Sickness Absence Policy

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Owner	Director of People & Culture
Applies to	All Trust Schools, all Trust staff

Version	Date	Reason
1.0	October 2020	To establish a Trust wide policy
1.1	October 2023	Periodic review
1.2	October 2026	Amendment sections 1, 2, 4, 5, 11, 14, 19 - appendix 1 & 13

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1. Introduction

1.1 This policy sets out Trust 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 The Trust 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. The Trust may also vary the procedures set out in this policy, including any time limits, as appropriate in any case.

1.5 As part of the application of this policy, the Trust will collect, process and store personal data and special categories of data in accordance with our data protection policy. The Trust will comply with the requirements of the Data Protection Legislation (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018), in relation to how the Trust collect, hold and share special category personal data. Records will be kept in accordance with the Staff Privacy Notice, the Data Protection Policy and in line with the requirements of Data Protection Legislation.

2. Scope and purpose

2.1 This policy covers all employees at all levels and grades regardless of status except those employees who are in their probationary period.

2.2 The purpose of the policy is to ensure that staff understand the expectations of the Trust in terms of attendance at work. In applying this policy the Trust aims to ensure that attendance is managed appropriately and consistently and that employees receive relevant support.

3. Definitions

3.1 Short-term sickness absence - any absence that lasts between half and 20 days (four working weeks).

3.2 Long term sickness absence – any absence that lasts for a continuous period of longer than four working weeks.

3.3 Designated manager – Headteacher or other manager as designated by the Headteacher or CEO.

4. Disabilities

4.1 The Trust are aware that sickness absence may result from a disability. At each stage of the sickness absence meetings procedure (set out in paragraph 15 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.

4.2 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 Headteacher in writing.

5. Sickness absence reporting procedure

5.1 All employees are required to follow the local reporting procedure issued by the Headteacher

from time to time.

5.2 You should expect to be contacted during your absence by a designated manager to enquire after your health and be advised, if possible, as to your expected return date.

6. Evidence of incapacity

6.1 For sickness absence of up to seven calendar days you must complete a self-certification form.

6.2 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 designated manager as soon as possible. If your absence continues, further medical certificates must be provided to cover the whole period of absence.

6.3 If your doctor provides a certificate stating that you 'may be fit for work' you should inform the designated manager immediately. The designated manager 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 11.1). If appropriate measures cannot be taken, you will remain on sick leave and the designated manager will set a date to review the situation.

6.4 Where the designated manager is concerned about the reason for absence, or frequent short term absence, they may require a medical certificate for each absence regardless of duration. In such circumstances, the Trust will cover reasonable costs incurred in obtaining such medical certificates, for absences of a week or less, on production of a doctor's invoice.

6.5 Where an employee is absent immediately prior to a School closure period, they will continue to be deemed as being absent for the purposes of recording sickness and statutory and/or contractual sick pay during the School closure period, unless they provide a fit note indicating they are fit to return to work. The cost of fit note will be covered by the Trust if applicable.

7. Unauthorised absence

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

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

7.3 If you do not report for work and have not contacted the appropriate contact in accordance with the local procedure to explain the reason for your absence, a designated manager will try to contact you, by telephone and by other communication methods if necessary. This should not be treated as a substitute for reporting sickness absence.

8. Sick pay

8.1 You should refer to your contract for details of the sick pay to which you are entitled.

8.2 Failure to properly report your absence or to provide medical or self certification could lead to your pay being suspended.

9. Keeping in contact during sickness absence

9.1 If you are absent on sick leave you should expect to be contacted from time to time by a designated manager acting responsibly in order to discuss your wellbeing, expected length of continued absence from work and any of your work that requires attention.

9.2 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 the designated manager at any time.

10. Medical examinations

10.1 You may, at any time in operating this policy, be asked to attend a medical examination by the Trust's Occupational Health (OH) provider (at Trust expense).

10.2 You will be asked to agree that any report produced in connection with any such examination may be disclosed to your employer and that the Trust may discuss the contents of the report with its advisers and the relevant doctor.

10.3 Failure to agree to a reasonable request may result in decisions being made in the absence of any medical information. In some circumstances disciplinary action may be taken where you do not cooperate with the sickness absence process.

10.4 In the event of a difference of opinion between an employee's GP and the OH advisor regarding an employee's fitness for work, functional capacity or the existence of an underlying medical condition contributing towards persistent absences, the OH advisor's advice will normally take precedence. In some cases, an independent medical advisor may be asked to give a second opinion.

10.5 This process is in line with our Staff Privacy Notice which sets out how the Trust will gather, process and hold special category personal data of individuals during employment.

11. Return-to-work interviews

11.1 If you have been absent on sick leave you should expect to have a return-to-work interview with a designated manager.

11.2 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 the Trust's attention.

11.3 Where your doctor has provided a certificate stating that you 'may be fit for work' the designated manager 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.

12. Returning to work from long-term sickness absence

12.1 The Trust are committed to helping employees return to work from long-term sickness absence. As part of our sickness absence meetings procedure (see paragraph 13.5), a designated manager 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, including a time-limited phased return to work;

(c) Considering redeployment; and/or

(d) Agreeing a return to work programme with everyone affected.

12.2 If you are unable to return to work in the longer term, the Trust will consider whether you are entitled to any benefits under your contract.

14. Sickness absence meetings procedure

14.1 A designated manager may apply this procedure whenever they consider it necessary, including, for example, if you:

(a) Have been absent due to illness on a number of occasions in line with the following triggers for action (pro-rated for part time staff):

- 5 or more occasions of sickness absence in a 12 month rolling period

- 10 or more working days sickness absence within any 12 month rolling period
- any other pattern that with good reason causes concern

(b) Have discussed matters at a return to work interview that require investigation; and/or

(c) Have been absent for more than 28 days.

14.2 Unless it is impractical to do so, the designated manager will give you five days written notice of the date, time and place of a sickness absence meeting. The designated manager 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 designated manager and may be attended by an HR advisor. You may bring a companion with you to the meeting.

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 designated manager who will seek to agree an alternative time.

14.5 A meeting may be adjourned if the designated 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 five 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 Formal warnings issued for short term sickness will remain live for a period of 12 months from the date of issue, during which time further absences beyond the review period would be dealt with either at the next stage of the procedure or by an extension of the current live warning. If further absences occur shortly after the end of the 12 month period (or any extended warning), the Trust reserve the right to deal with the matter at the same stage of the procedure and not return to earlier stage.

14.8 If, at any time, the designated manager 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 work colleague. You should provide their details to the designated manager, 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 Some companions may not be allowed: for example, anyone who may have a conflict of interest, or whose presence may prejudice a 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 paragraphs 13 and 14 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 or, if already obtained, what that advice is.

(e) Considering what, if any, measures might improve your health and/or attendance.

(f) Determining a way forward, action that will be taken and a time-scale for review and/or a further meeting under the sickness absence procedure.

(g) Issuing a written warning that your employment may be at risk if your attendance does not improve.

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 13 and 14 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 the needs of the Trust 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) Determining 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 the Trust have already taken, include warning you that you are at risk of dismissal.

(j) Issuing a final written warning that your employment may be at risk if your attendance does not improve or you do not return to work.

18. Stage 3: final sickness absence meeting

18.1 Where you have been warned that you are at risk of dismissal and the improvement has not been made, a designated manager 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 13 and 14 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, the matters discussed and warnings issued.

(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 14).

19.2 An appeal should be made in writing, stating the full grounds of appeal, to the designated manager within five days of the date on which the decision was sent to you.

19.3 Unless it is not practicable, you will be given five days written notice of an appeal 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 chaired by the CEO or a member of the Trust senior leadership team.

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

19.7 Following an appeal the original decision and sanction may be confirmed, revoked or replaced with a different decision and sanction. The final decision sanction will be confirmed in writing, if possible within five days 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.

20. Review of policy

This policy is reviewed and amended every 3 years by the Trust. We will monitor the application and outcomes of this code of conduct to ensure it is working effectively.

Appendix 1

Equality Impact Assessment/ Analysis (EIA)

Step 1: Scoping and Identifying the Aims

School/Service	People Department
Title of Change:	Sickness Absence policy
What are you completing this EIA for?	Policy
Is this a new or existing activity or change?	Existing
What are the main aims / objectives of the changes? What is the context for this EIA? e.g., policy, practice, service, curriculum proposal or project? Why is the activity/change needed? E.g., The policy or practice affect different "protected groups" differently?, enhancing of services, education	Ensure policy is still relevant and the most current legislation is being adhered to.
Name/s of people/Date undertaking analysis:	Shani Davies, Director People & Culture
Who will be affected by this activity/change? eg pupils/students, service users, employees, wider community	All Staff in scope of this policy
Does it relate to an area with known inequalities? E.g., access to service for disabled people, pupils/students, vulnerable pupils/students, SEND, racist bullying etc.	
EIA Schedule: When will the EIA be reviewed?	

Step 2: Assessing the Impact

Detail any positive or negative impacts of this document /policy on pupils/students and staff in the box below. If there is no impact, please select "not applicable"

Protected Characteristic	Positive Impact(s)	Negative Impact(s)	NA	Action to address negative impact: *(e.g. adjustment to the policy)*
Sex consider issues for: men and women, non-binary.	Y			
Gender reassignment E.g. privacy of data and harassment	Y			
Disability e.g., attitudes, physical, social barriers, visible and non-immediately visible disabilities, neurodivergence, learning disability	Y			
Age e.g., consider all ages but there may be some issues that relate for example to older people/younger people	Y			
Sexual Orientation **consider** heterosexual as well as lesbian, gay and bisexual (and other sexual orientations)	Y			
Pregnancy and maternity e.g., childcare, working arrangements, part time working	Y			

Marriage and civil partnership	Y			
Religion or belief consider religions, beliefs, or no belief	Y			
Ethnicity / Race e.g., language barriers, different ethnic groups/nationalities	Y			
Socio-economic factors e.g., resident status – socio economic/low-income groups, migrants, carers, impacts on children and families (please state)	Y			
Mental health e.g. short term, long term, acute, fluctuating mental health conditions, impacts	Y			

If you answer yes to any of the following, you MUST complete the evidence column explaining what information you have considered which has led you to reach this decision.

Assessment Questions	Yes / No	Please document evidence / any mitigations
In consideration of your document development, did you consult with others, for example, external organisations, employees, pupils/students, carers or community groups?	Yes	Staff and Trade Unions
Have you taken into consideration any regulations, professional standards?	Yes	Equality Act 2010, Worker protection Act 2023, Health and Safety at Work Act 1974, ACAS, CIPD

Step 3: Review, Risk and Action Plans

Low – No major change	Medium - Adjust the policy	High – Stop and remove
The activity is robust and there is no potential for discrimination, and you have taken all appropriate opportunities to advance and foster relations between groups.	This involves taking steps to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential effect.	If there are adverse effects that are not justified and cannot be mitigated, you will want to consider stopping the policy/project altogether. If the activity shows unlawful discrimination, it must be removed or changed.

How would you rate the overall level of impact / risk to the school / service / Trust if no action was taken?	Low	Medium	High
	x☐	☐	☐
What action needs to be taken to reduce or eliminate the negative impact?	N/A		
Who will be responsible for monitoring and regular review of the document / policy / change?	Director People & Culture		

Step 4: Authorisation and sign off

I am satisfied that all available evidence has been accurately assessed for any potential impact on pupils/students and employees with protected characteristics in the scope of this project / change / policy / procedure / practice / activity. Mitigation, where appropriate has been identified and dealt with accordingly.

Equality Assessor:	*Shani Davies*	***Date:***	*19/2/26*