

WATFORD GRAMMAR SCHOOL FOR BOYS



STAFF SICKNESS ABSENCE POLICY

Headmaster's signature

5/3/2018

A handwritten signature in black ink, appearing to be 'I. A. ...', written over a horizontal line.

Chair of Governors' signature

5/3/2018

A handwritten signature in black ink, appearing to be 'Paul ...', written over a horizontal line.

SICKNESS ABSENCE POLICY

1. ABOUT THIS POLICY

- 1.1 This Sickness Absence Policy sets out our procedures for reporting sickness absence and for the management of sickness absence in a fair and consistent way.
- 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 applies to all employees. It does not apply to agency workers, consultants or self-employed contractors.
- 1.5 This policy does not form part of any employee's contract of employment and we may amend it at any time.

2. PERSONNEL RESPONSIBLE FOR THIS POLICY

- 2.1 The School has overall responsibility for the effective operation of this policy and for ensuring compliance with the relevant statutory framework. Day-to-day responsibility for operating the policy and ensuring its maintenance and review has been delegated to the Headmaster and the Senior Leadership Team in the school.
- 2.2 The school has a specific responsibility to ensure the fair application of this policy and all members of staff are responsible for supporting colleagues and ensuring its success.

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 14 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 the appropriately nominated individual, as set out in the staff handbook.

4. SICKNESS ABSENCE REPORTING PROCEDURE

- 4.1 It is important that you comply with the school's reporting in procedures and keep the school updated regarding your likely return/length of absence, in order that the school can plan ahead, which may involve obtaining external cover staff. In all cases it is expected that you will give some indication of when you expect to return to work. It is the school's responsibility to ensure there are adequate ways for staff to notify when they are absent and to ensure staff are aware of them. **It is your responsibility to comply with these procedures.** Remember you could lose pay and/or be disciplined if you do not properly notify the Headmaster or designated SLT member that you are absent from work because of sickness.
- 4.2 For both teaching and support staff sickness absence including the first day, you will be required to complete a self-certification form which will be given to you on your return to work.
- 4.3 In some cases, the Headmaster may have concerns regarding the employees' fitness for work. If this is the

case, the employee will be referred to Occupational Health. The aim of this is to ensure that the Headmaster has appropriate information to support the employee and to make management decisions.

Certification of sickness is important. Failure to comply with these rules on certification could result in you losing your entitlement to sick pay and/or disciplinary action being taken against you.

- 4.4 If you are taken ill or injured while at work you should report to your line manager to be given permission to leave work. Teaching staff should also report to the cover manager. Managers should contact the cover manager to make arrangements for anyone who is unwell where necessary with details of cover work set.
- 4.5 If you cannot attend work because you are ill or injured you should call in to the Headmaster between 7.30am and 8am on the day of absence. In addition teaching staff should notify the Cover Manager by sending an email to cover@watfordboys.org and provide cover work for the period of absence where it is possible to do so. The Headmaster will speak to you and will request to know the following information:
 - a) The nature of your illness or injury.
 - b) The expected length of your absence from work.
 - c) Any outstanding or urgent work that requires attention. It is the expectation of the school that in most cases staff will set cover work, but the school recognises that this is not always possible.

If the Headmaster is not available to answer your call during the specified timeframe (7.30am to 8am), he will respond to your voicemail message by calling later in the day following your initial notification.

- 4.6 You should expect to be contacted regularly during your absence by your line manager or senior leadership team. They may want 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.

5. EVIDENCE OF INCAPACITY

- 5.1 For sickness absence of up to and including seven calendar days (not working days) you must complete a self-certification form which is available from the Cover Manager.
- 5.2 For absence of more than a week (7 calendar days) you must obtain a certificate from your doctor a "Statement of Fitness for Work" stating that you are not fit for work and the reason(s) why. This should be forwarded to the Cover Manager as soon as possible. If your absence continues, further medical certificates must be provided to cover the whole period of absence. You should call in to the Headmaster for each day that you are not covered by a medical certificate or until the medical certificate has been received by the school.
- 5.3 If your doctor provides a certificate stating that you "may be fit for work" you should inform the Headmaster immediately. We will discuss with you any additional measures that may be needed to facilitate your return to work, taking account of your doctor's advice. This may take place at a return-to-work interview (see Paragraph 12). 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, or frequent short-term absence, we may require a medical certificate for each absence regardless of duration. In such circumstances, we will cover any costs incurred in obtaining such medical certificates, for absences of a week or less, on production of a doctor's invoice.

6. UNAUTHORISED ABSENCE

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

6.2 Absence that has not been notified according to the sickness absence reporting procedure will be treated as Staff Sickness Absence Policy

unauthorised absence.

7. SICK PAY

- 7.1** The school will abide by sick pay regulations as set out in appendix 1 and in line with your contractual entitlements.
- 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 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 co-operate 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.

Any employer and employee pension contributions will continue subject to the relevant scheme rules during any period of School sick pay or SSP.

8. SICK LEAVE AND HOLIDAYS

- 8.1** For support staff on full-time (52 week) contracts, if you become sick or injured while on pre booked annual leave such that you would be unfit for work you may ask us to treat the period of incapacity as sick leave and reclaim the annual leave.
- 8.2** To be able to claim sick pay you must notify your manager of your incapacity immediately, and the usual requirements for medical evidence in this policy will also apply, even if you are abroad.
- 8.3** If you are on sick leave you may choose to cancel any pre-arranged annual leave that would otherwise coincide with your sick leave. You should notify your manager as soon as possible that you wish to do this.
- 8.4** If your period of sick leave extends into the next holiday year, or if there is not enough time left in the current holiday year to make it practicable to take your remaining holiday entitlement, you can carry any unused holiday entitlement over to the following leave year to be used within three months of your return to work. Any annual leave not taken within 18 months of the end of the holiday year in which it accrues (whether or not you have returned to work) will be lost.

9. KEEPING IN CONTACT DURING SICKNESS ABSENCE

- 9.1** 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 at any time.

10. FIT FOR WORK SERVICE (FFW)

- 10.1** FFW is a government-funded occupational health assessment service. The service is intended to assist employees return to work, using a return-to-work plan where appropriate. If you want to know more about FFW please speak to the nominated individual set out in your staff handbook.
- 10.2** Once you have been absent for four weeks, either we or your doctor may suggest referring you to FFW. Your doctor may do this before you have been absent for four weeks if they think it would be beneficial for you.
- 10.3** If your doctor refers you to FFW please let the cover manager know, unless you would prefer not to tell us. If your case manager at FFW wishes to speak to us, please ask them to contact the appropriately nominated individual as set out in the staff handbook.

11. MEDICAL EXAMINATIONS

- 11.1** We may, at any time in operating this policy, require you to consent to a medical examination by our Occupational Health Provider.
- 11.2** 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 HR advisers and the relevant doctor.

12. RETURN-TO-WORK INTERVIEWS

- 12.1** If you have been absent on sick leave for more than 1 day we will arrange for you to have an informal return-to-work interview with your line manager on your first day back at work.
- 12.2** 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.
- 12.3** 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.

13. RETURNING TO WORK FROM LONG-TERM SICKNESS ABSENCE

- 13.1** We are committed to helping employees return to work from long-term sickness absence. As part of our sickness absence meetings procedure (see Paragraph 14), 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.
- 13.2** 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.

14. SICKNESS ABSENCE MEETINGS PROCEDURE

- 14.1** We will apply this procedure whenever we consider it necessary, including, for example, if you hit any of the following triggers:
- Absence due to illness of five working days
 - Two or more spells of sickness absence in any rolling 12 month period
 - If your sickness absence is in excess of the average for the school for the year
 - A pattern of absence that causes concern. (For example if Mondays and Fridays are persistently taken as absence. Part time employees are eligible for a proportion of trigger levels of a full time employee.

- 14.2** Unless it is impractical to do so, we will give you 5 days’ written notice of the date, time and place of a sickness absence meeting (not including return to work meetings). 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.

- 14.3** The meeting will be conducted by the Headmaster or a member of the senior leadership team. You may bring a companion with you to the meeting (see Paragraph 15).
- 14.4** 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 Headmaster or a member of the senior team who will seek to agree an alternative time.
- 14.5** A meeting may be adjourned if your line manager 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.
- 14.6** Confirmation of any decision made at a meeting, the reasons for it, and of the right of appeal will be given to you in writing within 5 days of a sickness absence meeting (unless this time scale is not practicable, in which case it will be provided as soon as is practicable).
- 14.7** If, at any time, your line manager or the Headmaster considers that you have taken or are taking sickness absence when you are not unwell, they may refer matters to be dealt with under our Disciplinary Procedure.

15. RIGHT TO BE ACCOMPANIED AT MEETINGS

- 15.1** You may bring a companion to any meeting or appeal meeting under this procedure (except return to work meetings).
- 15.2** Your companion may be either a trade union representative or a colleague. Their details must be given to the manager conducting the meeting, in good time before it takes place.
- 15.3** 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.
- 15.4** We may at our discretion permit other companions (for example, a family member) where this will help overcome particular difficulties caused by a disability, or difficulty understanding English. Please be aware that requests to be accompanied by anyone other than a trade union representative or colleague must be made well in advance of the meeting.
- 15.5** 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.

16. STAGE 1: FIRST SICKNESS ABSENCE MEETING

- 16.1** This will follow the procedure set out in paragraph 15 on the right to be accompanied at sickness absence meetings.

We reserve the right to move straight to stage 2 of this process where an employee has previously had a stage 1 meeting and there is further cause for concern around their attendance at a later date, even if short term targets from the stage 1 meeting were met.

- 16.2** The purposes of a first sickness absence meeting may include:

- a) Discussing the reasons for absence.
- b) Where you are on long-term sickness absence, determining how long the absence is likely to last.
- c) Where you have been absent on a number of occasions, determining the likelihood of further absences.

- d) Considering whether medical advice is required.
- e) Considering what, if any, measures might improve your health and/or attendance.
- f) Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting under the sickness absence procedure. Targets may be set for improvement over a set period in line with the national average for the sector. In the case of long term absence a return to work date may be set.

17. STAGE 2: FURTHER SICKNESS ABSENCE MEETING(S)

17.1 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 in paragraph 15 on the arrangements for and right to be accompanied at sickness absence meetings.

17.2 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 our business needs and any adjustments that can reasonably be made to your job to enable you to do so.
- f) Considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeploying you.
- g) Where you are able to return from long-term sick leave, whether to your job or a redeployed job, agreeing a return-to-work programme.
- h) If it is considered that you are unlikely to be able to return to work from long-term absence, whether there are any benefits for which you should be considered.
- i) Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting(s). This may, depending on steps we have already taken, include warning you that you are at risk of dismissal. Targets may be set for improvement over a set period in line with the average for the school.
- j) The employee will be warned that a failure to improve attendance may ultimately result in dismissal.

18. STAGE 3: FINAL SICKNESS ABSENCE MEETING (Hearing to consider dismissal)

18.1 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.

18.2 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.

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

19. APPEALS

19.1 You may appeal against the outcome of any stage of this procedure and you may bring a companion to an appeal meeting (see Paragraph 15).

19.2 An appeal should be made in writing, stating the full grounds of appeal, to the next level of management within 5 working days of the date on which the decision was sent to you. Appeals against dismissal will be heard by the governing body.

19.3 Unless it is not practicable, you will be given written notice of an appeal meeting within one week of the meeting. In cases of dismissal the appeal will be held as soon as possible. Any new matters raised in an appeal may delay an appeal meeting if further investigation is required.

19.4 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.

19.5 Where practicable, an appeal meeting will be conducted by a manager senior to the individual who conducted the sickness absence meeting.

19.6 Depending on the circumstances, an appeal meeting may be a complete rehearing of the matter or a review of the original decision.

19.7 The final decision will be confirmed in writing, if possible within one week of the appeal meeting. There will be no further right of appeal.

19.8 The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay.

Appendix 1:

SICKNESS PAY ENTITLEMENTS – TEACHING STAFF

Teachers and Lecturers (full and part-time) in accordance with the conditions of service for school Teachers in England and Wales (“Burgundy Book”).

1. Sick Leave

- 1.1. Subject to the provisions of this scheme, a teacher absent from duty owing to his/her illness (which also includes injury or other disability) is entitled to receive in any period of one year sick pay according to the following scale:

During the first year of service:	full pay for 25 working days and, after completing four calendar months’ service, half-pay for 50 working days.
During second year of service:	full pay for 50 working days, and half-pay for 50 working days.
During third year of service:	full pay for 75 working days, and half-pay for 75 working days.
During the fourth and Successive years:	full pay for 100 working days, and half-pay for 100 working days.

2. Sick pay

- 2.1. Sick pay includes, where appropriate, Statutory Sick Pay (SSP), and will not exceed full (ordinary) pay.

SICKNESS PAY ENTITLEMENTS – SUPPORT STAFF

Sickness Allowance

- Staff who are absent due to illness receive sick pay in accordance with the following nationality agreed scale:

During 1 st year of service	1 months full pay and (after completing 4 months Service) 2 months half pay
During 2 nd year of service	2 months full pay and 2 months half pay
During 3 rd year of service	4 months full pay and 4 months half pay
During 4 th and 5 th year of service	5 months full pay and 5 months half pay
After 5 years’ service	6 months full pay and 6 months half pay
- Staff receive their ordinary pay minus any entitlement to Statutory Sick Pay (SSP).