



# Managing Sickness Absence Policy

Schools serving their communities through excellence,  
exploration and encouragement within the love of God.

The diocese of Lincoln is called to faithful worship, confident  
discipleship and joyful service and our church schools bear witness to our  
belief that every child is made in the image of God and loved by Him.

They were founded for the good of their local communities so that  
children can be educated through the values and stories of Christianity.

**Status**

Consulted with recognised Trade Unions  
Not Agreed

Policy Owner: CEO LAAT  
Policy Date: October 2018  
Review Date: October 2020

## 1. Introduction

- 1.1. This policy sets out our procedures for reporting sickness absence and for the management of sickness absence in an equitable, transparent and consistent way.
- 1.2. LAAT has a responsibility towards promoting a positive health and safety culture and understands that from time to time employees may become ill, through no fault of their own, and as a consequence be unable to attend work.
- 1.3. In dealing with any sickness absence cases, managers must be mindful of obligations that they and LAAT may have under the Equality Act 2010. In identifying whether or not an employee is covered by the Act advice will be sought from appropriate medical professionals.
- 1.4. 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).
- 1.5. We wish to ensure that the reasons for sickness absence are understood in each case and investigated where necessary. Investigations will be carried out with sensitivity and consideration. 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
- 1.6. This policy does not form part of any employee's contract of employment and it may be amended at any time, following consultation. We may also vary the procedures set out in this policy, including any time limits by mutual agreement and as appropriate in any case, in consultation with the employee and their trade union representative.

## 2. Scope and Purpose

- 2.1 This policy covers all employees at all levels and grades regardless of status
- 2.2 The purpose of the policy is to ensure that staff understand the expectations of the Trust in terms of attendance at work
- 2.3 The LAAT recognises the importance of fit and healthy employees, who are productive and capability of fulfilling their contractual obligations. Effective proactive management of sickness absence levels, which are recorded consistently and accurately, assists in helping employees stay in work. High levels of engagement are associated with lower levels of sickness absence

## 3. Definitions

- 3.1 Short-term sickness absence - any absence that lasts between a half day and 20 days (four weeks).
- 3.2 Long term sickness absence – any absence that lasts for a continuous period of longer than 20 days (four weeks).

## 4. Considering Disabilities and Mental Health

- 4.1. Disability should not automatically be associated with sickness or absence from work. However, The LAAT recognises that there may be specific conditions connected to a disability which may be managed under the sickness absence policy. At each stage of the sickness absence meetings procedure (set out in paragraph 16, 17 and 18 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 and implement these where reasonable / practical to do so.
- 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 the Headteacher or your line manager
- 4.3. The Trust recognises that there may be times when a disability necessitates an alteration or amendment to the policy and procedure, particularly in respect of timescales. Consideration will be given and any amendments made will be done so in consultation with the employee and their trade union representative.
- 4.4. Employees experiencing mental health problems will have a right to workplace adjustments workplace adjustments and phased returns, together with occupational health support.
- 4.5. The LAAT have processes and in place for employees to raise mental health problems and take positive action promptly when employees seek help.
- 4.6. Managers will undertake training deemed appropriate by the Trust in order to support employees with mental health problems. Managers will have access to appropriate support.

## 5. Terminal illness

- 5.1. If an employee is absent with a terminal illness, the line manager should inform the HR team as soon as possible.
- 5.2. It is important to find out the employees needs during this difficult time. Under the Human Rights Act, 1998, the employee has the legal right to confidentiality in this matter, but the line manager can ask questions with the purpose of supporting of the employees needs.
- 5.3. The employee will be advised to contact their union representative and/ or pension provider who can advise on financial concerns.

## 6. Sickness absence reporting procedure

- 6.1 All employee are required to follow the procedure set out below

- 6.2 If an employee feels unwell and needs to go home during the course of the working day, they must notify their Line Manager in person as soon as reasonably practicable before leaving. That day of absence will be recorded but will not constitute a day's sickness absence for the purposes of this policy and pay will be received for that day. Managers should contact the First Aider to make arrangements for anyone who is unwell to receive medical treatment where appropriate and / or if considered necessary arrange for the employee to be accompanied home. Any injury at work must be recorded in the accident book and in line with the Trust's Health and Safety policy
- 6.3. If you cannot attend work because you are ill or injured you should normally telephone their Line Manager as soon as reasonably practicable and where possible, no later than 7.30 am. For central staff they should contact their line manager within 2 hours of their normal start time. The Trust expects employees to make contact personally (not a spouse / family member / friend) unless there are exceptional circumstances (e.g. admitted to hospital). The following details should be provided:
- a) The nature of your illness or injury.
  - b) The expected length of your absence from work, if known.
  - c) Contact details.
- 6.4 Managers should ensure that:
- a) Any sickness absence within our schools that is notified to them is recorded and reported to the Headteacher.
  - b) Arrangements are made, where necessary, to cover work and to inform only those colleagues that need to be aware that a member of staff is absent. At all times, it is important to maintain confidentiality and treat the issue with discretion and sensitivity.

## 7. Evidence of incapacity

- 7.1 For sickness absence of up to seven calendar days you must complete a self-certification
- 7.2. For absence of more than a week you must obtain a Part 3 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 your Line Manager as soon as possible. If your absence continues, further medical certificates must be provided to cover the whole period of absence.
- 7.3. Illness or sickness absence of an intimate or sensitive nature should be reported to the appropriate person in an envelope marked private and confidential and this will be dealt with in a discreet manner

- 7.4 If your doctor provides a Part 3 certificate stating that you 'may be fit for work' you should inform your line manager immediately. Your line manager, with advice from HR, will discuss with you any additional measures that may be needed to facilitate your return to work, taking account of your doctor's advice, or any advice received by LAAT from the Occupational Health service. This may take place at a return to work interview (see Section 12). If appropriate measures cannot be taken, you will remain on sick leave and a date will be set to review the situation.
- 7.5. Where there are concerns about the reason for absence, or frequent short- term absence, you may be required to provide a Part 3 certificate for each absence regardless of duration. In such circumstances, the School will cover any costs incurred in obtaining such certificates, for absences of a week or less, on production of a doctor's invoice
- 7.6. Where an employee is absent immediately prior to an Academy 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 Academy closure period, unless they provide a Part 3 certificate indicating they are fit to return to work. The cost of fit note will be covered by the Trust if applicable. For Teachers, in accordance with national conditions, if a teacher's illness spans a closure period then the closure period is disregarded for calculation of occupational sick pay only.

## 8. Unauthorised absence

- 8.1 If you do not report for work and have not telephoned your line manager to explain the reason for your absence, your line manager or the HR Manager will try to contact you, by telephone and in writing if necessary. Contact will be made with discretion and sensitivity. This should not be treated as a substitute for reporting sickness absence.
- 8.2. Absence that has not been notified according to the sickness absence reporting procedure will be treated as unauthorised absence, unless subsequent evidence is provided which justifies the absence.
- 8.3. Cases of unauthorised absence will be dealt with under our Disciplinary Procedure, unless subsequent evidence is provided which justifies the absence.

## 9. Sick Pay

- 9.1 You should refer to your contract for details of the sick pay to which you are entitled.
- 9.2. 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 Headteacher 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 cooperate 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.

- 9.3. Provided employees have followed the correct procedure they will be entitled to receive an allowance in accordance with the following scales:

Teaching Staff

|  |  |
|--|--|
| During the first year of service       | Full Pay for 25 workings days and, after completing four calendar months service half pay for 50 working days. |
| During the second year of service      | Full pay for 50 working days, and half pay for 50 working days.  |
| During the 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.  |

*Please Note* : for purposes of sick pay entitlement service includes all aggregated teaching service with one or more local authority or academy. (Breaks in service and supply cover work do not count.)

Support Staff

|  |   |
|--|---|
| During the first year of service                 | One month full pay and, after completing four months service, two months half pay |
| During the second year of service                | Two months full pay, and two months half pay.                                     |
| During the third year of service                 | Four months full pay and four months half pay.                                    |
| During the fourth and fifth years of service     | Five months full pay and five months half pay.                                    |
| During the sixth and successive years of service | Six months full pay, and six months half pay.                                     |

*Please Note* : for occupational sick pay entitlement record purposes 'one month' shall be deemed to be equivalent of 26 working days, Saturday being reckoned in all cases as a working day (but not Sunday).

## 10. Calculation of Sick Leave and Sick Pay – Teaching Staff

- 10.1. For the purpose of calculating a teacher's entitlement during a year, a year is deemed to begin on 1st April and end on 31st March of the following year. Where a teacher starts service after 1st April in any year, the full entitlement for that year will be applicable. Where a teacher is on sick leave on 31st March in any year, no new entitlements shall begin until the teacher has resumed duty and the period from April 1st until the return to duty is regarded as part of the preceding year's entitlement for the purpose of this scheme. When a teacher moves to another employer, any sick pay paid during the current year by the previous employer shall be taken into account in calculating the amount and duration of sick pay payable by the new employer.
- 10.2. For sickness purposes, two half Academy days shall be deemed to be equivalent to one working day. Whilst sickness during Academy holidays will not affect the period of entitlement to sick leave, it will be relevant so far as deduction of benefit is concerned. Thus the rate of pay applicable in respect of sickness during closure of the Academy is the rate applicable on the last day before the closure.
- 10.3. Where teachers are ill immediately preceding the Academy holiday and:
  - a) are on full sick pay they will continue on full sick pay, but the closure period is not counted against their entitlement;
  - b) are on half sick pay they will continue on half sick pay, but the closure period is not counted against their entitlement;
  - c) have exhausted sick pay entitlement and are not receiving any pay this will continue.
- 10.4. Where teachers are either on half pay or are not receiving pay they may be put back on full pay by the procedure below:
  - a) When teachers have been ill immediately preceding an Academy closure period and their doctor declares them fit to return to work during that period, they will receive full pay from the date, provided they return to work on the first day after that period of closure.
- 10.5. The LAAT will refer to the Burgundy book for specific terms relating to absences arising from accidents, injury or assault at work and those that arise following contact with infectious diseases.
- 10.6. Support Staff

The rate of allowance, and the period for which it will be paid in respect of any absence, will be calculated by deducting from the period of allowance the

appropriate to the service on the first day of absence the aggregate of the periods of absence, during the 12 months immediately preceding the first day of absence. In aggregating the periods of absence no account will be taken of any unpaid absence on sick leave.

#### 10.7. Teaching and Support Staff

The following conditions are applicable to both categories of staff:

- a) Sick pay shall include, where appropriate, Statutory Sick Pay and shall not exceed the full (ordinary) pay of the employee under the contract of employment.
- b) If employees have been in contact with someone who is suffering from an infectious disease they must notify the Academy and, if required, take such precautions as may be prescribed provided that, if in the opinion of the approved medical practitioner, it is considered advisable. Notwithstanding such precautions for them to attend duty, full pay shall be allowed during any enforced absence from duty, such pay being sick pay. This provision will also apply where, in the opinion of an approved medical practitioner, it is inadvisable for employees to attend duty for precautionary reasons due to infectious disease in the workplace. The period of absence under this paragraph shall not be reckoned against their entitlement to sick leave stated above. Such absences are reckonable for entitlement to SSP.
- c) Where employees become ill during the school closure they must report this sickness in the usual way, so that SSP can be paid where applicable.
- d) If the Trust is of the opinion that the condition that has caused an employee absence from work is due to their own misconduct, or if they have failed to observe the conditions of the scheme, or have been guilty of conduct prejudicial to their recovery, the payment of any sick pay under the scheme may be suspended by the Trust. Employees will be told the reason for this and have a right to appeal.

#### 11. Keeping in contact during sickness absence

- 11.1 You should expect reasonable contact to be made during your absence by your line manager or HR Team who will want to enquire after your health and be advised, if possible, as to your expected return date. Such contact is intended to provide reassurance and will be kept to a reasonable minimum.
- 11.2 Employees on short-term sickness absence will not normally be contacted at home.
- 11.3 Any contact will not be intrusive and require employees to undertake work.
- 11.4 The employer will maintain reasonable and sensitive contact with employees who are absent from work owing to long-term illness.

- 11.5 Any contact made will not be excessive and, if appropriate in consultation with the employee's trade union representative. Any such contact is designed to be constructive and supportive to the employee's recovery and return to work.
- 11.6 The employer will only undertake home visits in exceptional circumstances, and by mutual consent. The employee can request that the visit will be conducted in the presence of another colleague or trade union representative of the same gender as the employee.
- 11.7 Employees may wish to remain in further contact with other work colleagues.
- 11.8 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 or the HR Team at any time.

## 12. Medical Examinations

We may, at any time in operating this policy, ask you to consent to a medical examination by our Occupational Health Advisor and/or a doctor nominated by us, at the Trust's expense.

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.

## 13. Return to Work interviews

- 13.1 If you have been absent on sick leave we will arrange for you to have a return-to-work interview with your line manager and / or HR representative.
- 13.2 An informal 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.
- 13.3 Where your doctor has provided a certificate stating that you 'may be fit for work' we will 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.

## 14. Returning to work from long-term sickness absence

- 14.1 We are committed to helping employees return to work from long-term sickness absence. As part of our sickness absence meetings procedure, 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
- 14.2 The return to work meeting will explore the reasons for the absence(s) and, if agreed, further action will be taken to improve the employee's attendance or wellbeing.
- 14.3 All parties involved are required to treat all cases of staff absence due to illness in a consistent and constructive manner.
- 14.4 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. No employee will be dismissed on grounds of sickness absence without due warning.

## 15. Sickness absence meetings procedure (Formal)

- 15.1 We may apply this procedure whenever we consider it necessary. All parties are required to treat all cases of staff absence in a consistent and constructive manner. Recommendations of appropriate circumstances in formal procedures may apply are detailed below;
- a) Employee has been absent due to illness on 3 or more occasions during the last 12 months, or there appears to be a pattern to the absences;
  - b) Matters have been discussed at a return to work interview that require investigation; and/or
  - c) Employee has been absent for more than 20 days (long term).

Consideration will be given to individual employee's circumstances.

- 15.2 Unless it is impractical to do so, we will give you five working days written notice of the date, time and place of a sickness absence meeting. Any shortening of this timescale will be done by mutual agreement. 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. You will be given a reasonable opportunity for you to consider this information before a meeting will be provided.
- 15.3 The meeting will be conducted a line manager and will normally be supported by HR. You may bring a companion with you to the meeting (see paragraph 15) and it is your responsibility to organise their attendance.
- 15.4 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 your line manager who will seek to agree an alternative time.
- 15.5 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.

- 15.6 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).
- 15.7 If, at any time, your line 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.

## 16. Right to be accompanied

- 16.1 You may bring a companion to any formal meeting or appeal meeting under this procedure.
- 16.2. Your companion may be either a work colleague or a trade union representative. You should provide their details to your manager conducting the meeting, in good time before it takes place.
- 16.3 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.
- 16.4 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.

## 17. Occupational health referrals

- 17.1 The objective of occupational health is to protect and promote employees' health and wellbeing, including the likelihood of a successful return to work.
- 17.2 The employees line manager or the HR team may refer an employee to an occupational health (OH) adviser for an occupational health consultation.
- 17.3 The School will meet all costs associated with any examination undertaken by the occupational health service and/or the release of the employee's medical report should the employee agree to such a request.
- 17.4 The employee has the right to give their written permission for OH to request a medical report from the employee's doctor.

## 18. Phased Return to work

The LAAT will consider a phased or gradual return to normal hours and responsibilities within a fixed timescale (normally 4-6 weeks) where appropriate and/or requested by the employee or as recommended by Occupational Health or a GP. Employees on phased returns will receive full contractual pay.

## 19. First sickness absence meeting

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.

19.1. 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 medical advice received from Occupational Health or medical specialists;
- 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) Seek agreement from the employee for a referral to Occupational Health if this is required and/or appropriate in the circumstances;
- h) Depending on the nature of the issues, it may be appropriate to warn the individual that their employment may be at risk if attendance does not improve.

Consideration will be given as to whether a risk assessment is required to ensure the health and safety of the employee in light of the reason for their ill health, for example a stress, ergonomic or more general risk assessment may be required.

## 20. Stage 2: Further sickness meeting (s)

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.

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 from Occupational Health. 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 we have already taken, include warning you that you are at risk of dismissal.

## 21. Stage 3: final sickness absence meeting

- 21.1 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.
- 21.2 The LAAT will do whatever is reasonable and practicable to retain employees whose health prevents them from continuing in their present job but who, in the opinion of the Occupational Health, are still considered fit for work.
- 21.3 LAAT will consider reorganising the existing job before exploring the possibility of other kinds of work.
- 21.4 Any alternative work must be suitable, both for LAAT and the employee.
- 21.5 An employee who has successfully acquired alternative employment may require support to adapt into their new role. A trial period will therefore be agreed.
- 21.6 Alternative work may be more or less responsible and/or more or less well paid than the former job. In certain cases, The LAAT may consider limited salary protection for employees redeployed into jobs on lower salaries, based on the merits of the case.
- 21.7 Where the employee is in a Pension Scheme it may be appropriate to explore eligibility for an ill health pension award prior to convening a Stage 3 Meeting.

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 review the medical advice with you.
- d) To consider any further matters that you wish to raise.
- e) To consider whether there is a reasonable likelihood of you returning to work or achieving the desired level of attendance in a reasonable time.
- f) To consider the possible termination of your employment.
- g) Termination will normally be with full notice or payment in lieu of notice.
- h) Termination will normally only be considered where efforts to support a return have failed, Occupational Health has indicated that there is no prospect of a return to work and there is no realistic prospect of ill-health retirement

## 22. Appeals

- 22.1 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).
- 22.2 The appeal will be heard by a senior LAAT officer or panel of the local board, who has not previously been involved in the case.
- 22.3 An appeal should be made in writing, stating the full grounds of appeal, to your line manager within ten days of the date on which the decision was received by you.
- 22.4 Unless it is not practicable, you will be given at least five working 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.
- 22.5 You will be provided with written details of any new information which comes to light before an appeal meeting. You will be given at least 5 working days to consider this information before the meeting.
- 22.6 Depending on the grounds of appeal, an appeal meeting may be a complete rehearing of the matter or a review of the original decision
- 22.7 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 five working days of the appeal meeting. There will be no further right of appeal.

22.8 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.

### 23. Record Keeping

23.1 A record of the formal return to work meeting will be made and stored in accordance with the General Data Protection Regulations and the Data Protection Act 2018. A copy will be provided to the employee.

23.2 Records will be kept in accordance with our Privacy Policy. All employees are provided with a copy of this policy during their induction. A copy of the policy is available from the School office or Data Protection Officer.

### 24. Review of policy

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

# Sickness Absence Flow Chart







