



**SICKNESS ABSENCE MANAGEMENT  
POLICY  
AND  
PROCEDURE**

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Last Amended	January 2018
Review Date	June 2020

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## **1. POLICY STATEMENT**

- 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 does not form part of any employee's contract of employment and it may be amended at any time. We may also vary the procedures set out in this policy, including any time limits, as appropriate in any case.

## **2. WHO IS COVERED BY THE POLICY?**

This policy covers all employees in the Acorn Education Trust at all levels and grades. It does not apply to casual employees.

## **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 your line manager.

## **4. SICKNESS ABSENCE REPORTING PROCEDURE**

- 4.1 Each academy within the Trust will ensure that they have their own sickness absence reporting procedures in place which are communicated to all staff.
- 4.2 Managers should ensure that:
  - (a) Any sickness absence that is notified to them is recorded and reported to the Trust's HR and payroll department according to the process set out in the HR and payroll guidance document.

4.3 You should expect to be contacted during your absence by your line manager, the personnel administrator of the academy and for teachers the senior manager responsible for cover who will want to enquire after your health and be advised, if possible, as to your expected return date.

## **5. EVIDENCE OF INCAPACITY**

5.1 For sickness absence of up to seven calendar days you must complete a self-certification form which will be forwarded to you.

5.2 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 the personnel administrator of the academy as soon as possible. If your absence continues, further medical certificates must be provided to cover the whole period of absence.

5.3 If your doctor provides a certificate stating that you "may be fit for work" you should inform the personnel administrator of the academy 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. ABSENCE DUE TO CONTACT WITH INFECTIOUS DISEASES**

6.1 If you are prevented from attending School because of contact with an infectious disease you must inform the Headteacher immediately and you will be entitled to receive normal pay. A period of absence on this account will not be counted against your entitlement to occupational sick leave.

6.2 In the case of contact with other infectious or contagious diseases, you should not stay away from School if you feel well, but should report the fact of contact to the Headteacher.

## **7. UNAUTHORISED ABSENCE**

7.1 Cases of unauthorised absence will be dealt with under the Trust's Disciplinary Procedure.

7.2 Absence that has not been notified according to the sickness absence reporting procedure for the academy will be treated as unauthorised absence.

7.3 If you do not report for work and have not contacted the academy, your line manager or the personnel administrator to explain the reason for your absence, your line manager or the personnel administrator 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. STATUTORY SICK PAY

8.1 You may be entitled to Statutory Sick Pay (SSP) if you satisfy the relevant statutory requirements. Qualifying days for SSP are Monday to Friday, or as set out in your employment contract. The rate of SSP is set by the government in April each year. No SSP is payable for the first three consecutive days of absence. It starts on the fourth day of absence and may be payable for up to 28 weeks.

## 9. OCCUPATIONAL SICK PAY

### 9.1 Non-Teaching Staff

9.2 Employees are entitled to receive sick pay for the following periods:

9.3 During the 1<sup>st</sup> year of service                      1 month's full pay and (after completing 4 months' service) 2 months half pay

9.4 During 2<sup>nd</sup> year of service                      2 months full pay and 2 months half pay

9.5 During the 3<sup>rd</sup> year of service                      4 months full pay and 4 months half pay

9.6 During 4<sup>th</sup> and 5<sup>th</sup> year of service                      5 months full pay and 5 months half pay

9.7 After 5 years' service                      6 months full pay and 6 months half pay

9.8 ***The period during which sick pay shall be paid and the rate of pay, in respect of absence shall be calculated by deducting from the employee's entitlement on the first day the aggregate of periods of paid absence during the twelve months immediately preceding the first day of absence.***

### 9.9 Teaching Staff

9.10 During 1<sup>st</sup> year of service                      full pay for 25 working days (and after completing four calendar months) half pay for 50 working days

9.11 During 2<sup>nd</sup> year of service                      full pay for 50 working days and half pay for 50 working days

9.12 During 3<sup>rd</sup> year of service                      full pay for 75 working days and half pay for 75 working days

9.13 During 4<sup>th</sup> year of service full pay for 100 working days and half pay for 100 working days

9.14 A year is deemed to begin on 1 April and end on 31 March the following year. Where a teacher starts service after 1 April the full entitlement for that year will be applicable. Where a teacher is on sick leave on 31 March in any year no new entitlements shall begin until the teacher has resumed duty and the period from 1 April until the return to duty is regarded a part of the preceding years' entitlement. Service means aggregated teaching service with one or more LA schools or academies and a break in service does not affect entitlement.

## **10. KEEPING IN CONTACT DURING SICKNESS ABSENCE**

10.1 If you are absent on sick leave you should expect to be contacted from time to time by the academy's personnel administrator in order to discuss your wellbeing, expected length of continued absence from work and any of your work that requires attention. Such contact is intended to provide reassurance and will be kept to a reasonable minimum.

10.2 If you have any concerns while absent on sick leave, whether about the reason for your absence or your ability to return to work, you should feel free to contact your line manager at any time.

## **11. MEDICAL EXAMINATIONS**

11.1 We may, at any time in operating this policy, ask you to consent to a medical examination by our Occupational Health Department or a doctor nominated by us at our expense.

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 advisers and the relevant doctor.

## **12. RETURN-TO-WORK INTERVIEWS**

12.1 If you have been absent on sick leave we will arrange for you to have a return-to-work interview with your line manager or member of the senior leadership team as appropriate.

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 members of staff 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.

### **14. SICKNESS ABSENCE MEETINGS PROCEDURE**

14.1 We may apply this procedure whenever we consider it necessary, including, for example, if you:

- (a) Have been absent due to illness on a number of occasions;
- (b) Have discussed matters at a return to work interview that require investigation; and/or
- (c) Have been absent for more than 21 days.

14.2 Unless it is impractical to do so, we will give you 7 calendar 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.

14.3 The meeting will be conducted by your line manager or a member of the senior management team and will normally be attended by a member of the Acorn Education Trust HR department. 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 personnel administrator of the academy who will seek to agree an alternative time.

- 14.5 A meeting may be adjourned if your line manager/senior manager 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 10 calendar 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/senior leader 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.
- 15.2 Your companion may be either a trade union representative or a fellow employee. Their identity must be confirmed to the manager conducting the meeting, in good time before it takes place.
- 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 a companion who is not an employee or union representative (for example, a family member) where this will help overcome particular difficulties caused by a disability, or difficulty understanding English.
- 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 paragraphs 14 and 15 on the arrangements for and right to be accompanied at sickness absence meetings.
- 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 time-scale for review and/or a further meeting under the sickness absence procedure.

**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 paragraphs 14 and 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 time-scale 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.

**18. STAGE 3: FINAL SICKNESS ABSENCE MEETING**

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. Arrangements for

this meeting will follow the procedure set out in paragraphs 14 and 15 on the arrangements for and right to be accompanied at sickness absence meetings.

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. ILL HEALTH RETIREMENT**

19.1 In cases of chronic ill health, if you are a member of the Local Government Pension Scheme or the Teachers' Pension Scheme, you can be considered for premature retirement due to ill health.

19.2 The Local Government and Teachers Pension Schemes have set procedures and eligibility criteria for dealing with applications for ill health, which can be seen on the Scheme websites. The decision to grant premature retirement due to ill health is made by the appropriate scheme and any appeals should be made to the appropriate scheme and not to the School.

19.3 If ill health retirement is refused, then the School will have to consider the possible termination of your employment.

## **20. APPEALS**

20.1 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).

20.2 An appeal should be made in writing, stating the full grounds of appeal, to person named within the outcome within 7 calendar days of the date on which the decision was sent to you.

20.3 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.

- 20.4 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.
- 20.5 Where practicable, an appeal meeting will be conducted by a manager senior to the individual who conducted the sickness absence meeting.
- 20.6 Depending on the grounds of appeal, an appeal meeting may be a complete rehearing of the matter or a review of the original decision.
- 20.7 Following an appeal the original decision may be confirmed, revoked or replaced with a different decision. The final decision will be confirmed in writing, if possible within 10 calendar days of the appeal meeting. There will be no further right of appeal.
- 20.8 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 – Sick Certifications**

It is an employee's responsibility for notifying the academy of their sickness absence and in providing the appropriate certification statements as required. Failure to adhere to these notification and certification requirements may harm an employee's eligibility for occupational sick pay, where applicable to qualifying members of staff.

In order to qualify for statutory sick pay, an employee must meet statutory conditions laid down by the HMRC. These conditions are detailed on the HMRC website at: <https://www.gov.uk/statutory-sick-pay>

It must be acknowledged that there may be exceptional circumstances which prevent the member of staff from meeting the reporting and certification requirements, for example, in the case of a severe injury / hospitalisation.

### **Certification for Sickness Absence**

#### **Days 1 - 7 of sickness absence:**

For the first 7 calendar days of continuous sickness absence (i.e. including non-working days), there is no requirement for an employee to obtain a note from their G.P. to cover their sickness absence. They should contact their Academy according to the sickness absence reporting procedure to inform them about their absence and the reasons for this. The Academy will record this information. On your return to work the employee must confirm the dates of their sickness absence and the reasons for absence.

#### **Sickness absence that exceeds 7 days:**

For absences that exceed 7 continuous calendar days (including non-working days) an employee must provide a Med 3 form which is a 'Statement of fitness for work' (Statement). Known as the 'fit note', this was introduced in 2010 and will need to be issued by the employee's G.P. It is an employee's responsibility for ensuring that their medical 'Statements' reach their line manager promptly. Periods of absence that are not covered by a 'Statement' will not qualify for occupational nor statutory sick pay, however, each case will be considered on its merits before occupational sick pay is withheld. If the employee's GP provides advice that they may be fit for work, they should notify the Academy personnel administrator as soon as practicable, so as to support their return to work. 'Statements' should be sent to the personnel administrator or other designated person, who will arrange for the 'Statement' to be logged electronically and processed via payroll. If the Statement is not received by the twelfth consecutive day of sickness absence, this may impact on the employee's entitlement to occupational sick pay.

#### **Statement of Fitness for Work Certificate (Fit Note):**

An employee will either be given by their GP; a 'Statement' confirming that they are unfit for work for a specific period / until a specific date; or their GP may advise that they are able to return to work and, in these circumstances, suggest options that may help a return to work. The purpose of the Statement or 'fit note' is to facilitate a return to work and may be more likely to be used in longer term sickness cases or those with

an on-going medical condition. In some cases the GP may recommend the advice of Occupational Health is also sought.

## **Appendix 2 – Return to Work**

### **GUIDANCE FOR CONDUCTING A RETURN TO WORK DISCUSSION**

#### **1. Welcoming Back**

- Welcome the employee back to work.
- Re-emphasise to the employee that their contribution is valued by the Academy.

- Remind the employee that a return to work discussion is standard practice.

## **2. Enquire about Health**

In a supportive manner, the senior manager should engage the employee in a two-way conversation about their absence to ascertain if the employee is fit to return to work. You may wish to consider:

- Exploring the reason for absence/any underlying issues.
- Is the reason for absence covered by the Equality Act?
- Has the employee visited their GP and followed the advice given?
- Is any further support required i.e. counselling or referral to Occupational Health?

## **3. Consequences and Observations**

The senior manager should discuss the consequences of an employee's absence on their work, their colleagues and the service provision. Employees should be reminded of the necessity for full attendance wherever possible and attention drawn to their attendance during the previous 6 months (or a longer period if appropriate); this may relate to the number of separate absences during a specified period of time, the total amount of absence or characteristics of absence that emerge as a pattern, or may indicate an underlying condition or possible contributing factor(s).

It may also be necessary to inform the employee that their absence rate now represents a concern and explain the improvements required.

If the reason for the absence is likely to affect the employee's ability to do his or her work and is long term, you should discuss with the employee any reasonable adjustments which may help to reduce the employee's sickness absence levels.

Where frequent/long-term absence has occurred over a 12-month period, the senior manager should update the employee of the effect on their current entitlement to Occupational Sick Pay.

It must be pointed out that the Academy/Acorn Education Trust takes non-attendance very seriously and that it could lead to action being taken under the procedure for capability or disciplinary, if improvement is not achieved. In the majority of ill health-related discussions there will be no recourse to the discipline procedure and Senior Managers should take care to ensure that employees understand that measures to improve attendance are not intended as a disciplinary or punitive issue. Senior managers should however be mindful that the Disciplinary procedure may apply for conduct related issues such as failure to notify absence, unauthorised/uncertified absence or abuse of the sick pay scheme.

NB. Please refer to the guidance in the policy, paragraphs 16 – 18.3 regarding sickness absence meetings procedure.

### **Appendix 3 - Equality Act 2010 and Reasonable Adjustments**

The Equality Act 2010 has replaced the 'Employees with a Disability and their Sickness Absence- Disability Discrimination Act 1995 and 2005' and the Race Relations Act 1976 and is in place to eliminate all types of discrimination against employees in the workplace. The purposes of this guide, is to outline the provisions in place to protect disabled employees during the management of sickness absence.

The senior manager must clarify, via Occupational Health, whether the ill health of the employee comes under the definition of disability as defined in the Equality Act 2010 and related Regulations.

The Equality Act has made it easier for a person to show that they are disabled and protected from a disability. A person has a disability, for the purposes of the Act, if s/he has:

“A physical or mental impairment which has a substantial and long term adverse effect on his/her ability to carry out normal day to day activities.” Long term means that the condition must last, or be likely to last, for more than 12 months. The applicant’s ability to carry out normal day-to-day activities can be adversely affected in one or more of the following ways:

- Mobility.
- Manual dexterity.
- Physical co-ordination.
- Ability to lift or otherwise move everyday objects.
- Speech, hearing or eyesight.
- Memory or ability to concentrate, learn or understand.
- Understanding the risk of physical danger.

The Act makes it unlawful for an employer to discriminate against an employed disabled person:

- In the terms and conditions of employment afforded.
- In the opportunities for promotion, transfer, training or receiving any other benefit.
- Refusing to afford or deliberately not affording any such opportunity; or
- By dismissal or subjecting the employee to any other detriment (unless dismissal can be justified).
- Failing to provide reasonable adjustments for disabled employees and applicants.
- Subjecting a disabled person to harassment or victimisation.
- Undertaking disability related discrimination.

As with the previous Acts, the Equality Act puts a duty on the employer to make reasonable adjustments for their staff to help them overcome disadvantage resulting from an impairment (e.g. by providing assistive technologies to help visually impaired staff use computers effectively).

The Act includes a new protection from discrimination arising from disability. This states that it is discrimination to treat a disabled person unfavourably because of something connected with their disability (e.g. a tendency to make spelling mistakes arising from dyslexia). This type of discrimination is unlawful where the employer or other person acting for the employer knows, or could reasonably be expected to know, that the person has a

disability. This type of discrimination is only justifiable if an employer can show that it is a proportionate means of achieving a legitimate aim. Additionally, indirect discrimination now covers disabled people. This means that a job applicant or employee could claim that a particular rule or requirement you have in place disadvantages people with the same disability. Unless you could justify this, it would be unlawful.

The Equality Act also includes a new provision which makes it unlawful, except in certain circumstances, for employers to ask about a candidate's health before offering them work. The exception would be where positive action can be given to assist a candidate with a positive disclosure, during the recruitment procedures.

Where it is determined that an employee has a recognised disability (as defined by the Act) an employer has a significant responsibility to consider any reasonable adjustment which would ensure that the employee does not suffer any detriment in comparison to another employee who does not have a recognised disability. Where Managing Absence is concerned, this includes provisions to assist the employee in improving their attendance record and ultimately in retaining their employment with the Acorn Education Trust as far as reasonably practicable.

Below are a few examples of adjustments that may be considered:

- Adjustments to premises.
- Allocating some of the disabled person's duties to another person.
- Altering his/her working hours.
- Transferring him/her to an existing vacancy/new post.
- Giving or arranging specific training for him/her.
- Acquiring or modifying equipment.
- Modifying instructions or reference manuals.
- Modifying procedures for testing or assessment.
- Providing a reader or interpreter.
- Providing supervision.
- Adjusting target attendance levels beyond the normal target.
- Ensuring that absence to attend regular rehabilitation or treatment directly related to the disability is reported separately to sickness absence. Although this time is still logged as absence it should not disadvantage the employee in relation to the application of internal policy.
- Assigning him/her to a different place of work.
- Where it is not possible for appointments to be made outside of working hours, to allow him/her to be absent during working hours for rehabilitation, assessment or treatment.

The most important principle is to discuss any special needs in full with the employee.

In all circumstances relating to employees who have a disability, the senior manager should seek advice from the Acorn Education Trust Human Resources.

## **Appendix 4 -Roles and Responsibilities**

### **Roles and Responsibilities**

#### **Senior Managers Responsibilities:**

Senior managers have a duty of care for the health, safety and welfare of their staff members and they are responsible for ensuring that every effort is made to achieve the highest level of attendance. The role of the senior manager is crucial to the success of the process and s/he is responsible for ensuring the monitoring of sickness absence and that this procedure is applied correctly and consistently.

Senior managers should, as part of their day-to-day responsibilities, ensure that:

- All employees have a clear understanding of the sickness absence reporting procedures. This must include who they report to and the time by which sickness must be reported to the nominated person prior to their commencement time. These responsibilities must be communicated to all new employees as part of their induction.
- When reporting sickness absence, employees need to give the reason for their absence, the likely duration and any work commitments that need addressing. If the employee has not reported prior to commencement time, the senior manager should make general enquiries about the welfare of the individual - always the prime consideration. If the absence remains un-notified or is late it could result in either the non-payment or incorrect calculation of the employee's sick pay.
- The appropriate payroll documentation giving details of absence is completed in a timely manner.
- Absence patterns and trends of employee absence are monitored monthly. Such monitoring will indicate the need for an employee to have a formal return to work interview and determine whether any further actions are needed e.g. referral to Occupational Health.
- An informal discussion, where appropriate, is held by a relevant manager with the employee on his/her return to work and that a record of the discussion is made.
- The employee is referred to Occupational Health for medical advice at an appropriate stage – this could also take place prior to any absence, with the employee's agreement, as a preventative measure.
- All action and decisions made at informal meetings, review meetings or capability meetings are monitored and recorded, and appropriate letters and forms are satisfactorily completed.
- In cases of long-term sickness, with the support of Occupational Health and advice from Acorn Education Trust HR, maintain regular contact with the employee to demonstrate concern for his/her welfare and offer reasonable support. The senior manager may also consider and discuss with HR, alternative options which may facilitate an earlier return to work.
- At all stages of sickness, the Academy is in receipt of the relevant GP certificates and that, where a sick note has expired, employees should be reminded that this is the case and asked to send a certificate in by a given date. S/he should also ensure that employees do not return to work unless they are fit enough to do so.

- If an employee is failing to comply with their responsibilities under the sickness procedure, i.e. failing to report sick, failing to provide a reason or sickness certificate, this is explored with the employee and it is pointed out that continued non-compliance may result in deduction of salary and/or action being taken under the Disciplinary Procedure.
- To seek advice from Acorn Education Trust HR for guidance on due process, as appropriate.

### **Acorn Education Trust Human Resources Responsibilities:**

Human Resources will at all times assist Senior/Line Managers in carrying out their role by:

- Providing information and advice on the monitoring of absence levels.
- Provide specialist advice and support to managers in dealing with absence issues; providing information and guidance on policies and procedures relating to absence and on possible options to consider which would facilitate an earlier return to work.
- Liaising with senior managers on long-term sickness absence/erratic attendance cases. In exceptional circumstances a member of the HR Team may accompany and assist the senior manager when meeting employees.
- Providing guidance to Academies in all aspects of managing sickness absence to include making OH referrals, preparing a return to work and implementing reasonable adjustments.
- Attending interview meetings where formal action is required e.g. capability/ill health review meetings and hearings.
- Advising on implications of the Equalities Act 2010, based on current case precedents e.g. reasonable adjustments required.
- Providing advice regarding changes in legislation and best practice, by the review of absence procedures.

### **Occupational Health Responsibilities:**

Acorn Education Trust has engaged the services of an independent Occupational Health Provider to support and raise awareness of health issues with staff and to undertake reviews and provide professional advice on health issues relating to work; and to provide health assessments to:

- Advise on fitness for work with a view to supporting staff to continue at work;
  - Advise on reasonable adjustments; - Facilitate rehabilitation for staffing returning to work following a period of ill health; and
  - Advise on capability issues.
- If the Acorn Education Trust is concerned about an employee's sickness absence, a referral will be made to an OH adviser for a medical assessment to seek advice on reducing sickness absence and/or facilitating a return to work where this is possible. OH will arrange an appointment to see an employee as quickly as possible after a referral is made.
  - Provide relevant medical information in regards to an employee's condition and circumstances to allow senior managers to be able to take informed management decisions about a particular employee's likely return to work, ability to contribute to the work of Acorn Education Trust and, where necessary, the long-term prognosis regarding the employees overall health.
  - Provide a copy of the medical report to the employee, upon their request and Acorn Education Trust so that a follow up meeting to discuss the findings can be arranged.

#### **Union/workplace representative responsibilities:**

Representatives are responsible for:-

- Providing appropriate and timely advice and support to their members through their absence management in order to seek an appropriate resolution.
- Ensuring that they make themselves available to attend designated meetings in the formal procedures and to avoid delaying proceedings by non-availability.
- Ensuring the policy is implemented fairly and sensitively to their member and that their member acts appropriately in accordance with the spirit of the policy.