



The Athelstan Trust

Management of Sickness Absence Policy

Management of sickness absence policy

- 1 **Aims:** The Trust recognises that absence from work can have a significant impact on individuals as well as other members of staff and the high quality service that the Trust aims to deliver to its pupils. The Trust wishes to ensure a healthy and effective work force, minimise the likelihood of sickness absence and support members of staff through periods of ill health with the aim of securing their return to work. This non-contractual policy sets out the Trust's procedure for reporting absence and for the management of absence in a fair and consistent way. It aims to strike a reasonable balance between the needs of the Trust and its Academies and supporting staff who need to take time off work due to sickness.
- 1 **Absence:** 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 (e.g. injuries, recurring conditions, or a serious illness requiring lengthy treatment).
- 2 **Understanding:** The Trust wishes to ensure that the reasons for 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 to return to work.
- 3 **Application:** This policy does not apply during the probationary period or to cases of unauthorised absence. If, at any time, the Chief Financial Officer considers that your sickness absence is not genuine, the Chief Financial Officer may refer matters to be investigated and considered under the Trust's disciplinary procedure.
- 4 **Flexibility:** There may be occasions when the Trust considers it appropriate to change or omit parts of the procedure. In particular if the employee has any current warnings under the Trust's capability procedure or disciplinary procedure this can be taken into account when determining at which stage this procedure should be instigated.
- 5 **Disabilities:** We are aware that sickness absence may result from a disability and the Trust is committed to supporting disabled staff in accordance with its obligations under the Equality Act 2010.

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 Head of Department / Line Manager. Employees are encouraged to suggest any steps which the Trust or Academy could reasonably put in place to support them in the fulfilment of their duties.

Keeping in contact during sickness absence

- 6 **Contact:** If you are absent on sick leave you should expect to be contacted from time to time by your line manager or appropriate member of Trust or Academy staff in order to discuss your state of health and expected length of continued absence from work. Such contact is intended to provide reassurance and will be kept to a reasonable minimum. If you have a preferred method of communication you should let the Trust or Academy know and, where reasonably practicable, this will be taken into account.
- 7 **Handover:** The Academy may also contact you from time to time about any work related issues and to provide a smooth handover to anyone covering your absence. The Trust may check your email account during your absence to identify any work related emails that need a response and may at any time limit your access to the Trust's IT system.



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- 8 **Concerns:** 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 Head of Department / Line Manager at any time.

Return-to-work meeting

- 9 **Purpose:** A return-to-work interview enables the Academy 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 the Academy's attention. Where appropriate it also enables you to discuss and agree a return to work programme.
- 10 **Meeting:** The Academy may arrange a return-to-work meeting with the Assistant Head or your line manager should it consider it to be beneficial after any period of absence, but will always do so if you have been absent on sick leave for more than 10 consecutive working days or if it is your third period of absence in a 26 week period.

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- 11 **Application:** The Academy will monitor sickness absence and may apply this procedure whenever the Chief Financial Officer considers that the level of sickness absence is a concern, and in particular, if you:
- 11.1 have had three or more periods of sickness absence in any 26 week period;
 - 11.2 have been absent for more than 20 consecutive working days;
 - 11.3 have a recurrent pattern of sickness absence.

The procedure

- 12 **Investigation:** If the Trust/Academy is concerned with a level of sickness absence as a first step this will be investigated. An investigation may (depending on the circumstances) involve:
- 12.1 requiring you to undergo examinations by a medical adviser to be appointed or approved by the Academy for the purpose of producing advice or guidance for the Trust and/or Academy on the state of your health and ability to discharge your duties;
 - 12.2 a review of your sickness record;
 - 12.3 meeting with you to obtain your views on your health, including any medical report, any steps which could reasonably be put in place to support you in the performance of your duties and, where relevant, a likely date for a return to work and any steps which could be put in place to facilitate a return to work;
 - 12.4 reviewing any entitlement to insurance or ill-health retirement benefits.
- 13 **Disability related absence:** The Trust is committed to supporting all staff with long-term health conditions. Where the medical evidence indicates that there is a long-term condition which falls within the definition of a disability within the meaning of the Equality Act 2010 which is contributing to sickness absence the Trust/Academy will consider:
- 13.1 making reasonable adjustments where possible to support a member of staff in fulfilling their duties and maintaining a satisfactory level of attendance;



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- 13.2 providing a phased return to work;
 - 13.3 redeployment to a suitable alternative vacancy;
 - 13.4 making reasonable adjustments to this process;
 - 13.5 only taking action under this procedure where it is justified.
- 14 **Next stage:** If, after investigating the matter, it appears that there are no reasonable grounds for concern, you will be informed of this in writing. Alternatively, a decision may be made to address the matter informally. Where it is considered necessary to address this formally you will be invited to a formal sickness absence meeting to discuss the matter further in accordance with the procedure below. Where it reasonably appears that you are not fit to return to work or to perform your duties at the required level (which may include maintaining a satisfactory level of attendance) it is likely to be appropriate to move directly to a Stage 3 final sickness absence meeting.
- 15 **Invitation to a sickness absence meeting:** You will be given reasonable advance notice of the timing and location of any sickness absence meeting and will be told, in writing, the purpose of it and the basis of the concern. You will be provided with a copy of any documents which may be referred to at the sickness absence meeting and invited to submit any relevant documents. You will be given a reasonable opportunity to consider your response to this information.
- 16 **Right to be accompanied:** You may be accompanied to a sickness absence meeting by a colleague or trade union official. The Academy may at its discretion, permit a companion who is not a member of staff or union representative (for example, a family member) where this will help overcome particular difficulties caused by a medical condition.
- 17 **Decision making:** The sickness absence meetings will be conducted by the Headteacher or an appropriate senior member staff who may determine any of the outcomes up to an including dismissal on the grounds of ill-health.
- 18 **Stage 1: sickness absence meeting: the meeting will address:**
- 18.1 the Academy's concerns about your sickness absence, the impact of this, and the respects in which your performance has fallen short of the required standards
 - 18.2 where you have been absent on a number of occasions, determining the likelihood of further absences
 - 18.3 discussing the reasons for your absence and any points in response
 - 18.4 suggestions as to any appropriate measures or support which could improve your attendance or support you in the workplace
 - 18.5 whether it would be helpful to obtain any medical advice or further medical advice
 - 18.6 the likely consequence of further absences or a failure to return to work and maintain satisfactory attendance levels
 - 18.7 the time in which attendance must improve and the method by which this will be monitored.



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- 19 **Outcome of first sickness absence meeting:** On completion of the sickness absence meeting any outcome will be confirmed in writing which may include a formal written warning that your attendance is not meeting the required standard and setting out the required improvement and any time period for improvement. You will be advised of your right to appeal the outcome.
- 20 **Stage 2: further sickness absence meeting:** In the event of a more serious failing, or if you fail to improve your attendance as required, you will be invited to a further sickness absence meeting. The meeting will address the points set out above including the reasons for and impact of your on-going absence.
- 21 **Outcome of further sickness absence meeting:** On completion of the further sickness absence meeting any outcome will be confirmed in writing which may include a final written warning that your attendance is not meeting the required standard and setting out the required improvement and any time period for improvement. This will include a warning that failure to meet and sustain the required level of attendance is likely to result in your dismissal. You will be advised of your right to appeal the outcome.
- 22 **Stage 3: final sickness absence meeting:** Where you have been warned that you are at risk of dismissal following a prior warning, or where it reasonably appears that you are unfit to perform your duties, or unlikely to return to work, we may invite you to a final sickness absence meeting. The purposes of the meeting will be:
- 22.1 to review the meetings that have taken place and matters discussed with you;
 - 22.2 if it has not been obtained, consider whether medical advice is required. If it has been obtained, consider the advice that has been given and whether further advice is required;
 - 22.3 where you are on long-term sickness absence, discussing how long the absence is likely to last and whether there is a reasonable likelihood of you returning to work;
 - 22.4 where you have been absent on a number of occasions, discussing the likelihood of further absences and to consider whether there is a reasonable likelihood of you achieving the desired level of attendance in a reasonable time;
 - 22.5 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;
 - 22.6 considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeploying you;
 - 22.7 To consider the possible termination of your employment.
- 23 **Outcome of final sickness absence meeting:** On completion of the final sickness absence meeting any outcome will be confirmed in writing which may include giving notice to terminate your employment. You will be advised of your right to appeal the outcome.
- 24 **Currency of warnings:** A warning requiring improvement which is issued following a sickness absence meeting will remain in effect for a period of 12 months from the date of issue unless otherwise advised to you. A final written warning will remain in effect for a period of 24 months from the date of issue unless you are otherwise advised. Copies will be placed on your personnel file.



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Appeal

- 25 **Right of appeal:** You have the right to appeal to an Appeal Panel against any decision made following a sickness absence meeting if you are dissatisfied with it. You should notify the Academy in writing within five working days of being notified of a decision, giving full details of why you wish to appeal.
- 26 **Appeal procedure:** The Appeal Panel will arrange an appeal meeting as soon as reasonably practicable and you will be informed in advance of its timing and location. You must take all reasonable steps to attend the appeal meeting. There shall be no right to appeal the decision of the Appeal Panel. The Appeal Panel will be entitled to reach a different conclusion and impose a different outcome (although not greater) than that imposed after the sickness absence meeting.
- 27 **Appeal panel:** The Appeal Panel shall not include anyone involved in the sickness absence meeting and may comprise one or more persons. As far as reasonably practicable, the person chairing the Appeal Panel will be someone holding a more senior position than the person chairing the sickness absence meeting. You will be informed in writing of the Appeal Panel's decision as soon as reasonably practicable.
- 28 **Right to be accompanied:** You may be accompanied to the appeal hearing by a colleague or trade union official. The Academy may at its discretion, permit a companion who is not a member of staff or union representative (for example, a family member) where this will help overcome particular difficulties caused by a medical condition.
- 29 **Employment status:** If an appeal is made against a dismissal decision, that dismissal decision will have immediate effect so that the period of notice began at the date given in the dismissal decision. If having been dismissed you are reinstated on appeal, your continuity of employment will be unaffected.