1: First Sickness Absence Meeting |
| 16 | Stage 2: Further Sickness Absence Meeting |
| 17 | Stage 3: Final Sickness Absence Meeting |
| 18 | Long Term Sickness Absence |
| 19 | Appeals |
| 20 | Review of Policy |
| Appendix One | Sickness Management Flow Chart |
| Appendix Two | Return to Work Form |
| Appendix Three | Self-Certification Form |





INTRODUCTION

The policy sets out our procedures for reporting sickness absence and for the management of sickness absence in a fair and consistent way.

Sickness absence can vary from short intermittent periods of absence to a continuous period of long-term absence and has a number of different causes (for example, injury, recurring conditions or mental health related and lengthy treatment).

We want to ensure that the reasons for sickness absence are understood in each case and investigated where necessary in order to ensure that reasonable and reasonable practice measures will be taken to support those who have been absent by reason of sickness to return to work.

The policy does not apply to any employee's contract of employment and it may be amended at any time following consultation. We may also vary the procedure set out in this policy, including any time limits, as appropriate in any case.

The Multi Academy Trust (MAT) recognises its duty of care for employees and will provide that health and safety. The MAT seeks to actively encourage attendance at work as a recognition that healthy employees are able to make a greater contribution to the effectiveness and efficiency of the MAT.

1. SCOPE AND PURPOSE

The policy has been agreed in consultation with the recognised trade unions and covers all employees who work and whose contracts of employment are subject to the terms of their contractual period.

The purpose of the policy is to ensure that staff understand the expectations of the Multi Academy Trust in terms of attendance at work. In applying this policy, we aim to ensure that attendance is managed consistently and consistently and that employees receive relevant support.

2. DEFINITIONS

Short-term absence - any absence that lasts for a continuous period of 20 days (four weeks).

Long-term absence - any absence that lasts for a continuous period of longer than 20 weeks.





INTRODUCTION

- 1.1. This policy sets out our procedures for reporting sickness absence and for the management of sickness absence in a fair and consistent way.
- 1.2. 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).
- 1.3. 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.
- 1.4. This policy does not form part of any employee's contract of employment and it may be amended at any time following consultation. We may also vary the procedures set out in this policy, including any time limits, as appropriate in any case.
- 1.5. The Multi Academy Trust (MAT) recognises its duty of care for employees and will promote their health and well-being. The MAT seeks to actively encourage attendance at work as it recognises that healthy employees are able to make a greater contribution to the effectiveness and efficiency of the MAT.

2. SCOPE AND PURPOSE

- 2.1. This policy has been agreed in consultation with the recognised trade unions and covers all employees at all levels and grades regardless of status, except those in their probationary period.
- 2.2. The purpose of the policy is to ensure that staff understand the expectations of the Multi Academy Trust in terms of attendance at work. In applying this policy, we aim to ensure that attendance is managed appropriately and consistently and that employees receive relevant support.

3. DEFINITIONS

- 3.1. Short-term sickness absence - any absence that lasts between half and 20 days (four weeks).
- 3.2. Long term sickness absence – any absence that lasts for a continuous period of longer than four weeks.





4. DISABILITIES

- 4.1. We are aware that sickness absence may result from a disability. At each stage of the sickness absence meetings procedure (set out in paragraph 15 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.
- 4.2. 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 the HR Manager OR your line manager.

5. SICKNESS ABSENCE REPORTING PROCEDURE

- 5.1. All employees are required to follow the reporting procedure set out below.
- 5.2. If you are taken ill or injured while at work you should report this to your line manager or Headteacher. Managers should contact the Headteacher to make arrangements for anyone who is unwell to be accompanied home and/or to receive medical treatment where necessary.
- 5.3. If you cannot attend work because you are ill or injured, you should telephone the nominated person at your school as early as possible and no later than 7.30 am.
- 5.4. The general procedure for reporting sickness absence also applies to staff who are away from the MAT when they fall sick (for example, on a school journey or on a training course).
- 5.5. 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.
- 5.6. Contacting by text message or email is not acceptable.
- 5.7. Managers should ensure that:
 - a) Any sickness absence that is notified to them is recorded and reported to the nominated person within their School.
 - b) Arrangements are made, where necessary, to cover work and to inform colleagues (while maintaining confidentiality).





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- 5.8. You should expect to be contacted during your absence by either your manager, the Headteacher or Human Resources who will want to enquire after your health and be advised, if possible, as to your expected return date.
- 5.9. If you are ill or injured during a period of pre-arranged annual leave you may elect to treat the days of incapacity as sickness absence instead of annual leave. You must inform your manager of your incapacity and its likely duration as soon as possible even if you are abroad. The usual requirements for self-certification and medical certificates in this policy will apply.

6. EVIDENCE OF INCAPACITY

- 6.1. For sickness absence of up to seven calendar days you must complete a self-certification form (Appendix 3) which is available from Human Resources.
- 6.2. 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 your School as soon as possible. If your absence continues, further medical certificates must be provided to cover the whole period of absence. Non provision of certificates could lead to the absence being classed as unauthorised and unpaid.
- 6.3. If your doctor provides a certificate stating that you 'may be fit for work' you should inform your Line Manager or Human Resources 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 **Error! Reference source not found.**1). If appropriate measures cannot be taken, you will remain on sick leave and we will set a date to review the situation.
- 6.4. 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.
- 6.5. Where an employee is absent immediately prior to a MAT closure period, they will continue to be deemed as being absent for the purposes of recording sickness and statutory and/or contractual sick pay during the MAT closure period, unless they provide a fit note indicating they are fit to return to work. The cost of fit note will be covered by the MAT if applicable.

7. UNAUTHORISED ABSENCE

- 7.1. Cases of unauthorised absence will be dealt with under our Disciplinary Procedure.
- 7.2. Absence that has not been notified according to the sickness absence reporting procedure will be treated as unauthorised absence and therefore be unpaid.





7.3. If you do not report for work and have not telephoned to explain the reason for your absence, a representative from the MAT will try to contact you, by telephone and in writing if necessary. This should not be treated as a substitute for reporting sickness absence.

8. SICK PAY

- 8.1. You should refer to your contract for details of the sick pay to which you are entitled.
- 8.2. 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 Human Resources 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.
- 8.3. Failure to properly report your absence or to provide medical or self-certification could lead to your pay being suspended.

9. KEEPING IN CONTACT DURING SICKNESS ABSENCE

- 9.1. If you are absent on sick leave you should expect to be contacted from time to time by the MAT in order to meet and 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.
- 9.2. 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 the Line Manager, HeadTeacher or Human Resources at any time.

10. MEDICAL EXAMINATIONS

- 10.1. We may, at any time in operating this policy, ask you to consent to a medical examination by our Occupational Health Department and/or a doctor nominated by us, at our expense.
- 10.2. 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.
- 10.3. Failure to agree to a reasonable request may be considered under the Disciplinary Policy.





11. RETURN TO WORK INTERVIEWS

- 11.1. If you have been absent on sick leave, on your return you will have a return-to-work interview with your line manager.
- 11.2. 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. The return to work form can be found at Appendix 2.
- 11.3. 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.

12. RETURNING TO WORK FROM LONG TERM SICKNESS ABSENCE

- 12.1. We are committed to helping employees return to work from long-term sickness absence. We will, where appropriate and possible, support returns to work by:
- Obtaining medical advice;
 - Making reasonable adjustments to the workplace, working practices and working hours;
 - Considering redeployment; and/or
 - Agreeing a return to work programme with everyone affected.
- 12.2. 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 or any insurance schemes we operate.

13. SICKNESS ABSENCE TRIGGER POINTS AND MEETINGS PROCEDURE

- 13.1. Staff will at times be unable to attend work due to illness or injury. Consequently, staff will meet attendance trigger points which will require management intervention. We may apply this procedure whenever we consider it necessary, including, for example, if you:
- Have been absent due to illness on a number of occasions;
 - Have discussed matters at a return to work interview that require investigation; and/or
 - You have a Bradford Score 200.

The Bradford factor is calculated using the Bradford formula: **S x S x D = B**

- S is the total number of separate absences by an individual
- D is the total number of days of absence of that individual
- B is the Bradford factor score

The set period when using the calculation is typically set as a rolling 52 week period. For example, this is how 10 days' absence could be shown:





- 1 instance of absence of 10 days is 10 points (1x1x10)
- 5 absences of 2 days each is 250 points (5x5x10)
- 10 days of one day each is 1000 points (10x10x10)

- 13.2. Unless it is impractical to do so, we will give you five 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.
- 13.3. The meeting will be conducted by the appropriate manager as detailed in paragraph 17.4. You may bring a companion with you to the meeting (see paragraph 14). The manager may be supported by a representative from HR.
- 13.4. 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 hearing manager who will seek to agree an alternative time.
- 13.5. A meeting may be adjourned if the School 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.
- 13.6. 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 five 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).
- 13.7. If, at any time, the MAT 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.

14. RIGHT TO BE ACCOMPANIED AT MEETINGS

- 14.1. You may bring a companion to any formal meeting or appeal meeting under this procedure.
- 14.2. Your companion may be either a trade union representative or a work colleague. You should provide their details to the manager conducting the meeting, in good time before it takes place.
- 14.3. 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.
- 14.4. Some companions may not be allowed: for example, anyone who may have a conflict of interest, or whose presence may prejudice a meeting. A companion being in attendance at the meeting will not delay the process unreasonably.





14.5.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.

15. STAGE 1 FIRST SICKNESS ABSENCE MEETING

15.1.A Stage 1 meeting will be invoked if the triggers set out in Paragraph 13 are breached. This will follow the procedure set out in paragraphs 13 and 14 on the arrangements for and right to be accompanied at sickness absence meetings.

15.2.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) Establish if there are any underlying health conditions which are affecting attendance.
- e) Considering whether medical advice is required or, if already obtained, what that advice is.
- f) Considering what, if any, measures might improve your health and/or attendance.
- g) Determining a way forward, action that will be taken and a time-scale for review and/or a further meeting under the sickness absence procedure.
- h) Issuing a written warning you that your employment may be at risk if your attendance does not improve.

15.3.Following the Stage 1 meeting the manager will confirm the discussion in writing and a Stage 1 warning maybe issued (which will remain live for 12 months) and will include an improvement target of up to 3 months. Normally this would consist of a minimum requirement of 95% attendance. The improvement target will be set with a review date of up to 3 months.

15.4.During the Stage 1 warning where the targets are not met or the triggers in paragraph 13 are breached the staff member will be referred to Stage 2 of the process. If, during the review period, the agreed target has been achieved this should be confirmed to the staff member in writing advising that attendance levels will return to normal monitoring processes.





16. STAGE 2: FURTHER SICKNESS ABSENCE MEETING

16.1. If further periods of absence trigger the policy and depending on matters discussed at a stage 1 meeting, a further meeting may be necessary. Arrangements for meetings under the second stage of the sickness absence procedure will follow the procedure set out in paragraphs 13 and 14 on the arrangements for and right to be accompanied at sickness absence meetings.

16.2. The purposes of further meeting(s) may include:

- a) Discussing the reasons for and impact of your ongoing absence(s).
- b) Where you are on long-term sickness absence, discussing how long your absence is likely to last.
- c) Where you have been absent on a number of occasions, discussing the likelihood of further absences.
- d) 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.
- e) Considering your ability to return to/remain in your job in view both of your capabilities and the needs of the MAT 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) Determining 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 issuing a final written warning that you are at risk of dismissal Where attendance does not improve or you do not return to work.

16.3. The outcome of this meeting should be confirmed in writing and a Stage 2 warning maybe issued (which will remain live for 12 months) and will include another improvement target of up to 3 months. Normally this would consist of a minimum requirement 95% attendance. The improvement target will be set with a review date of up to 3 months.

16.4. During the Stage 2 warning where the targets are not met or the triggers in paragraph 13 are breached the staff member will be referred to Stage 3 of the process, where the potential for dismissal will be considered. Where there are extenuating circumstances the Stage 2 monitoring period could be extended. Guidance from HR will be sought to ensure fairness and consistency. If during the review period the agreed target has been achieved, this should be confirmed to the staff member in writing advising that attendance levels will return to normal monitoring processes.





17. STAGE 3: FINAL SICKNESS ABSENCE MEETING

17.1. If the Stage 2 attendance target has not been achieved or a trigger has been breached during a Stage 2 warning and 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 in paragraphs 13 and 14 on the arrangements for and right to be accompanied at sickness absence meetings.

17.2. 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.

17.3. Potential outcomes of this meeting may include:

- Dismissal, or
- The review period to be extended.

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

17.5. Sickness Meetings should be heard by the following levels of management:

| Meeting | Hearing Manager | Appeal Hearing Manager |
|---------|--|-------------------------------|
| Stage 1 | Line Manager/Member of Senior Leadership Team | Business Director/Head |
| Stage 2 | Line Manager/ Member of Senior Leadership Team | Business Director/Head |
| Stage 3 | Head | Executive Head & MAT Governor |

17.5 There will be occasions when alternative Hearing or Appeal Managers need to be used, for example, if a member of the Senior Leadership team breaches the policy. When it is not appropriate to use the levels of management detailed in the above table appropriate alternatives will be used, such as a more senior manager and governors.





18. LONG TERM SICKNESS ABSENCE

- 18.1. Where an employee is absent due to long term sickness this period of absence will be regularly reviewed, in accordance with the sickness absence meetings procedure described in paragraphs 13 to 17.
- 18.2. The consideration of reasonable adjustments will be given to job redesign, redeployment and medical retirement.
- 18.3. If long term absence continues beyond six months and no return to work is predictable, consideration will be given to referring the employee through to a Stage 3: Final Sickness Meeting. An employee's absence should not go beyond nine months without such a referral.

19. APPEALS

- 19.1 Where decisions are made regarding termination of employment the employee will have the right of appeal against this decision to the Executive Head. Any employee wishing to appeal must submit their appeal in writing to the Executive Head within 10 working days of receiving written confirmation of the dismissal.
- 19.2 Unless it is not practicable, you will be given five days' written notice of an appeal meeting. Any new matters raised in an appeal may delay an appeal meeting if further investigation is required.
- 19.3 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.
- 19.4 Where practicable, an appeal meeting will be conducted by someone more senior to the individual who conducted the sickness absence meeting.
- 19.5 Depending on the grounds of appeal, an appeal meeting may be a complete rehearing of the matter or a review of the original decision.
- 19.6 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 five days of the appeal meeting. There will be no further right of appeal.
- 19.7 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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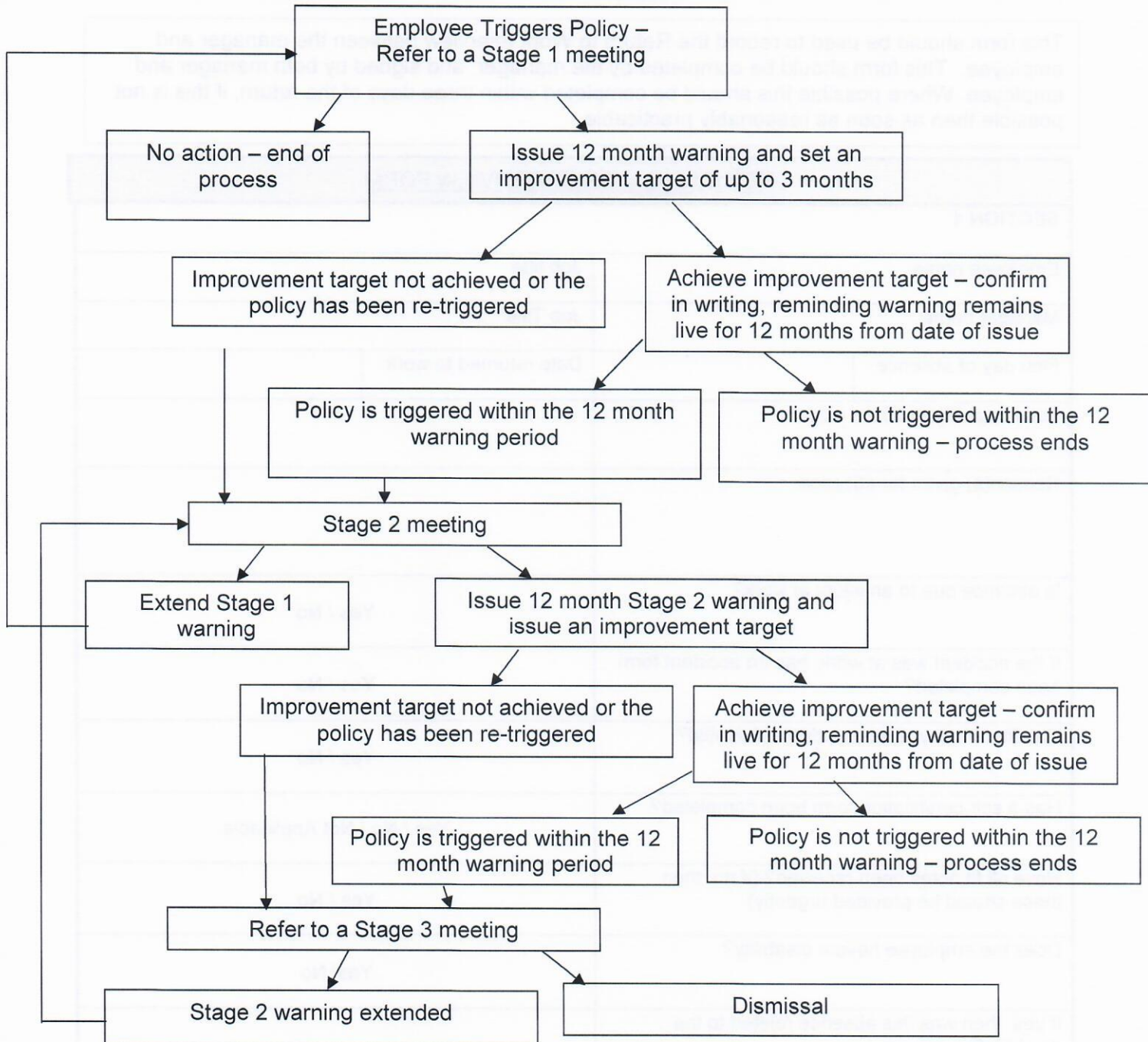
20. REVIEW OF POLICY

- 20.1. This policy is reviewed every three years by the MAT in consultation with the recognised trade unions. We will monitor the application and outcomes of this policy to ensure it is working effectively and if an earlier review is required the Executive Head has the authority to request an earlier review. Any legislative changes will be automatically updated. The policy will be reviewed after its first year.





APPENDIX ONE-SICKNESS MANAGEMENT FLOW CHART



The employee has a right of appeal following each formal meeting.





APPENDIX TWO – RETURN TO WORK FORM

This form should be used to record the Return to Work Interview between the manager and employee. This form should be completed by the manager, and signed by both manager and employee. Where possible this should be completed within three days of the return, if this is not possible then as soon as reasonably practicable.

RETURN TO WORK INTERVIEW FORM

SECTION 1

| | |
|---|---------------------------|
| Employee name: | Job title: |
| Manager name: | Job Title: |
| First day of absence: | Date returned to work: |
| Total days absent from work: | |
| Reason(s) given for absence: | |
| Is absence due to an injury at work? | Yes / No |
| If the accident was at work, has an accident form been completed? | Yes / No |
| Has the employee seen a doctor / dentist? | Yes / No |
| Has a self-certification form been completed? | Yes / No / Not Applicable |
| Have all fit notes been received? (if no, then these should be provided urgently) | Yes / No |
| Does the employee have a disability? | Yes/ No |
| If yes, then was this absence related to the disability? | |





SECTION 2: RTW DISCUSSION RECORD NOTE

(Please continue overleaf if necessary)

Is any support required/are there ongoing issues (work or personal), are any adjustments required/will there be follow up treatment or appointments/is there any medication which may affect work/fit note recommendations to be considered etc.

Summary of key points discussed e.g. is the employee fully recovered etc.

| | |
|--|----------|
| Has the absence triggered the Sickness policy? | Yes / No |
|--|----------|

If so, confirm the next steps

I understand that this information will be used for the purposes of recording and monitoring sickness absence.

| | |
|----------|-----------|
| Manager: | Employee: |
|----------|-----------|

| | |
|------------|------------|
| Signature: | Signature: |
|------------|------------|

| | |
|-------|-------|
| Date: | Date: |
|-------|-------|

Data Protection

The Company processes the information provided on this form and on medical certificates for the purposes of meeting its legal obligations. In particular, individual data are disclosed to line managers for the purpose of responding appropriately and fairly to an individual's overall level of sickness absence and for the appropriate management of their health and safety at work.





APPENDIX THREE – SELF CERTIFICATION FORM

Employee Self-Certification Form

To be completed by all members of staff absent for a half day or more.

First Name: Last Name:

Address:

Department: Staff Number:

First Day of Sickness (if part day state time sickness started):

Last Day of Sickness:

Total Number of Working Days Absent:

Reasons for Absence:

.....

Did you receive medical treatment during your absence? YES/NO

If so, please state where and when:

.....

Do you believe that your illness is as a result of an occupational injury/disease? YES/NO

If yes, please give details:

.....

I declare that I have not worked during the period of sickness and that the above statement is true and accurate to the best of my knowledge.

Signed:

Date:





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SICKNESS ABSENCE POLICY

Written by: L Slaymaker

Date: January 2017

Reviewed by:

Date:

Next Review date:

Date: April 2020

Approved by Directors:

Signed:

Signed:

Exec. Headteacher

Date: 28/3/18

Chair of Governors

Date: 28/3/18

