

Staff Sickness Policy

Approved on	12th December 2023
Signature of Chair of Trustees	<i>Julie Winyard</i>

Change Record

Date of Change:	Changed By:	Comments:
10.7.25	JPT	No changes

Aims

The charity is committed to promoting good health and wellbeing amongst its entire staff and recognises its statutory responsibilities in relation to health and safety, data protection and access to medical records regulations and the Equality Act 2010.

The sickness absence management procedure balances the needs of the organisation with the interests of individual employees. It is based on the following principles:

- To achieve a high level of attendance and minimise disruption to operations and additional staffing costs; and
- To provide a safe and healthy environment and treat all staff fairly and consistently and with dignity and sensitivity.

Communication

Two-way communication is expected and is key to effective absence management. Employees will be expected to keep in regular contact with their manager to provide information about their absence. The employer will maintain contact with the employee to inform them of key work issues (where

appropriate) to support the employee during the absence, and to facilitate an early return where possible.

Supportive and constructive communication and the degree thereof, will depend upon the nature of the ill health and agreed between the parties. In exceptional circumstances, where appropriate and agreed between the parties, contact may be through a third party.

Scope of the procedure

This procedure is applicable to all employees except new employees during their review period of employment with Essex and Thames Education, or extension thereof.

This procedure should be read in conjunction with other policies and procedures covering attendance and health, including policies on leave of absence, flexible working and mental health.

Time off for other reasons

Employees must not take sick leave for reasons other than their own ill health.

As part of its commitment to supporting the health and wellbeing of employees, the charity has a Leave of Absence Procedure setting out the approach to leave of absence for reasons other than sickness.

Employees should normally arrange non-urgent personal medical appointments (e.g. doctor, dentist, hospital, elective procedures) outside of their normal working time wherever possible.

Drug and alcohol misuse

Employees are encouraged to disclose drug/alcohol problems so that the charity can support them. Where possible and appropriate, drug and alcohol misuse will be treated as an ill-health issue and as such will be dealt with under the sickness absence management procedure. Employees will be expected, and supported, to follow an appropriate programme of support/rehabilitation.

Employees should not arrive at work under the influence of drugs and/or alcohol or any other substance that may impair their ability to carry out their duties. If, in the reasonable opinion of the employer, an employee presents themselves for work and the employer considers they are not able to carry out their duties, this could lead to disciplinary action.

Roles and responsibilities

It is the responsibility of the Board of Trustees to:

- Monitor and review policies and procedures which safeguard the health, safety and welfare of staff and ensure they are implemented in a fair and reasonable manner;
- Hear appeals as required.

It is the responsibility of the CEO and COO to:

- Ensure that full attention is given to staff health, safety and welfare and to develop systems of work to minimise ill health and consequent absence;
- Monitor and regularly review levels of absence and take action as appropriate;
- Ensure employees are aware of absence management procedures, including reporting requirements;
- Implement the absence management procedures fairly, sensitively and confidentially; and
- Make initial decisions related to warnings and dismissals.

It is the responsibility of all staff to:

- Safeguard and maintain their own health and attend work for work when fit to do so;
- Comply and co-operate with the absence management procedure, including the sickness absence reporting procedures;
- Inform their line manager in general terms as soon as reasonably practicable of any health issues including the effects (including that of medication), prognosis and developments that impact on their ability to perform their normal duties and update the school on a periodic basis in line with this procedure; and
- If you are disabled or become disabled, we encourage you to tell us about your condition so that we can consider what reasonable adjustments or support may be appropriate.
- Ensure medical advice and treatment, where appropriate, are received as quickly as possible.

Procedures

1. Reporting sick

If an employee cannot attend work because they are sick or injured they must telephone their manager as early as possible and no later than 8am on the first day of absence and each day thereafter unless a Doctor's Fit Note is provided.

2. Certificates

Employees must complete a self-certification form for sickness absence of 3 working days or more. For absences beyond 7 calendar days employees must obtain a certificate from their doctor stating that they are not fit for work and giving the reason. If absence continues beyond the expiry of a certificate, a further certificate must be provided.

3. Sick pay

Employees may be entitled to Statutory Sick Pay (SSP) if they satisfy the relevant statutory requirements.

Charity Sick Pay entitlement is as set out in Employees' Contract of Employment as follows.

Up to 4 months service	1 month @ full pay
During 1 st year of service (after completing 4 months service)	2 months @ full pay and 3 months @ half pay
During 2 nd - 5 th year of service	6 months @ full pay and 6 months @ half pay

Part-time employees receive pro-rata of the above.

Payment is subject to complying with the reporting and certification requirements. Any charity Sick Pay received shall be inclusive of any SSP due.

When this entitlement is exhausted, Employees will not qualify for charity sick pay until they have returned to work and worked for a total of 2 months, although this does not affect any entitlement they may have to receive further SSP.

Where employees are absent as the result of an accident for which damages may be recoverable from a third party, they must inform their manager as soon as possible. The Charity may recover all or a proportion of the costs of sick pay / accident pay from the damages received by the employee.

4. Return-to-work

After a period of sick leave, the COE and/or COO may hold a return-to-work interview with Employees. The purposes may include:

- ensuring they are fit for work and agreeing any actions necessary to sustain their return;
- confirming they have submitted the necessary certificates;
- updating on anything that may have happened during the absence;
- raising any other concerns regarding the absence record or return to work.

5. Managing long-term or persistent absence

- 5.1.** The following paragraphs set out our procedure for dealing with long-term absence or where the level or frequency of short-term absence has given cause for concern. The trigger for this will normally be where there is a regular pattern of absence and/or a there are 3 absences in any 6 month period

The purpose of the procedure is to investigate and discuss the reasons for absence, whether it is likely to continue or recur, and whether there are any measures that could improve an Employee's health and/or attendance.

The charity may decide that medical evidence, or further medical evidence, is required before deciding on a course of action.

The employee will be notified in writing of the time, date and place of any meeting, and why it is being held. A week's notice will usually be given for any meeting.

Meetings will be normally conducted by the CEO and/or COO.

Employee's may bring a companion to any meeting or appeal meeting under this procedure. The companion may be either a trade union representative or a colleague, who will be allowed reasonable paid time off from duties to act as a companion.

If the companion cannot attend at the time specified the charity will try, within reason, to agree an alternative time.

If you have a disability, the charity will consider, in discussion with the Employee, whether reasonable adjustments may need to be made to the sickness absence meetings procedure, or to the Employee's role or working arrangements.

5.2. Medical examinations

Employees must co-operate with any referral to an occupational health professional or other specialist nominated by the charity (at our expense) for the purposes of providing advice on their fitness to work and any adjustment which may facilitate their return and regular attendance.

Employees will be asked to agree that any medical report produced may be disclosed to the charity and that we may discuss the contents of the report with the specialist and with our advisers. All medical reports will be kept confidential and held in accordance with our Data Protection Policy.

5.3 Initial sickness absence meeting

The purposes of a sickness absence meeting or meetings will be to discuss the reasons for the Employee's absence, how long it is likely to continue, whether it is likely to recur, whether to obtain a medical report, and whether there are any measures that could improve health and/or attendance.

In cases of long-term absence, we may seek to agree a return-to-work programme, possibly on a phased basis.

In cases of short-term, intermittent absence, we may set a target for improved attendance within a certain timescale.

5.4 If matters do not improve

If, after a reasonable time, the Employee has not been able to return to work or if their attendance has not improved within the agreed timescale, we will hold a further meeting or meetings. We will seek to establish whether the situation is likely to change, and may consider redeployment opportunities at that stage. If it is considered unlikely that the Employee will return to work or that their attendance will improve within a short time, we may give you a written warning that you are at risk of dismissal. We may also set a further date for review.

5.5 Final sickness absence meeting

Where the Employee has been warned that they are at risk of dismissal, and the situation has not changed significantly, we will hold a meeting to consider the possible termination of employment. Before we make a decision, we will consider any matters the Employee wishes to raise and whether there have been any changes since the last meeting.

Where there is medical evidence that an employee is no longer fit to fulfil the requirements of their job, even with reasonable adjustments, the charity reserves the right to terminate employment before the expiry of charity sick pay.

5.6 Appeals

Employees may appeal against the outcome of any stage of this procedure. Any appeal should be made in writing to the CEO, stating the grounds of appeal, within one week of the date on which the decision was sent or given.

If the appeal is against a decision to dismiss, we will hold an appeal meeting, normally within two weeks of receiving the appeal. This will be dealt with impartially and, where possible, by a more senior manager who has not previously been involved in the case.

We will confirm the final decision in writing, usually within one week of the appeal hearing. There is no further right of appeal.

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.