CARWARDEN HOUSE SCHOOL

MANAGING SICKNESS ABSENCE POLICY

Reviewed Bi-annually by SBM:	February 2025
Adopted by AR&R:	March 2025
Due for review:	January 2027

Introduction

Carwarden House School (Iris Academy Trust) applies this policy to all employees of the school (which will be referred to as "you" in this policy). It does not form part of any employee's terms and conditions of employment and is not intended to have contractual effect. It is provided for guidance only and we reserve the right to amend its content at any time.

This policy should be read in conjunction with our Sickness Absence and Sick Pay Policy.

Purpose of this Policy

There are four key aims of this policy, which are to:

- understand the causes of any absence and the effect it may have/will have on your ability to carry out your job function effectively;
- provide support to you to help you manage your health, work or welfare problems, including work-related stress;
- explore any options which could help you to improve attendance and/or facilitate your return to work;
- outline the key stages of an absence management process and the potential outcome(s).

In addition, we will:

- bear in mind your rights to medical confidentiality;
- manage attendance issues in a fair and consistent manner and in line with relevant employment legislation and best practice;
- keep records;
- implement this policy with due regard to an employee's disability and our duty to make reasonable adjustments to its arrangements, policies and procedures, where applicable;
- comply with relevant data protection laws when handling information about an employee's health.

We are committed to ensuring that our employees attend work whenever they are fit for work. However, it also recognises that individuals do become ill and need to be absent from work at times. Where this is the case, it will manage such absence with the ultimate aim of getting the employee back to work as soon as possible, giving appropriate and reasonable assistance to achieve that aim.

This policy sets out the likely steps involved in managing sickness and attendance, but recognises that different approaches may be required, depending on the nature of your absences. The procedure to be followed in the case of an acute or long-term medical problem ("long term sickness absences") differs from the procedure to be followed in the case of persistent, intermittent short term absenteeism ("short term intermittent absences"). The likely steps involved are set out below.

We expect all of its employees to take responsibility for their own attendance at work and, if you are ill, your recovery and timely return to work. You are required to comply with our notification and certification procedures; provide sufficient information as and when required to keep us informed of your condition and prognosis; co-operate with us to implement any advice from an approved healthcare professional and/or occupational health practitioners in order to facilitate a timely return to work and attend meetings when requested to do so (unless your condition is such that medical advice is that you cannot attend such meetings).

Meetings under this Policy

Meetings under this Policy will be arranged during your normal working hours, and therefore you should be available to attend, and must take all reasonable steps to do so. Failure to do so without good reason may be treated as misconduct.

We will notify you in writing of the time, date and place of any meeting, and why it is being held.

Meetings will usually be conducted by the Headteacher.

You will have the right to be accompanied by a work colleague or an accredited trade union official at any of the following **formal** meetings:

Long Term Sickness Absence:

- Formal Absence Review Meeting(s)
- Consideration of Dismissal Hearing
- Appeal Hearing

Short Term Intermittent Absences:

- First Formal Absence Review Meeting
- Final Absence Review Meeting
- Consideration of Dismissal Hearing
- Appeal Hearing

You do not have the right to be accompanied at return to work or welfare meetings.

Please note that the mere fact of being signed off by an approved healthcare professional as unfit to work does not of itself mean you are unfit to attend a meeting. Unless the nature of your ill-health is such that you are unable to attend, you would normally be expected to attend.

However, if the meeting is one at which you are entitled to be accompanied, and your companion is unavailable to attend at the time specified you should immediately inform the Headteacher who will seek to agree an alternative time within a reasonable period (normally 5 working days). If this is not possible, you would be expected to find an alternative companion.

A meeting may be adjourned if the Headteacher 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.

Confirmation will be given to you in writing as soon as reasonably practicable following any meeting under this Policy of:

- the issues discussed;
- any decisions made or actions agreed at a meeting;
- the reasons for such;
- any adjustments or support agreed;
- the consequences of failure to improve; and
- any right of appeal (if a formal sanction has been issued).

Disabilities

We are aware that sickness absence may result from a disability. At each stage 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.

We may also adjust the process where appropriate, for example, to accommodate your disability:

- trigger points may be adjusted;
- meetings may be held off-site or by telephone;
- while no right to accompaniment applies at the informal stage of the process, we may extend this right in appropriate circumstances;
- at our absolute discretion, you may be permitted to bring a companion who is not a work colleague or union representative (for example, a family member) where this will help overcome particular difficulties caused by a disability; and/or
- we may, in appropriate circumstances, elect not to impose a warning in relation to disability related absence. This shall not however prevent the absence management procedure from moving to the next stage.

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.

Managing Long Term Sickness Absence

The following paragraphs set out our procedure for dealing with long term sickness absence. The purpose of the procedure is to investigate and discuss the reasons for your absence, whether it is likely to continue or recur, and whether there are any adjustments or support which could improve your health and/or attendance. We may decide that medical evidence, or further medical evidence, is required before deciding on a course of action.

1. Referrals to the Occupational Health Unit

We have access to an Occupational Health service and may use this to obtain expert medical advice to:

- provide appropriate support to you; and
- aid decision-making in sickness absence cases.

We may refer you to the Occupational Health service at any point if they are concerned about the impact of your health on your work or attendance. Referrals will also take place at appropriate points throughout the process set out in this Policy.

It is likely that a referral will take place when you have been on sick leave for 4 continuous weeks, or we receive a medical certificate indicating that an absence of this length is anticipated.

2. Welfare Meeting

An informal Welfare Meeting will usually be arranged after a continuous period of 4 or more weeks' absence; however, can be arranged sooner if we are concerned about your wellbeing or either party consider it beneficial to do so.

At the Welfare meeting, we will discuss with you:

- the reason for your absences;
- the anticipated duration of your absence;
- the treatment and care you are receiving;
- whether it is necessary for us to consider making reasonable adjustments or put support in place to assist you in returning to work;
- whether medical evidence is required to assess your fitness to return to work and if any adjustments or support are necessary to assist you;
- if your continued absence may lead to a formal absence review; and
- whether we are able to agree a return to work plan (and if so, the various aspects of that plan); and
- a time-scale for review.

3. Formal Absence Review Meetings

If, after a reasonable time, which would usually be discussed with you during the Welfare Meeting, you have not been able to return to work, we will hold a Formal Absence Review Meeting.

At a Formal Absence Review Meeting, we will discuss with you:

- the reasons for and impact of your absence;
- the anticipated duration of your absence;

- if it has not been obtained, whether medical evidence is required. If it has been obtained, the advice that has been given and whether further advice is required;
- whether it is necessary for us to consider making reasonable adjustments or put support in place to assist you in returning to work, which may include consideration of adjustments that can reasonably be made to assist you in your current role, or any possible redeployment opportunities;
- your ability to return to your job in view of your capabilities and the school's operational needs;
- whether we need to notify you that you may be at risk of dismissal if you are unable to return to work within a reasonable timeframe;
- any action that will be taken and a time-scale for review.

The number of Formal Absence Review meetings required for this process will largely be determined by the content of any medical evidence obtained, and your personal circumstances. However, if it becomes clear that you will either be unable to return to work within a reasonable timeframe, or if you are no longer able to carry out your contracted duties and consideration has been given to any adjustments, support or possible redeployment opportunities without success, we will arrange a Consideration of Dismissal Hearing.

4. Consideration of Dismissal Hearing

Where you have been notified that you are at risk of dismissal, and the situation has not changed significantly, we will hold a Consideration of Dismissal Hearing to consider the possible termination of your employment. Before we make a decision, we will consider any matters you wish to raise and whether there have been any changes since the last meeting.

Alternatively, in exceptional instances we may receive clear Occupational Health advice that the anticipated duration of the absence means that we would consider it appropriate to commence the process at this final stage, without it being necessary to conduct any Formal Absence Review meetings first.

Any such consideration will be by Headteacher. In the case of proceedings involving the Headteacher, consideration will be by a panel of Trustees.

The purposes of the hearing will be to:

- review the meetings that have taken place and matters discussed with you;
- consider whether there have been any changes since the last meeting under this Policy, either as regards your possible return to work or opportunities for return or redeployment;
- consider the most up to date medical evidence;
- consider any further matters that you wish to raise;
- consider whether there is a reasonable likelihood of you returning to work or achieving the desired level of attendance in a reasonable time;
- consider any reasonable options for redeployment on medical grounds before making any recommendation for dismissal (where redeployment is an option identified by Occupational Health);

- consider any reasonable options for ill health retirement before making any recommendation for dismissal; and
- consider the possible termination of your employment.

The grounds for consideration of dismissal will be that you are incapable of fulfilling your duties by reason of continued absence(s).

Any dismissal will be on notice or payment in lieu of notice.

You will have the right to appeal against any decision to terminate your employment. This is detailed below. 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 of service or pay.

Managing Short-Term Intermittent Absence

The following paragraphs set out our procedure for dealing with short term intermittent absences.

The purpose of the procedure is to investigate and discuss the reasons for your absences. Consideration will also be given to whether these short term intermittent absences are likely to continue and whether there are any adjustments or support which could improve your health and/or attendance. We may decide that medical evidence, or further medical evidence, is required before deciding on a course of action. We will also give serious consideration to the impact that your absences are having on the students, your colleagues and the wider school community as a whole and will give consideration to how to reduce any such impact and whether, as a result of any such impact, your level of absence can be sustained by the school.

1. Trigger Points

The purpose of us specifying trigger points is to enable the Headteacher to take prompt action to deal with absence, alert you to the fact that your level of absence is causing concern and identify potential problems and to deal with them effectively before they escalate.

It is not always necessary for a trigger point to be reached before action is taken. The Headteacher may take action at any time, (for example, referring you to Occupational Health), if they have concerns about an underlying cause of sickness and/or there is a significant impact on the school.

Our current trigger points are:

- 10 or more working days absence in the preceding 6 months; or
- 3 or more absences of whatever length within the preceding 6 months; or
- any pattern of part day absences, absences on certain days (e.g. Mondays or Fridays) or known “busy” days; or
- above average absence levels for the school; or
- no adequate reason given for the absence.

The above trigger points will be pro-rated for part time staff.

Welfare Meeting

When you have met a trigger point above, or where we otherwise consider that your absence level is a cause for concern or is concerned about your wellbeing, you may be asked to attend an informal Welfare Meeting with a member of SLT (or delegated line-manager).

At the Welfare Meeting, we will discuss with you:

- the reason for your absences;
- the anticipated duration or likelihood of any further absences;
- any treatment and care you have received (or are receiving);
- any medication you have taken (or are taking) and any expected side effects;
- whether it is necessary for us to consider taking reasonable adjustments or putting support in place to assist you in the workplace and to minimise the occurrence of repeated absences;
- whether medical evidence is required to assess your fitness and if any adjustments or support are necessary to assist you;
- what improvement is required in your attendance pattern; and
- targets to improve your attendance over a set period of time (if appropriate).

If you meet your attendance target during the review period set at the Welfare Meeting, we will arrange a meeting with you to discuss this at the end of that review period and this procedure may be brought to an end. However, the above trigger points (outlined under "Trigger Points") will continue to apply and if you reach another trigger point, we may decide to recommence this procedure at this stage, without repeating the informal Welfare Meeting.

2. First Formal Absence Review Meeting

If you have been unable to meet your attendance targets during the review period set at the Welfare Meeting, you will be invited to a First Formal Absence Review Meeting with the Headteacher, the purpose of this meeting will be to review the discussions of the Welfare Meeting and consider why further absences occurred.

At the First Formal Absence Review Meeting, we will discuss with you:

- the reasons for your absence(s) and the reasons why you have been unable to meet the attendance targets set at the Welfare Meeting;
- the impact of your absences on the students, your colleagues and the wider school community as a whole;
- what adjustments or support you believe we could offer to reduce the impact of your absences;
- the anticipated likelihood and duration of any further absences;
- if it has not been obtained, whether medical evidence is required. If it has been obtained, the advice that has been given and whether further advice is required;

- any adjustments or support which were put in place following the Welfare Meeting to assist you in the workplace and to minimise the occurrence of repeated absences, and why they may not have been successful;
- whether alternative adjustments or support could be put in place that could improve your health and/or attendance. This may include consideration of adjustments that can reasonably be made to assist you in your current role, or any possible redeployment opportunities;
- your ability to remain in your job in view of your capabilities and the school's operational needs;
- any action that will be taken and a time-scale for review and/or a further meeting. This may, depending on steps that have already been taken and the nature of the absence(s), include a first written warning.

You can appeal against a decision to give a written warning. Details of how to do so are set out below. Where an appeal is upheld, a further review meeting will be set and the procedure will be resumed at the First Formal Absence Review Meeting stage.

If you meet your attendance target during the review period set at the First Formal Absence Review Meeting, we will arrange a meeting with you to discuss this at the end of that review period and this procedure may be brought to an end. However, the above trigger points will continue to apply and if you reach another trigger point (as set out in "Trigger Points") we may decide to recommence this procedure at this stage, without repeating the informal Welfare or First Formal Absence Review Meeting.

3. Final Absence Review Meeting

If you have been unable to meet your attendance targets during the review period set at the First Formal Absence Review Meeting, you will be invited to a Final Absence Review Meeting. The purpose of the Final Absence Review Meeting will be essentially the same as the purpose of the First Formal Absence Review Meeting and the same issues may be discussed. However, depending on the steps that have already been taken and the nature of the absences, this may include a final written warning being issued. You will also be warned that a failure to meet the attendance targets set at the Final Absence Review Meeting may place you at risk of dismissal.

You can appeal against a decision to give a written warning. Details of how to do so are set out below. Where an appeal is upheld, a further review meeting will be set and the procedure will be resumed at the Final Absence Review Meeting stage.

4. Consideration of Dismissal Hearing

If you have been unable to meet your attendance targets during the review period set at the Final Absence Review Meeting, you will be invited to a Consideration of Dismissal Hearing.

Alternatively, in exceptional instances we may receive clear Occupational Health advice that the likelihood of continued high absence levels means that we would consider it appropriate to commence the process at this Consideration of Dismissal stage, without it being necessary to conduct the Welfare, First Formal Absence Review or Final Absence Review Meetings.

The purpose of the hearing will be to:

- review the meetings that have taken place and matters discussed with you;
- discuss the impact that your absences are having on the students, your colleagues and the wider school community as a whole, the steps we have taken to reduce that impact and whether these steps can be maintained;
- consider whether there have been any changes since the last meeting under this Policy, either as regards your likelihood of further periods of absence or opportunities for redeployment into a role which would be less impacted by your absences than your current role;
- consider any further matters that you wish to raise;
- consider whether there is a reasonable likelihood of you achieving the desired level of attendance in a reasonable time;
- consider whether you may be eligible for permanent health insurance or retirement on ill-health grounds;
- consider the possible termination of your employment, having considered whether your high absence levels can continue to be sustained by the school, taking account of the impact of those absences.

Any such consideration will be by the Headteacher. In the case of proceedings involving the Headteacher, consideration will be by a panel of Trustees.

The grounds for consideration of dismissal will be that you are incapable of meeting our expectations regarding attendance levels and that your absences are having an unsustainable impact on the students and/or your colleagues and/or the wider school community as a whole.

Any dismissal will be on notice or payment in lieu of notice.

You will have the right to appeal against any decision to terminate your employment. This is detailed below. 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 of service or pay.

Right to Appeal

You have the right to appeal any written warning or decision to terminate your employment.

If you wish to exercise this right of appeal, you should write to the Clerk to Trustees within 10 working days of the decision being notified to you, setting out the grounds and basis for the appeal.

Appeal hearings will usually be conducted and determined by a panel of three members of the Board of Trustees (Appeal Panel).

At the hearing, you will be given a full and fair opportunity to put forward your grounds of appeal. No decisions will be reached during the hearing itself. The Panel will need to consider all the evidence together with the representations you have made. In some cases, the Panel may need to carry out further investigations before a decision can be reached.

You will be notified of the result of the appeal in writing without unreasonable delay. The decision of the Appeal Panel is the final stage of this procedure and there is no further right of appeal.

Unauthorised Absence

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

Cases of unauthorised absence may be dealt with under our Disciplinary Procedure and may result in loss of pay to which you may otherwise have been entitled to for the period of unauthorised absence.

If, at any time, the Headteacher 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 Policy and Procedure.

Ill-health Retirement

If you are a member of the Teachers' Pension Scheme or the Local Government Pension Scheme, we will consider whether ill-health retirement may be an appropriate course of action before making any recommendation for dismissal.

For further information regarding ill-health retirement, please contact the relevant pension scheme.

Sickness Absence and Annual Leave

While it is recognised that during a period of sickness absence, time away from home (for example going on holiday or visiting family) may be therapeutically helpful, you are required to seek prior approval from us before doing so. A decision by you to take time away from home during a period of sick leave without prior approval may result in a loss of your Occupational Sick Pay during that period.

Please note that any requirements in your employment contract regarding requesting annual leave will continue to apply during any period of sickness absence.

Please refer to our Annual Leave Policy for further details relating to this.

Policy Review

This policy will be reviewed at least bi-annually.