



Management of Sickness Absence Policy



Policy Name	Management of Sickness Absence
Owner	MAT Directors
Committee	Finance, Audit and Risk Committee

Date Ratified	Review Date
September 2021	September 2022

MANAGEMENT OF SICKNESS ABSENCE

1. Purpose of the Policy and Procedure

Guilborough Multi Academy Trust as a caring employer recognises its responsibility for the health, safety and welfare of its staff in conjunction with other policies of the school. This policy places emphasis on proactive support for staff in the event of ill health difficulties. The school wishes to be both sympathetic and consistent in its management of absence and recognises that, within a consistent framework, each case must be treated individually.

It is the responsibility of management to monitor and control absence and to respond effectively to actual and potential problems. The school has standards for attendance of staff, as it does students. It is the responsibility of the Principal, Head of School, SLT, Heads of Department and all levels of Management to ensure these standards are achieved and to raise awareness of the effect of sickness absence levels on the quality and continuity of teaching and learning and other aspects of the effectiveness of the work of the school.

In addition, managers have a clear obligation placed on them to identify and address problems in the work environment and/or job factors which may be contributing to staff absence.

The procedure sets out the steps which the Principal/Head of School and the line managers will normally follow when staff sickness absence occurs.

The school will monitor and record staff sickness absence, including identifying areas where the work of the school, in particular the continuity of teaching and learning, is being affected by absence levels.



1.1 The Procedure to Deal with Sickness Absence

The Procedure is divided into the two areas:

- a) Long-term/Chronic; and
- b) Persistent Short-term Sickness.

Both have the same number of stages and share a number of common elements.

Standards for Managers and Employees, Reporting and Certification of Absence, Returning to Work and Sickness Absence Reviews apply to both long-term/chronic and short-term sickness absence. Sickness Absence Reviews are fundamental to the process and should be carried out throughout, as they will provide an important opportunity for the manager and employee to:

- discuss the employee's health and welfare;
- discuss if support/assistance can be provided;
- discuss the implications of continued absence;
- decide on future action.

The two areas reflect the different approaches required to deal with the two types of sickness absence. Although they both promote a sympathetic approach, the Long-term/Chronic route provides for greater levels of support and assistance given that many cases involve a serious medical condition. The Short-term route is aimed at dealing with frequent, short periods of absence attributable to a number of ailments where there is no chronic illness(es) to investigate. This process provides for a fair review of the absence record and the reasons together with an opportunity for the employee to make adequate improvement.

Both routes result ultimately in the same Final Absence Review since a decision regarding an employee's future employment is made at this stage.

1.2 Reporting Procedure

Staff Absence Line Guilborough (01604 749129) Naseby (01604 740540) – as soon as a member of staff knows they will not be able to work due to sickness, they should phone and leave a message on the Staff Absence Line stating their name, reason for absence and anticipated date of return.

- Teaching and cover staff are to call **before 7:00am** so lesson and tutor group cover can be arranged.
- Support staff are to call **by 7:00am**.

The messages will be picked up by the Cover Manager (CM). In addition, as soon as they can, staff must phone their line manager and if applicable provide cover work (in accordance with the STPCD) and highlight any other work that will need attention in their absence (all staff). Sixth Form work should be emailed to the students, Academic Mentor and Head of Sixth Form.



If your absence lasts more than one day you should continue to follow the above process each day. If you know you will be absent the following day it is acceptable to leave a message on the staff absence line the evening before.

Following the initial reporting of evidence and in the event of prolonged absence, it is important that the employee:

- notifies the nature of their illness or symptoms, its likely duration and what arrangements are being made, if any, to seek medical advice;
- states what action is proposed to improve their condition;
- provides medical information as soon as it is available;
- maintains regular contact with the CM and line manager advising of progress and likely date of return (whenever contact is made, the CM and line manager should confirm when and how the next contact should be made). This is particularly important to enable the CM and line manager to provide support to the employee and arrange appropriate cover for the employee's duties;
- (for periods of absence of 4 weeks or more), confirms their return to CM and line manager no later than one working day prior to their return. This is particularly important to enable the CM and line manager to prepare for the employee's return to work (e.g., provide additional support measures to the employee or deal with any additional staffing cover that has been in place);
- it is important that a record is kept of any contact made with the employee.

1.3 Certification

For an absence due to illness of one to seven days, a self-certification form (e.g. Return to Work Form) should be completed on return to work. This meeting will take place with the Line Manager and form signed.

For absences due to illness of eight days or more, a doctor's medical certificate is required, (note: absence over weekends or holiday is included in calculation of continued sickness absence).

The school may, in exceptional circumstances, require a doctor's medical certificate for any absence. If this were the case the school would pay any charges incurred.

1.4 Medical Examination During Period of Absence

An employee shall, if required at any time, submit to a medical examination by a registered medical practitioner nominated by the school, subject to the provisions of the Access to Medical Reports Act 1988 where applicable. In the event of a difference in medical opinion as to the employee's fitness for work, the matter shall, at the request of the school or of the employee, be submitted to an independent medical referee chosen jointly by the school and the employee,

- where the absence continues beyond the expiry date of a medical certificate, it is important that further certificates are sent to the HR Manager immediately. employees are responsible for ensuring that there are no periods un-certificated;
- employees may be required to provide medical certificates signed by their doctor for periods of absence of less than 8 calendar days;
- a medical certificate should be provided by an employee to confirm that they are fit to return to work if they have been continuously absent for a period of 4 weeks or more (a



- referral to Occupational Health may also be made if there is concern regarding their ability to resume duties);
- a medical certificate should be provided to cover a medical suspension from duties due to contact with notifiable infectious disease;
 - a medical certificate should be provided to cover any sickness absence during a period of notice to terminate the employment contract unless the employee is taking any outstanding leave entitlement;
 - failure to comply with the Certification requirements may result in disciplinary action and/or entitlements to sick pay being withheld.

Note:

If the employee has been identified as having a long-term incapacity following a Personal Capability Assessment, and notification of this assessment has stated that medical certificates will no longer be provided by the employee's GP, the employee should provide a copy of this Assessment to the HR Manager. The School will then no longer require medical certificates until such time as this Assessment is reviewed.

2. Illness or Injury Arising from Work

Any accident arising out of or in the course of employment with the school must be reported and recorded in accordance with the accident reporting procedures laid down by the employer. The accident will be subject to investigation and report by an employee authorised for the purpose by the school.

Where an employee seeks medical advice about an illness which is suspected or alleged to result from the nature of his or her employment, the employee must report relevant information to the Principal/Head of School at the first opportunity.

In the case of the first, and any subsequent absence, due to industrial disease or accident, an employee shall submit, at any time during such absence, if so required by the employer, to a medical examination by a registered medical practitioner nominated by the employer. In the event that the employer's doctor is not satisfied that the absence is due to an industrial disease or accident, the employee shall have right of appeal to an independent medical referee chosen jointly by the school and the employee.

False Information

The provision of any false information could result in disciplinary action being taken, including the possibility of dismissal

3. Standards for Sickness Absence Management

When an employee has a medical condition that prevents their attendance at work, it is essential that both the Assistant Principal responsible for cover for teaching staff, and Finance and Business Director for support staff and Line Manager and employee are clear about the standards expected:

3.1 Management Standards

- all matters and records surrounding an employee's state of health and welfare will be treated sensitively and held confidentially;



- all absences due to sickness will be monitored and addressed at an early stage;
- the Occupational Health (OH) will be responsible for providing medical advice to Management. Having due regard to the medical advice provided, managers will be responsible for deciding any course of action under the procedure;
- a referral to the OH may be made at any stage in the procedure with due consideration given to an employee's health and welfare at that time;
- ultimately, the Senior Leader and Line Manager (teaching staff) or Finance and Business Director and Line Manager (support staff) will be guided by the advice of OH once an assessment of the medical information available has been made;
- if the Senior Leader and Line Manager or Finance and Business Director and Line Manager are concerned that an employee is not fit to return to work and this is supported by OH then, in the interests of the employee's health and safety, they should be advised to remain absent. Sick pay entitlements in accordance with the employment contract will continue until the OH advises that they are fit;
- a dismissal may be effected before contractual sick pay has expired subject to the proper application of this procedure.

3.2 Employee Standards

- employees are responsible for notifying the CM and Line Manager of their sickness absence and for maintaining weekly personal contact. Meetings may be arranged at an appropriate location to be decided by the Vice Principal and Assistant Principal/ Finance and Business Director and Line Manager in order that the employee's health, possible support available and return to work can be discussed;
- employees should remain contactable, preferably by phone, for the duration of their sickness absence. No action should be taken by the employee that is prejudicial to their recovery including being absent from home unless supported by OH;
- employees are expected to refrain from activities that could jeopardise their ability to attend work and should not act in any way that will hinder their recovery;
- employees are responsible for providing valid medical certificates and ensuring that there are no gaps in any absence requiring certification;
- employees should not undertake other employment whilst absent (whether paid or unpaid) without the Principal's prior written agreement. Consideration will be given as to whether the additional employment will be detrimental to the employee's health and recovery;
- employees are responsible for complying with the requirements specified in this document and cooperating with all reasonable management instructions.

4. Sickness Entitlements

4.1 Sickness Scheme

Employees are entitled to receive sick pay in accordance with the provisions contained in the National Conditions of Service. However, a dismissal may be effected where sick pay has not expired subject to the proper application of this procedure

4.2 Sick Pay and "Normal" Pay

The sick pay scheme is intended to supplement statutory sick pay and Incapacity Benefit, so as to maintain normal pay during defined periods of absence on account of sickness,



disease, accident or assault. Normal pay includes all earnings that would be paid during a period of normal working, but excludes any payments not made on a regular basis.

4.3 Repayment of Sick Pay Entitlements

Employees will be expected to repay contractual sick pay if they receive damages from a third party that include an element of sick pay.

5. Infectious Disease

An employee prevented from attending work because of contact with an infectious disease will be entitled to receive normal pay. The period of absence must be certified by the employee's doctor but will not be regarded as sickness absence. However, an employee may be required to undertake flexible working arrangements (e.g. at home) if they are prevented from attending their normal workplace.

6. Sickness Absence and Annual Leave

If an employee falls sick during a period of annual leave, the leave may be reclaimed if a medical certificate is provided to cover the period.

7. Sickness Absence and Bank/Public/Extra Statutory Holidays

An employee will be regarded as sick if their absence coincides with a bank/public/extra statutory holiday. No substitute bank/public or extra statutory holiday will be given.

8. Termination of Employment and Outstanding Annual Leave

If an employment contract is terminated, any residual leave should be taken during the notice period, or where this is not possible, an appropriate payment may be credited to the employee.

9. Relationship with Disciplinary Procedure

Breaches of the employee standards of the Sickness Absence Management Procedure may be dealt with under the School's Disciplinary Procedure. Examples of conduct that may be subject to disciplinary action are:

- taking part in activities that are inconsistent with the cause of absence or prejudicial to recovery; or
- failing to comply with the requirements of the sickness absence management procedure; or
- failing to cooperate with reasonable management instructions.

Examples of offences that may be regarded as gross misconduct and could result in summary dismissal or suspension followed by dismissal are:

- making a false claim of incapacity for work due to ill health; or
- altering the contents of medical certificates; or
- carrying out other employment whilst on sick leave without permission; or
- repeated refusal to carry out reasonable management instructions.



- Notes:** 1. Taking disciplinary action does not remove the obligation on managers to address genuine sickness absence in accordance with this procedure, neither will it prevent the withholding of sick pay entitlements in certain circumstances. The above list is not exhaustive.

10. Returning to Work

10.1 Confirming that an Employee is Fit to Return to Work

It is important to confirm, in the interests of an employee's health and safety, that the employee is fit to return. In exceptional circumstances, the Line Manager may consider that the employee should not return (even though the employee's doctor advises otherwise). A referral to Occupational Health (OH) should be made to assess the situation and the employee should remain on sickness absence. Sick pay entitlements in accordance with the individual's employment contract should continue.

Once OH advice is received, the Line Manager should discuss the findings with the employee. If further medical information is provided that indicates that the employee had been fit to return, normal pay, in accordance with the employment contract, should be reinstated and backdated, subject to the advice received.

Where appropriate, a 'phased return to work' will be negotiated with the employee and the line manager. This will take into account the individual's personal circumstances and their ability to fulfil their role effectively.

10.2 Employee instructed not to return to work

Where OH recommends that they should remain absent, the employee should be formally advised that they should not return to work and that sick pay in accordance with their employment contract will continue. A period of time for recovery should be agreed with the employee following which a further referral to OH should be made to assess their progress.

10.3 Employee Instructed to Return to Work

In exceptional circumstances, although an employee may remain absent, the Line Manager may consider that they are fit, or may not have taken appropriate action to recover. A referral to OH should be made and, if the advice is that the employee is fit to return (even if it is contrary to the employee's own medical advice) the Line Manager and employee should meet to review the situation. It may be appropriate at this stage to obtain a third medical opinion.

If the Line Manager then concludes that the employee is fit, the employee should be formally advised to return to work. If the Line Manager has concerns that the provisions of the sickness scheme have been abused, the school's HR Manager should be contacted for advice on whether the matter should be considered under the Disciplinary Procedure.

11. The Return to Work Review

After all periods of sickness absence (including single days) the Line Manager should enquire about the employee's health, welfare and period of absence at a Return to



Work Review.

The Return to Work Review should take place face to face and where possible on the first day of return to ensure the employee is fit for work and able to carry out his or her daily duties. The employee should complete a self-certificate form for all periods of sick absence. In addition to discussing the employee's health, welfare and reasons for absence, the review should also consider any underlying problem or disability that may be the cause of the absence and support that may be given to the employee. Information from Return to Work Reviews may form part of discussions at a later stage under the procedure.

The purpose of the meeting is to determine the reason for the absence and the nature of it and, where appropriate, offer assistance and support.

12. Sickness Absence Interviews

Sickness absence interviews will be arranged with employees whose absence records fall into the following categories:

Trigger Points:

- a total of 7 working days absence within 13 weeks;
- 10 working days in an academic year; or
- any period of unauthorised absence;

13. Monitoring of Sickness Absence – Bradford Score Model

The monitoring of absence due to sickness is based on a system called 'The Bradford Score'. This recognises the greater disruption caused by frequent short term absences as opposed to less frequent longer absence and unacceptable patterns of absence.

The Bradford Score will be calculated as follows:

Bradford Score = $E^2 \times D$ where E = number of events (defined as a period of absence) and D = total number of days.

The Bradford Score will include only unexpected absence and exclude all categories covered in the Discretionary Leave of Absence Policy.

The Bradford Score will run over a 12 month rolling period.

The Bradford Score will be used to help to identify employees who require support with the management of their absence rates. The following trigger points will be used, though individual circumstances will be taken into consideration:

- 60+ points in a single term or 125+ accumulated points (over a 12 month rolling period of time) will lead to an initial sickness absence interview with the Senior Leader and Line Manager (teaching staff) or Finance and Business Director and Line Manager (support staff).
- 2nd 60+ points in a term or 300+ accumulated points (over a 12 month rolling period of time) will trigger stage 1 – the informal stage – of the 'Management of Frequent Absence';
- 600+ accumulated points (over a 12 month rolling period of time) will trigger stage 2 - the formal interview;



- 900+ accumulated points (over a 12 month rolling period of time) will trigger stage 3 - the 'formal hearing'.

14. Management of Frequent Absence

- when embarking on this procedure, whilst noting that each case will be different, the employer will consider the following when determining any appropriate action;
- the need for medical opinion;
- the nature of the illness;
- the likelihood of recurring or other similar problems arising;
- the length of sickness absence or the pattern of absence;
- the impact of absence on other staff and effective curriculum delivery;
- any steps already taken to address the issue;
- consistency of approach;
- the relevant provisions of the Equality Act 2010.

Note:

Where the member of staff is the Principal, meetings should be conducted by the Chair of Directors or another designated Director. In this instance, support will be sought from our Personnel Advisors before any proceedings take place.

15. Initial Sickness Absence Interview –Senior Leader and Line Manager (Teaching Staff) or Finance and Business Director and Line Manager (Support Staff)

If an employee reaches a Bradford Score of 60+ points in a single term or 125+ accumulated points, an initial sickness absence interview will be arranged with the Senior Leader and Line Manager or Finance and Business Director and Line Manager and must take place within 10 working days where possible. Where possible, the employee will be seen personally to confirm the interview and followed up with either an email or letter detailing the appropriate information. This interview will look to identify the issues causing the absence rates and any support that may be required by the employee. The Line Manager should at this point offer external agency support where required.

15.1 Stage 1 - Informal Stage –Senior Leader and Line Manager or Finance and Business Director and Line Manager

Following the initial sickness absence interview if an employee fails to improve their attendance and reaches an accumulated Bradford Score of 300+ points or a second term of 60+ points, they will be invited to attend a second meeting with the Senior Leader and Line Manager or Finance and Business Director and Line Manager. It would take the form of a counselling interview and the purpose of the meeting will be to:

- explain concern at the current absence level;
- explore the reasons for it;
- establish a review period;
- seek permission to access medical reports through our personnel advisors;
- agree strategies to resolve any problems which might improve attendance and identify areas of support and assistance.

At this stage, the interview will be as informal as possible with the emphasis on

counselling and support. The employee can be accompanied by a work colleague or trade union representative. In this instance, Senior Leader and Line Manager or Finance and Business Director and Line Manager may also be accompanied. At the conclusion of the interview the Line Manager should summarise the main points discussed including:

- the action points that have been agreed including assistance and support;
- when the situation will be reviewed.

A record of the meeting and the agreed outcome will be kept indicating the employee's responses. A copy should be given to the employee.

If a member of staff has had a long period of absence (two or more months) subsequent to the commencement of, or during consideration of, Formal Capability Policy, the case will go straight to Stage 2 of these procedures.

If during absence due to illness a member of staff declines to attend this interview without due course or participate at any further stage during this process, it may be necessary to proceed straight to Stage 3 of these procedures. This may also apply if, when asked, an employee declines to give permission to access medical reports.

15.2 Stage 2 - Formal Interview – Principal or Head of School

An employee who has failed to show a reasonable improvement in attendance and whose Bradford Score rises above 600 accumulated points, will be required to attend a formal interview. Notification of the meeting will be in writing giving the time, date and place of the meeting, the reason and status of the meeting and a reminder of the employee's rights of representation. At least seven working days notice will be provided. The purpose of the hearing will be to:

- explore why the absence level continues to cause concern and the reasons for it;
- explain continued concern at that absence level and the impact on the school;
- explore other options such as ill health, retirement, redeployment, stepping down, etc;
- offer any further help or guidance.

If, after medical advice, in consultation with the member of staff, it is apparent that a medical condition may be chronic and will continue to affect attendance, then consideration may need to be given to move to Stage 3. In such instances a supportive approach should be agreed and consideration given to alternative work or any reasonable adjustment in the workplace.

A record of the interview will be kept including the employee's response and any agreed areas of support and assistance.

Dependent on the outcome of the interview, the Principal/Head of School may formally warn the employee that the absence level is unsatisfactory and that a failure to improve may result in termination of employment. A member of staff may appeal against this warning to the Clerk to the Governing Body and should log their intention to do this with the Principal/Head of School within ten working days of receipt of the written issue of the warning.

A letter confirming the above warning and a record of the meeting will be sent to the employee.



If the employee's record is significantly improved at this stage, the Principal/Head of School will write to the member of staff to recognise this and that the improvements should be maintained.

15.3 Stage 3 – Formal Hearing – Principal/Head of School and Governors

An employee who has not shown sufficient improvement following Stage 2 and has reached an accumulated Bradford Score of 900+ points will be required to attend a formal hearing before a panel of three members of the Governors' Dismissal Committee (this is the full title of the panel and does not necessarily mean dismissal will result). A HR advisor will be present to advise the Committee.

Prior to this stage being reached, it is likely that other options will have been discussed with the member of staff and/or their representative to resolve the matter.

The employee will be informed in writing of the date, time and place of the hearing, the reason for the meeting and the right to have representation. At least seven working days notice will be provided.

The hearing will consider evidence of the absence level, action previously taken, personal circumstances, medical advice and prognosis and any implications of the Equality Act 2010 and Human Rights Act.

The Principal/Head of School will present the case and the employee and/or their representative will be able to present their case. The Principal/Head of School may be accompanied by a HR advisor.

The procedure for the conduct of the hearing will be the same as that for a disciplinary (misconduct) hearing. Should a dismissal result it will be due to ill health (or similar) and not for a disciplinary reason.

If, after consideration of the evidence and all the circumstances surrounding the case, the panel of Governors determine that termination of employment is in the school's best interest, the employee will be informed by the Clerk to the Governing Body of this (and any rights of notice if appropriate). The employee will also be advised of their right to appeal to a second panel of Governors against this determination. Any such appeal must be logged within ten working days of receiving written notice of the outcome of the hearing.

The employee will also receive a written record of the hearing. If any subsequent appeal is unsuccessful, or there is no appeal, then the school will issue a letter of termination, following a period of ten working days from informing the employee of the outcome of any hearing or subsequent unsuccessful appeal.

An employee will still have the right to take their case to an Employment Tribunal.

If the panel decides not to terminate employment at this stage, the panel may consider and direct that the situation continue to be appropriately monitored over a reasonable time period agreed with the employee. At the end of this agreed period, a panel will be reconvened to reconsider the whole case.