

# **GRIMOLDBY PRIMARY SCHOOL SICKNESS POLICY**

## **1. Introduction**

The levels of absence amongst staff are of vital importance to the success of any organisation and none more than in a school such as Grimoldby Primary School.

Health and Safety legislation requires that employers are responsible, so far as is reasonably practicable, for the health, safety and welfare of their employees. The management of the school are convinced of the need to properly manage the levels of sickness absence which may occur, not least for the reasons of staff welfare and to try to ensure that where staff are experiencing problems relating to sickness absence, we are able to provide the appropriate support.

There are a number of benefits to be gained from the proper management of sickness absence. Not only can staff welfare and support be provided but the highest level of continuity can be achieved both for the school and the pupils where absence is properly managed.

The financial implications of sickness absence are inescapable and whilst this is certainly not the paramount issue it would not be right for us to ignore such implications.

The principles of this policy are to be applied to all staff employed at Grimoldby Primary School, teaching and support staff.

## **2. Objectives**

Grimoldby Primary School is placing great emphasis on the management of absence. The main objectives are to try to achieve full attendance and properly manage cases of absence.

These objectives will be underpinned by the following principles:-

- staff will be treated fairly and compassionately with all appropriate support being given (for example, the services of the County Council's Employee Support and Counselling Service)
- management will be consistent in their approach to the procedure for dealing with individual cases
- high standards in health, safety and welfare will be a constant objective for all
- any information received during the application of the procedures involved in absence management will be treated confidentially and sensitively.

## **3. Monitoring of Sickness Absence**

Proper absence management can only occur if the appropriate monitoring of absence takes place.

The responsibility for monitoring absence on behalf of the Governing Body will be placed with the Headteacher. (This responsibility will be shared with the Administrator).

The role of the Headteacher in this respect will be to:-

- ensure that all staff have access to the school's absence management policy;
- ensure that a procedure for the reporting of absence has been agreed and is followed;
- ensure that both the duration and the reasons for absence are recorded;
- conduct return to work interviews;
- monitor absences, analysing the appropriate information in order to identify any problems which may develop regarding employee's absences.

NB: Monitoring of the absence of the Headteacher will be undertaken by the Governing Body.

#### **4. Return to Work Interviews**

On the day a member of staff returns to work from sickness absence, the Headteacher (or other designated member of staff) will conduct a return to work interview with the member of staff, in a private environment with their attendance record available for discussion.

Whilst such interviews may only last for a few minutes they will provide the Headteacher with key information to help manage absence and try to improve attendance.

The results of these interviews can be one or more of the following:-

- establish the cause of absence, which will need to be recorded on the self-certification form, signed by both the member of staff and the Headteacher;
- re-affirm the school's interest in the welfare of the member of staff;
- provide an opportunity for discussion on the general attendance record of the member of staff;
- allow the member of staff to inform the Headteacher if there is an underlying medical problem;
- enable the Headteacher to reinforce the aim for high attendance levels;

- identify any areas where the school can assist the member of staff e.g. with work related/personal problems and to encourage staff to have a positive attitude towards their own welfare.

## **5. Review of Absence Records and Further Action**

- 5.1 It is intended that sickness absence records for each member of staff will be maintained and that the Headteacher will review these records on a termly basis. Each record will provide details of the number of occasions the member of staff has been absent, the total number of days for each absence, and a running total of that member of staff's level of absence. Reasons for absence will also be maintained on these records.
- 5.2 The review of each absence record will be carried out with a view to deciding, where appropriate, that measures need to be taken, regarding individual cases and what those measures should be.
- 5.3 It is recognised that it is of paramount importance to ensure that any decisions regarding action to be taken in individual cases are made on an entirely objective basis. In order to ensure consistency and objectivity, when absence records are reviewed, a comparison of each record will be made against standard, agreed levels of absence. Those levels when reached will 'trigger' an automatic consideration of further action in those particular circumstances.

It is intended that these agreed 'trigger' levels will be reviewed on an annual basis by the Headteacher and will be the subject of consultation with staff and Trade Unions.

Initially the following levels of absence will indicate the need to consider further measures:-

In any 6 month period

3 or more separate periods of sickness absence,  
**or**  
 a total of 8 working days absence.

- 5.4 Where the level of absence in a particular case has reached that where further action is to be considered such action will depend on the circumstances of the case, including:-
- the frequency and duration of absences
  - the reasons for absence
  - the total amounts of absence
  - the nature of duties undertaken and the effects on service provisions
  - the outcome of any previous reviews and any previous action taken.

- 5.5 It will be for the Headteacher, in reviewing any individual case, to try to establish whether the absence record of a member of staff consists of persistent short term absence or whether an underlying medical problem is indicated by their absence record.
- 5.6 If an underlying medical problem is perceived, then help may be sought through the Occupational Health Adviser, via the County Council's Employee Support and Counselling Service.
- 5.7 Where an absence record does not obviously indicate an underlying medical problem or where it is felt that such a problem may be evident but has not been dealt with appropriately, the Headteacher will conduct an interview with the member of staff concerned.

At this interview the Headteacher will examine, with the member of staff (who may be accompanied by a friend or Trade Union Representative) the circumstances of the absences, any medical or welfare assistance which may be of help and the effect of the absences on the duties of the member of staff.

- 5.8 If the member of staff suggests that an underlying medical problem may be a contributory factor then he/she should be referred to the Occupational Health Adviser and consent to medical review should be obtained.
- 5.9 In all other cases the member of staff will be informed that their level of absence is considered to be unsatisfactory and they shall be informed that an improvement is required and that further monitoring of their absence level will take place over a specific period. The member of staff shall also be informed that failure to improve will result in referral to a panel of the Staffing Committee of the Governing Body.

Where, upon further monitoring, satisfactory improvement has taken place, the member should be interviewed and informed of this.

Where satisfactory improvement is not forthcoming the case would then proceed to be dealt with by the Staffing Committee under Paragraph 6 of this policy.

## **6. Referral of Cases to the Staffing Committee (Short term absences)**

- 6.1 Where upon review of an individual absence record the Headteacher considers the record to be unsatisfactory, an interview will be held as described in Paragraph 5.9. If following that interview the Headteacher decides that improvement in the employee's absence record is necessary this will be required with the proviso that should the improvement not be forthcoming the case would be referred to the Staffing Committee for their consideration.
- 6.2 Where a case is referred to a Panel of the Staffing Committee a formal hearing will take place at which the employee may be represented and at which formal action may be taken against the employee.

The procedure for such hearings will be as follows:-

- The employee will be informed, in writing, of the date, time, and place of the hearing and be given at least 10 days notice of the hearing. The employee will be provided with a written statement of the case to be presented together with any documents to be presented at the hearing.
- The employee shall be given the right of representation at the hearing, either by a friend or Trade Union representative.
- The Panel conducting the hearing will consist of 3 Governors, who will be advised by the school's insurance legal adviser.
- The facts of the case will be reported orally to the Panel by the Headteacher, who will refer to the written statement and supporting information.
- The Panel will ask any questions as necessary.
- The employee and/or their representative will ask any questions as necessary.
- The employee and/or their representative will present their case.
- Questions will be asked, as necessary, by the Panel and the Headteacher.
- The Headteacher will sum up the case against the employee. This will be followed by a summing up from the employee and/or their representative.
- The Panel will consider their decision and inform the employee before the hearing closes, confirming their decision in writing within 3 days.

6.3 Following consideration of the facts of the case the Panel will convey their decision to the employee.

A range of actions will be open to the Panel, depending upon the circumstances of the case. Action, if taken, may range from the following:-

- Formal written warning.
- Final written warning (this will only follow where a Formal Warning has previously been issued and required improvement is still not forthcoming).
- Dismissal (this will only occur where a Final Written Warning has previously been issued and required improvement still not forthcoming).

In some cases the Panel may decide not to take any formal action but to continue to monitor the absence record of the employee.

6.4 In all cases where formal action is taken by the Panel of the Staffing Committee, the employee will have the right of appeal to the Governing Body's Appeals Committee. The appeal is to be made within 10 days of the notification to the employee of the original decision. The reasons for the appeal should be set out in writing and sent to the Clerk to the Governors.

The procedure for the hearing of appeals will be as follows:-

- The Panel shall consist of 3 Governors advised by the school's insurance legal adviser. They will not have been involved in any previous hearing involving the case.
- The Headteacher shall report the circumstances of the case orally supported by written statement and the medical report in the presence of the employee and the representative.
- The employee or the representative shall then be given the opportunity to question the Headteacher regarding the case.
- The Governors hearing the appeal shall then have the opportunity to question the Headteacher regarding the case.
- The employee or the representative shall then put his/her case and explanation of the circumstances of the absences.
- The Headteacher shall then have the opportunity to question the employee.
- The Governors hearing the appeal shall then have the opportunity to question the employee.
- The Headteacher shall then sum up, followed by the employee or representative.
- The Panel will consider their decision and inform the employee before the hearing closes, confirming their decision in writing within 3 days.

## **7. Long Term Absence Cases**

7.1 For the purposes of this policy, long term absence cases will be defined as those where an employee has been absent for a period of 6 weeks (either in one continuous period or in total over a 12 month period) or where it is known that he/she is likely to be absent for such a period. This however does not preclude the school from referring an individual earlier if the circumstances warrant such action.

7.2 Where such cases occur formal contact must be made at the earliest opportunity by the Headteacher who will ascertain the likely length of absence and offer any appropriate advice and assistance to the employee. This may include a recommendation to the employee that they contact the County Council's Employee Support and Counselling Service.

A home visit by the Headteacher can be arranged with the consent of the employee.

- 7.3 Where an employee is absent on long term sickness it is important that contact with the school is maintained. The Headteacher will therefore continue to make formal contact with the employee at least monthly, following the initial formal contact.
- 7.4 When it is clear that an employee has been or is likely to be on long term absence the case should be referred to the School's Occupational Health Adviser now called Well Work. This referral may be arranged by the County Council's Employee Support and Counselling Service who, in liaison with the Headteacher, will arrange a formal meeting with the employee to:-
- discuss the nature of the problem
  - ascertain the likely prognosis
  - explain the medical review procedure to the employee and seek their consent for access to their medical records.
  - inform them of the dates that their entitlement to full and half pay expire.
- 7.5 Well Work will advise on the health of the employee and their fitness for work. Apart from these issues Well Work may suggest amendments to working practices or that certain duties should not be carried out by an employee, in order to facilitate their return to work.
- 7.6 Where an individual is looking to return to work following a long term absence then the school may refer the case to Well Work before a return is agreed. This would normally be in cases where there is a potential risk to the health, safety or welfare of pupils although other circumstances may also lead to medical suspension. See Appendix 7 for details regarding the suspension of staff on medical grounds.
- 7.7 In cases where it becomes clear that an employee is permanently incapable of undertaking their duties on medical grounds the next step will be for the employee to discuss their situation with the school's legal adviser. A recommendation in respect of permanent ill health will usually only occur in respect of support staff.

The purpose of this interview will be to review the case and to decide on the next step. It may be that the employee does not wish to retire on the grounds of ill health but wishes to seek redeployment. If the employee is medically suitable for and expresses an interest in redeployment Well Work will advise the employee with regard to possible redeployment opportunities. Obviously the possibilities for redeployment within the school may well be limited and Well Work will also liaise where appropriate, with the school's named HR Adviser who will explore other available redeployment opportunities that may exist elsewhere within the County Council.

7.8 If the employee is not seeking redeployment or where possibilities for redeployment have been exhausted the Staffing Committee of the Governing Body will write formally to the employee notifying them of the proposal to terminate their employment on the grounds of ill health and informing them of their right to representations and appeal against this proposal.

In the majority of cases termination of employment under such circumstances will be by mutual agreement and an effective date can be agreed very quickly.

This will then be confirmed by the Governors who will issue the notice of termination. In other cases, notice of termination will not be issued until the representation and appeals stages have been addressed.

7.9 If a formal hearing is required the procedure will be as follows:

- The employee will be informed, in writing, of the date, time, and place of the hearing and be given at least 10 days notice of the hearing. The employee will be provided with a written statement of the case to be presented together with any documents to be presented at the hearing.
- The employee shall be given the right of representation at the hearing, either by a friend or Trade Union representative.
- The Panel conducting the hearing will consist of 3 Governors, who will be advised by the school's insurance legal adviser.
- The case for dismissal will be presented to the Panel by the Headteacher, who will refer to the written statement and supporting information.
- The Panel will ask any questions as necessary.
- The employee and/or their representative will ask any questions as necessary.
- The employee and/or their representative will present their case.
- Questions will be asked, as necessary, by the Panel and the Headteacher.
- The Headteacher will sum up the case against the employee. This will be followed by a summing up from the employee and/or representative.

- The Panel will consider their decision and inform the employee before the hearing closes, confirming their decision in writing within 3 days.

Following consideration of the facts of the case the Panel will convey their decision to the employee.

In all cases where a dismissal decision is taken by the Panel of the Staffing Committee, the employee will have the right of appeal to the Governing Body's Appeals Committee. The appeal is to be made within 10 days of the notification to the employee of the original decision. The reasons for the appeal should be set out in writing and sent to the Clerk to the Governors.

The procedure for the hearing of appeals will be the same as for the original hearing but will include the Chair of the first committee who will confirm the original decision for dismissal as part of the Headteachers presentation.

- 7.10 At any stage, an employee who is likely to be retiring on the grounds of ill health may access details of pensions implications by contacting Human Resources.
- 7.11 In the case of teaching staff where permanent ill health is granted through the individual's own application for benefits to Teachers' Pension, Human Resources will seek to agree with the individual a mutual date for the commencement of pension payments.
- 7.12 In cases where it is the opinion of Well Work that an employee although not regarded as permanently incapable of undertaking their duties will not be able to return to work for the foreseeable future then dismissal may be considered on the grounds of "some other substantial reason" (SOSR). The reason being the individual's continued absence from work due to their medical incapacity.
- 7.13 In the majority of cases termination of employment under such circumstances will be by mutual agreement and will be confirmed by the Governors who will issue the notice of termination in accordance with stature and relevant conditions of service. In other cases, notice of termination will not be issued until the representation and appeal stages have been addressed. In such cases the same procedure will be followed as followed as detailed in points 7.8 and 7.9 but the reason for dismissal will be for SOSR.

## **8 Review of Policy/Procedures**

The content of this policy and the procedures contained herein have been the subject of consultation with school staff and relevant Trade Union representatives. It is important that regular review of the policy and procedures takes place and to this end consultation with staff and Trade Union representatives will take place on a yearly basis where comments will be sought regarding the application of the policy and how improvements may be made if appropriate.

**Signed: Mrs. M. Barnes**

**Date: May 2009**

**Review Date: May 2010**

