Sickness Policy and Procedure for Staff in Schools- WCC

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1.0 Introduction

1.1 (Insert Name of School) cares about the health and wellbeing of our staff and is committed to creating an environment that empowers our people to have the right work, life balance. This is fundamental to the successful delivery of excellent services to our community.

1.2 We recognise that employees become unwell and may not be fit to attend work. However, high and frequent sickness levels has a significant impact on effective operations, staff morale and may result in substantial financial cost. Managing sickness absence in good time and ensuring that employees are supported throughout absence and their subsequent return to work is therefore paramount.

1.3 This policy will give employees and managers a structured framework in approaching sickness absence in a fair and consistent way. It also creates an opportunity to assist our people to overcome any difficulties that may affect their ability to work effectively.

1.4 The policy applies to all (Insert Name of School) employees.

2.0 Role of Employee

2.1 Our employees will:

- Always perform their duties when they are well and fit to do so
- Promptly notify their line manager that they are unable to attend work due to sickness
- Where the sickness is prolonged, keep their manager informed regularly on sickness updates, any treatment and likely return to work date at a frequency agreed with their manager
- Obtain a fit note certificate from their GP where sickness lasts longer than 7 calendar days and send it to their line manager.
- Engage and cooperate in the Sickness Management process, attend absence review meetings and occupational health assessments.
- Make your manager aware of any underlying health conditions that may affect your ability to attend work

2.2 Where employees fail to engage in the absence management process, including taking part in occupational health assessments, the School reserves the right to withdraw occupational sickness pay and/or instigate disciplinary procedures.

3.0 Role of Manager

3.1 Our managers will:

- Understand their duty of care for the health, safety and welfare of their staff and will provide support to staff who are absent due to sickness.
- Treat staff who are sick in a sensitive, fair, supportive and consistent way

- Monitor and manage sickness absence promptly and check that absence records are kept up to date
- Keep in regular contact with employees during their absence
- Undertake a return to work interview as soon as it is practicable following the employee's return to work
- Be open and honest on the next steps if attendance does not improve
- Make a referral to OH on the 8th day of a direct report's absence
- Advise the purpose and benefits of medical referral and obtain employees' consent prior to seeking a medical report
- Undertake risk assessments where relevant
- Respect confidentiality when dealing with medical issues
- Explore any adjustments that may enable employees to return to work earlier if possible
- Take account of the legal requirement to make reasonable adjustments where performance is affected by a disability
- Notify employee's when their pay is reducing to half and/or nil pay
- Follow the Reporting Accidents and Near Miss Policy where an employee notifies the reason of their absence being "Injury at work" and that appropriate investigation and reporting is carried out.

4.0 Role of Occupational Health (OH)

4.1 Our OH Service:

- Assesses employees' health in order to provide advice on any underlying health condition or disability
- Provides advice on possible adjustments
- Advises on expected return to work timelines or appropriate alternatives
- Provides suggestions to the employees on how their health could be improved if possible
- With the employee's consent may seek further information about their health from their GP or and/or other medical practitioner.

5.0 Notification of sickness

5.1 You must contact the school in accordance with your contract of employment or school's absence notification procedures.

5.2 Brief detail of the reason for absence and if possible some indication of a likely return to work date should be given during this contact. The position in relation to the current workload should be discussed in order to help the school make appropriate cover arrangements.

5.3 If you are still unfit for work after three successive working days you must once again contact the Headteacher or nominated person on the fourth day of absence.

5.4 A doctor's Statement of Fitness for work must be provided by all staff where sickness absence lasts beyond 7 calendar days.

5.5 Where sickness lasts for more than one day, employees will continue keeping in regular contact with their line manager providing them with sickness updates. Manager and employee will agree a frequency of such communication where sickness becomes prolonged.

5.6 We trust our employees to follow the Sickness Management process including prompt notification of absence. However, in the unlikely event that an employee repeatedly fails to follow the procedure in line with this policy the School may withdraw sickness pay and/or instigate the disciplinary process.

6.0 Medical certificates

6.1 If sickness absence continues **beyond 7 calendar days**, the employee will need to provide a medical certificate from their GP and continue submitting these throughout the duration of the absence. There should be no gaps in certificates.

7.0 Return to work interview

7.1 All staff will have a return to work discussion with their manager, normally on their first day back at work.

7.2 The purpose of a return to work discussion is to ensure that your manager is aware of issues that affect your attendance at work and your state of health so that the appropriate support and action may be taken. For example, your manager should be made aware of whether:

- you have an underlying medical condition;
- any adjustments are needed if you have a disability;
- you are suffering from stress which may relate to personal issues or to issues at work;
- you would like access to the counselling service; or
- there are personal issues outside work that are affecting your attendance.

7.3 Return to work discussions and sickness review meetings may help to improve attendance and resolve absence issues, as health and other associated problems are discussed openly in a supportive way with a view to addressing issues at an early stage.

7.4 Your manager will welcome you back to work, check if you are well enough to return, find out the reason and cause of absence if this is not known, identify whether there is any additional support the School can provide and bring you up to date with any changes or news.

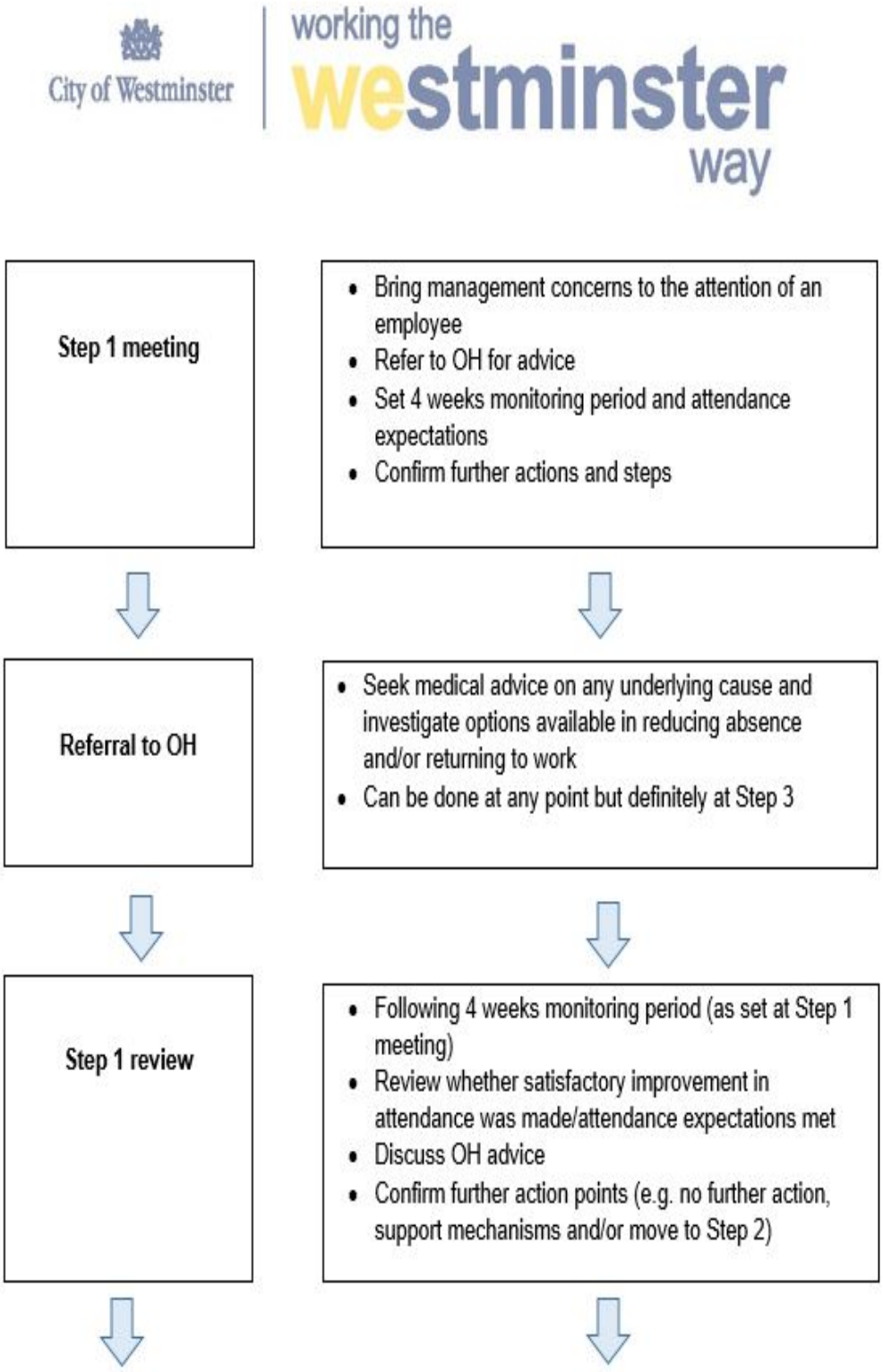
7.5 An interview record should be kept and shared with the employee.

8.0 Sickness Management Process – Steps and trigger points

8.1 The Sickness Management Process is initiated where an employee has had:

- 8 days in any rolling 12 months period; or

- an absence pattern or health issue which causes concern



Step 2 Meeting

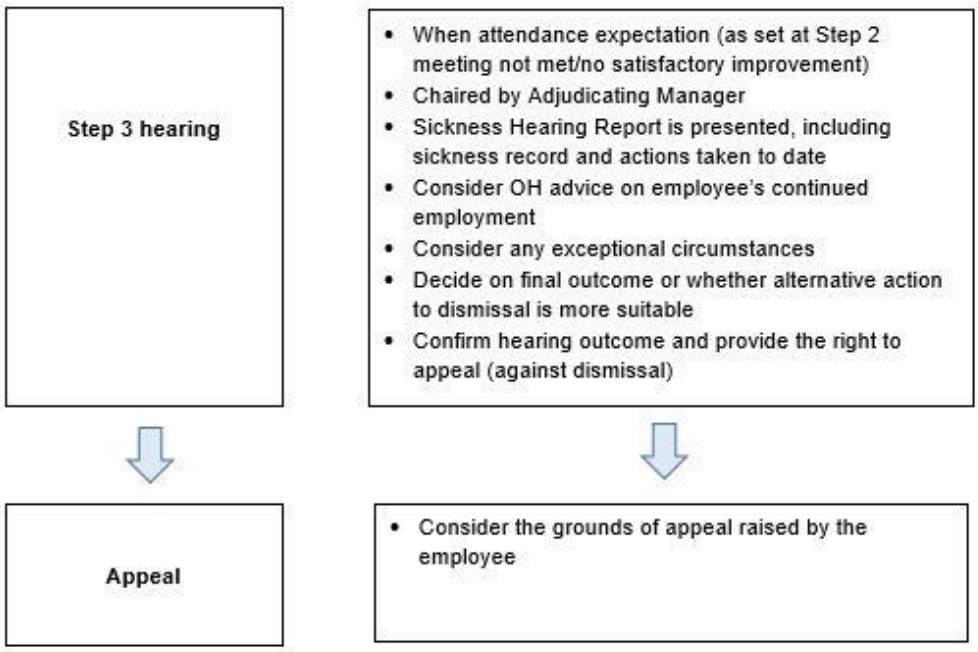
- When attendance expectation set at Step 1 meeting not met/no satisfactory improvement or where initial improvement was made but attendance raised further concerns within 2 years following Step 1 review
- Agree further 4 weeks monitoring period and set attendance expectations
- Consider if further OH referral is needed
- Confirm next action points

Step 2 Review

- Following 4 weeks monitoring period (as set at Step 2 meeting)
- Review whether satisfactory improvement in attendance was made/attendance expectations met
- Discuss OH advice and/or seek further referral
- Confirm further action points and steps (e.g. no further action, support mechanisms and/or move to Step 3)
- Inform that job may be at risk (if it is)

Step 3 meeting

- When attendance expectations set at Step 2 meeting not met/no satisfactory improvement or where initial improvement was made but attendance raised concerns within 2 years following Step 2 review or Step 3 meeting/hearing
- Consider to date OH advice, make a new referral for any updates
- Consider any exceptional circumstances
- Inform that job is at risk (if it is)
- Inform that Sickness Hearing Report will be completed



8.2 For details on the levels of authority please refer to the table below.

Employee Level	Step 1 Reviewer	Step 2 Reviewer	Step 3 Reviewer
Head Teacher	Chair of Governors or a non-staff governor appointed by the Chair other than Vice-chair	Chair of Governors or a non-staff Governor nominated by the Chair other than the Vice- Chair	Governors' Absence Panel (consisting of at least 3 governors, or 2 governors and an associate member), appointed by Vice -Chair
Other Leadership Spine	Head Teacher	Chair of Governors or a non-staff Governor nominated by the Chair other than the Vice-Chair	Governors' Absence Panel (consisting of at least 3 governors, or 2 governors and an associate member) appointed by Vice -Chair

Other Teaching Staff	SLT Member	Head Teacher	Governors Absence Panel (consisting of at least 3 governors, or 2 governors and an associate member) appointed by the Chair
Other Support Staff	A person appointed by the Headteacher	A person appointed by the Headteacher	Governors Absence Panel (consisting of at least 3 governors, or 2 governors and an associate member) appointed by the Chair

Guidance for Managers

Managers do not need to authorise sickness absence.

8.3 Prior the Meeting/Review:

- Prepare for the meeting by collecting relevant documentation and reviewing the sickness absence record
- Seek HR advice where appropriate
- Give the employee at least 5 working days' written notice prior the formal meeting (or less if mutually agreed)
- Give employee a right to be represented by a trade union representative or a work colleague
- Share with employee any documentation you have in relation to their sickness (i.e. sickness records, previous letters, medical reports) and make sure they are aware of the Sickness Management policy
- Where an employee is too ill to attend a meeting consider whether a home visit or writing to them is more appropriate

8.4 During the Meeting/Review:

- Explain the purpose of the meeting and the sickness management process
- Discuss sickness absence and the effect the absence has on work objectives and colleagues

- Discuss the reasons for sickness and any health, work or domestic problems that may affect the ability to attend work, including any issues relating to disability
- Explore any options that may enable the employee to improve attendance or return to work, including any reasonable adjustments and the Employee Assistance Programme
- Discuss whether referral to OH is appropriate, explain its purpose in supporting the employee and get their consent where possible
- Explore OH advice where it has been received
- Communicate attendance expectations and the monitoring period
- Confirm whether employee's job may be at risk (if it is)
- Confirm the action plan and what the next steps will be

8.5 Post the Meeting/Review:

- Confirm discussion and action points in writing
- Make referral to OH where agreed
- Notify HR Advisor of the actions agreed
- Continue monitoring the absence
- Prepare a Sickness Absence Report where absence is moving to a Step 3 hearing

8.6 Governors Absence Panel:

- Chair to explain the purpose of the meeting
- Management representative to present the school case to governors
- Employee, or representative, to ask questions of management
- Panel to ask questions of management
- Employee, or representative, to present their case to governors
- Management to ask questions of employee
- Panel to ask questions of employee
- Consider sickness absence, using this policy, and the effect the absence has on work objectives and colleagues
- Consider the reasons for sickness and any health, work or domestic problems that may affect the ability to attend work, including any issues relating to disability
- Explore what options management have considered that may enable the employee to improve attendance or return to work, including any reasonable adjustments and the Employee Assistance Programme
- Consider whether referral to OH has been made and any recommendations made by OH
- Consider attendance expectations and the monitoring period used
- Confirm what the next steps will be

9.0 Disability Related Sickness

9.1 The School has a legal duty under the Equality Act 2010 to put reasonable adjustments in place where an employee's disability is having an impact on their attendance record or ability to do their job.

9.2 The legal definition of a disability is wide and any condition where the employee has a physical or mental impairment that has a substantial or long-term negative effect on the ability to do normal daily activities may constitute a disability. Managers therefore should exercise caution and seek advice from Occupational Health or their HR Advisor.

9.3 The Sickness Management Process should be followed in the usual way for disability related absence and managers will make every effort to assist disabled employees where they may need adjustments to working practices and duties, additional time off for medical appointments, rehabilitation, assessment or treatment related to their disability. This will be balanced with service needs.

10.0 Terminal illness and ill health retirement (IHR)

10.1 (Name of School) will support employees who suffer from a terminal illness with dignity, respect and compassion and in accordance with their wishes wherever possible. We aim to provide the most financially advantageous arrangements for them and their family. This includes discussion of the possibility of ill-health retirement in line with the LGPS ill health retirement scheme or the termination of employment with a lump-sum payment under any other pension scheme if applicable.

10.2 Managers should seek HR and OH advice in these circumstances, which will be provided on a case-by-case basis.

11.0 Pregnancy related sickness

11.1 Where employee is off due to pregnancy related sickness our managers will ensure appropriate support is provided and will seek further advice from OH if needed.

11.2 The line manager will continue to monitor the absence; however, there will be no progression through the steps of the Sickness Management Process where sickness is pregnancy related.

12.0 Accidents at work

12.1 Any absences because of an accident at work will be managed in the usual way but will be paid an injury allowance (see below).

13.0 Sick Pay and Injury Allowance

13.1 Entitlements

Statutory Sick Pay (SSP)

- This is the minimum entitlement laid down by law which the School is required to pay employees while sick
- SSP will be paid to employees when sick for four days or more in a row
- Employees will receive SSP for up to 28 weeks in a spell of sickness
- Spells with 8 weeks or less between them count as one spell

- If the employee is sick after 28 weeks they will be issued with form SSP1 which they can use to claim state benefits
- Employees who are not entitled to receive SSP will receive a form from HR stating why, which can be used when claiming benefit

Occupational Sick Pay (OSP)

- Employees on sick leave are entitled to receive payments from the Council's Sick Pay Scheme, depending on their length of service
- The School supplements SSP with OSP. The maximum payment that an employee will receive when off sick will not exceed full pay
- Entitlement for each new period of sickness will depend on what has been paid over the previous 12 months
- When calculating entitlement to OSP, previous continuous service with a local government will count towards service

Service	**Entitlement**
During 1st year	1 month's full pay and (after completing 4 months' service) 2 months' half pay
During 2nd year	2 months' full pay and 2 months' half pay
During 3rd year	4 months' full pay and 4 months' half pay
During 4th and 5th year	5 months' full pay and 5 months' half pay
After 5 years	6 months' full pay and 6 months' half pay

14.0 Industrial Injury

14.1 An allowance will be paid if:

- an employee becomes unable to work, either on a short-term or permanent basis due to injury or disease whilst in the employment of the School
- this can be specifically attributable to the nature of their duties
- this is not wholly or mainly due to or seriously aggrieved by their own negligence or misconduct

14.2 Where an employee cannot continue in their present post, but is not permanently unable to work, alternative employment should be sought for them. They will continue to be paid at the rate of pay for the post they occupied prior to redeployment. Deductions of the amount of statutory benefit or compensation that the employee is in receipt of will be made from their salary, as long as the final pay is not reduced below the level of pay for the post that the employee has been redeployed into.

15.0 Extension of Occupational Sick Pay

15.1 An extension of sick pay will not normally be considered where there is little likelihood of the employee ever returning to work. In such cases the possibility

of an ill health retirement should be considered in consultation with the Occupational Health Provider

15.2 Extension to periods of full sick pay will only be considered, after consultation with HR, in the following exceptional circumstances:

- where the employee's absence is for a single underlying medical condition which may have required more than one period of absence,
- where it is anticipated that the employee will return to work in the very near future and extension of sick pay will aid a quicker recovery of the employees health, and
- where it is known that the financial hardship resulting in a reduction in pay may generate a level of anxiety that would hinder a speedy recovery and consequently delay a return to work

15.3 Sick pay cannot normally be extended beyond the end of the employee's half sick pay entitlement.

15.4 Where such circumstances apply, and extension of sick pay is considered, the Manager should seek advice from their HR Adviser. The Governors Absence Panel will make the final decision in agreement with the Director of People Services. Each case will be considered on its merits.

Supporting documents, sample letters and reports

OH referral

OH consent form - Medical Report Consent Form.docx

OH referral form - OH managment referral form.doc

OH referral guide -Occupational Health Management Referral Guide WCC.pptx April 18.pptx

Step 1 documents

Invite to 1st Meeting (Employee Returned to Work): Step 1 Invite to 1st Meeting Employee Returned to Work Letter.docx

Invite to 1st Meeting (Employee Still Off Sick): Step 1 Invite to 1st Meeting Employee Still Off Sick Letter.docx

Outcome of 1st meeting (including where employee has not attended) Letter: Step 1 Outcome of 1st meeting (including where employee has not attended) Letter (WCC).docx

Review: Meeting, satisfactory improvement Letter: Step 1 Review Meeting, satisfactory improvement Letter.docx

Review: No Further Action Confirmation: Step 1 Review No Further Action Confirmation Letter.docx

Within two years reinstate and commence Step 2 Letter:Step 1 within two years reinstate and commence Step 2 Letter.docx

Step 2

Step 2 Meeting outcome Letter: Step 2 meeting outcome Letter.docx

Step 2 Review Commence Step 3 or Alternatives Letter: Step 2 Review Commence Step 3 or Alternatives Letter.docx

Step 2 Review Meeting, satisfactory improvement Letter: Step 2 Review Meeti ng, satisfactory improvement Letter.docx

Step 2 Review No Further Action Confirmation Letter: Step 2 Review No Further Action Confirmation Letter.docx

Step 2 Within Two Years Reinstate and Commence Step 3 Letter: Step 2 Within Two Years Reinstate and Commence Step 3 Letter.docx

Step 3

Step 3 Hearing Adjournment Letter: Step 3 Hearing Adjournment Letter.docx

Sickness Step 3 Hearing Invite Letter: Step 3 Hearing Invite Letter.docx

Sickness Step 3 Hearing Outcome Dismissal Letter: Step 3 Hearing Outcome Dismissal Letter.docx

Notifying on half/nil pay

Sample letter to notify on Half pay: Sickness Sick Pay Expiry of Half Sick Pay Letter (WCC).docx

Occupational Health Management Referral Guide WCC.pptx April 18.pptxStep 1 within two years reinstate and commence Step 2 Letter.docx
Step 2 Within Two Years Reinstate and Commence Step 3 Letter.docx

Step 3 Hearing Outcome Dismissal Letter.docx Sample letter to notify on Nil pay:
Sickness Sick Pay Extension of Full Sick Pay Letter (WCC).docx