



**THIS POLICY COVERS ALL ACADEMIES/SCHOOLS WITHIN
ARDEN MULTI-ACADEMY TRUST**

Name of Policy	Sickness Absence Management Policy	
Lead	Martin Murphy, CEO	
Governor Committee	Business & Personnel Committee	
Policy Status	Trustee Approved	12 th December 2023
Next Review	Autumn Term 2024	
Version No.	1	
Amendments	September 2018 – Original drafted by SMBC	
	7 th February 2019 - adopted	
	June 2022 – minor amendment to 5.2 to include fit note requirements	



Sickness Absence Management Policy

What does this procedure cover?

	<u>Page</u>
1. Introduction	3
2. Scope of policy	3
3. Principles	3
4. Roles and responsibilities	5
5. Sickness notification and reporting procedure	7
5.1 Sickness notification	7
5.2 Sickness recording	7
6. Return-to-work meeting	7
7. The procedure	8
7.1 Trigger points	8
7.2 Rights of representation	9
7.3 Stage 1 Meeting	9
7.4 Stage 2 Meeting	10
7.5 Stage 3 Meeting	11
8. Appeals	12
APPENDICES	
Appendix 1 Sickness reporting procedure	13
Appendix 2 Sickness and Industrial Injury Allowance Scheme (excludes teachers)	14
Appendix 3 Teachers' sick pay and reporting procedure	16
Appendix 4 Appeal Against Dismissal Form	17
Appendix 5 Leave of absence for medical appointments	18

1. Introduction

Arden Multi-Academy Trust considers the health, safety and mental wellbeing of its employees to be of the highest importance. Equally, good attendance by all employees is essential to the effective and efficient operation of the Trust. This policy has been provided to offer a structured framework to enable employee absence to be managed effectively. Accompanying the policy are guidance documents, which should be read in conjunction with the application of the policy and procedure. These notes provide further clarity on the context in which the policy and procedure has been developed and agreed. Further advice can be obtained from Human Resources, teacher associations or trade union representatives.

2. Scope of the policy

This policy applies to all employees of Arden Multi-Academy Trust. The policy also applies to casual/zero-hours workers, except for the section on occupational sick pay which does not apply.

In situations where the health of a senior leader is a cause for concern, such as the Executive Headteacher/Associate Headteacher, the line manager of the postholder will deal with the matter. In the case of the CEO, the Chair of the Trust Board will deal with the matter. This policy does not apply to agency staff or contractors.

The Sickness Absence Management Policy and procedure has been developed in consultation with recognised trade unions to provide a fair, consistent and supportive framework for the appropriate management of sickness absence. It also provides a structured procedure for dealing with cases where an employee's sickness absence is cause for concern.

In addition to this policy, the Trust has a range of policies and guidance in place that aim to support wellbeing in the workplace, prevent and reduce sickness absence and improve long-term outcomes for employees experiencing mental health issues. These policies can be found on the AMAT website and include the Stress Management Policy and the Drugs and Alcohol Misuse Policy.

***NOTE:** Unless specified otherwise in this procedure, the term "line manager/Associate Headteacher/Chair" is used generally to include a senior member of staff or other nominated individual who has been suitably trained and has responsibility for managing staff absence.*

3. Principles

The principles behind the development of the policy are to develop a working environment and management style that:

- Supports and respects the dignity of employees who are unwell;
- Treats employees in a fair, sensitive and consistent manner, taking account of the individual circumstances;
- Is collaborative and open in approach with employees who are absent through sickness, ensuring early, regular contact and consultation about possible solutions to sickness absence;
- Distinguishes between sickness incapacity and issues of conduct, addressing each separately on its own merit, through the appropriate procedure.

The Trust is committed to supporting terminally ill employees and treating them with dignity, respect and compassion. Following a terminal diagnosis, employees will be provided with the security of employment and be involved in considering the most suitable option regarding their continued employment.

(NB. Terminal illness is normally considered to be a prognosis of 12 months' life expectancy or less.)

Line managers, Human Resources and Occupational Health must ensure that personal data, including information about individuals' health and sickness absence, is handled in accordance with the Trust's Data Protection Policy and Guidance on processing special categories of personal data.

4. Roles and responsibilities

Role	Responsibility
<p>The line manager/ Associate Headteacher (or Chair of Governors in case of Associate Headteacher absence)</p>	<ul style="list-style-type: none"> (i) To ensure that a 'duty of care' is shown to all of the employees they manage. (ii) To apply a consistent approach and not discriminate in the application of this policy and procedure in respect of age, disability (including mental health status), race, ethnicity, sexual orientation, gender, religion/beliefs, marital/partnership status, pregnancy/maternity or trade union membership. (iii) To ensure sickness absences are recorded, monitored and information kept on the duration, frequency and reasons for sickness absence. Identify absence issues at an early stage using this information to objectively manage sickness absence. (iv) To take an interest in the health and wellbeing of employees and encourage good attendance with the aim of preventing absences from occurring, wherever possible. Create a supportive environment and regularly check on the well-being of your team by initiating conversations to understand the employee's fitness for work and their mental health. (v) To ensure early intervention and support is sought where cases of mental health are raised. The line manager/Associate Headteacher should discuss with HR, at the earliest opportunity, and consider a referral to Occupational Health for an 'immediate response health assessment'. (vi) To regularly review any risk assessment to ensure appropriate preventative and protective measures are in place. (vii) To put in place any practicable recommendations on the Fit Note or made by Occupational Health. This may include taking account of any reasonable adjustments required by a disabled employee in the workplace. (viii) To involve representatives in the process. To ensure communication and understanding of the sickness reporting procedures, particularly where there are local arrangements that differ from those set out under this policy. Ensure all staff are informed of the sickness reporting procedure and appreciate how it operates and why. (ix) To update Oracle (manager's self-service system) and SIMS with all absence notifications in a timely basis and also upload any associated medical certificates.

	<p>(x) To conduct a return-to-work discussion after every sickness absence and upload the Return to Work form onto Oracle.</p> <p>(xi) It is a mandatory requirement for all cases of absence to be managed in accordance with this policy. This will form part of a manager's PDR assessment. To attend all mandatory training and updates on sickness absence management.</p> <p>The Associate Headteacher may delegate responsibility for dealing with the initial states of the procedure to appropriate senior designated, and suitably trained member(s) of staff. This delegation will depend upon the reporting arrangements within schools and the specific circumstances of the individual absence issue.</p>
Employee	<p>(i) Comply with the Sickness Absence Management Policy and procedure, the sickness reporting procedure (Appendix 1) and to submit timely fit notes to his/her manager/school/academy at the appropriate times.</p> <p>(ii) Remain in regular contact and keep his/her school/academy or line manager informed of the situation when absent from work, including progress or changes in his/her medical condition, in accordance with the sickness reporting procedure (Appendix 1).</p> <p>(iii) Employees should raise issues which may affect their general health or mental wellbeing at the earliest opportunity with their line manager or HR, so that appropriate support can be put in place.</p> <p>(iv) To attend meetings with the school/academy/line manager/Associate Headteacher/Chair/HR and Occupational Health, as required, and to discuss sickness and health issues, as is reasonable and appropriate.</p> <p>(v) To receive and follow medical advice and/or treatment, as is reasonable and appropriate.</p> <p>(vi) Not to engage in any activity which is intentionally likely to affect attendance and/or prolong absence.</p>
The Governing Body (schools/academies)	<p>(i) To ensure the policy and procedure (including the sickness reporting procedure) is ratified by the Governing Body, communicated to all staff and implemented at the school.</p> <p>(ii) To hear cases and any appeals arising from the implementation of the policy and procedure.</p> <p>(iii) To ensure the Associate Headteacher, or appropriate and suitably trained senior member of staff, carries out his/her responsibilities in accordance with the policy and procedure.</p>
Occupational Health	<p>(i) It is the responsibility of qualified medical practitioners, and/or Occupational Health, to make medical judgments regarding an employee's health and medical fitness for work (not the school/academy, manager or HR).</p> <p>(ii) The Trust provides an Occupational Health service for the use of all schools/academies and Trust employees. Part of this service includes advice to line manager/Associate Headteacher/Chair and employees in connection with the working environment, which may include specialist medical support, medical assessments and general support to assist an employee's return to work. This may, on occasion, involve "on-site" assessments.</p> <p>(iii) Wherever possible, Occupational Health will arrange appointments during the employee's normal working hours. However, at times (e.g. during times of school/academy closures), appointments may fall outside of this and</p>

	<p>employees are encouraged to attend wherever possible to facilitate their recovery and return to work.</p> <p>(iv) Occupational Health will collect sufficient information from a health assessment to provide an assessment of the employee's fitness to do their job. The report is sent to the employee 48 hours before being issued to the line manager and HR to allow the employee to review the report for accuracy. No information is disclosed without the employee's prior consent.</p> <p>(v) The Trust also offers face-to-face counselling service for employees. These services are accessed via HR.</p>
Human Resources	<p>(i) To provide advice, guidance and support on issues of absence including the application of best practice, policies, training, disability and redeployment.</p> <p>(ii) To act as technical advisers, as required under the procedure.</p> <p>(i) To develop systems to enable sickness absence to be monitored and managed.</p> <p>(ii) To attend formal meetings from stage 2 onwards and at stage 1 when requested to do so (e.g. complex cases).</p> <p>(iii) To provide formal training to line managers in the application of this policy.</p>

5. Sickness notification and reporting procedure

5.1 Sickness notification

A copy of the sickness notification and reporting procedure is attached (Appendix 1). All employees should be made aware of and issued with a copy of the sickness notification reporting procedure as part of their induction.

All staff should follow the procedure for reporting sickness absence, unless issued with alternative local procedures by their manager.

Any local variations should follow the principles set out in the policy, procedure and guidance documents. Any deviations from this procedure should be agreed with the next level of manager.

Schools/academies

The clear sickness notification and reporting procedure should be communicated to each member of staff during their induction period. A copy of the sickness reporting procedure should be issued to all employees at the time of induction.

Failure to comply with the sickness notification and reporting procedure may affect pay and can lead to disciplinary action. Appendices 2 and 3 provide details of the occupational sick pay schemes.

5.2 Sickness recording

To ensure effective sickness absence management, there is a need to monitor and review the levels and reasons for absence in a regular, sustained and consistent way. Arrangements are in place within all schools within the Trust to accurately record and monitor sickness absence. Absences should be recorded on Oracle (managers' self service) and on SIMS.

Sickness absence is reported in full days. In situations where an employee arrives for work but is unwell and unable to remain at work, this absence does not need to be reported for payroll purposes. However, absences of this nature should continue to be recorded and monitored for absence

management purposes, as these will count towards policy trigger points.

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

When closing the absence on Oracle, managers should scan and upload the '**Return to Work & Employee Wellbeing Discussion Form**' and any supporting documents, including medical certificates, relating to this absence. Paper copies of the form should **not** be sent to HR.

6. Return-to-work meeting

Return-to-work contact should be made with each employee after every period of sickness absence. The nominated member of staff in school, e.g. HR/line manager, should do this as soon as possible on the first day of return (or as soon as reasonably possible) in order to:

- Confirm the reason for the absence (for recording purposes) and explore any factors, at home or at work that may have contributed to the absence;
- Ensure the employee feels fit and well enough to be at work;
- Update the employee on any work-related issues;
- Discuss any advice offered on the employee's 'Fit Note' or support that may be needed (wherever possible, this should be considered and discussed prior to returning to work).

This provides an informal and confidential opportunity to discuss the absence and any issues arising, to explore if there are any underlying causes and to identify any areas where support may be needed. The **Return to Work & Employee Wellbeing Discussion Form** should be completed during this meeting.

Further guidance on return-to-work meetings can be found in the Sickness Absence Management Guidance documents.

7. The procedure

At each stage of the procedure, there should be clear communication and understanding of what agreed actions/improvements are required by the employee to enable progress through, or exit from, the process.

The formal stages are designed to be progressive; however, the Trust reserves the right to enter the formal procedure at any stage, as appropriate. A flow chart of the procedures can be found in the guidance documents.

7.1 Trigger points

Sickness absence levels for individuals are monitored on a twelve-month rolling period. The trigger point at which the line manager/Associate Headteacher, or an appropriate and suitably trained senior member of staff, are required to consider the employee's sickness absence are listed in the table below:

Short term/ intermittent	Trigger point
-----------------------------	---------------

absence	
	<ul style="list-style-type: none"> • 4 or more periods of absence in a rolling 12 month period.
	<ul style="list-style-type: none"> • 10 days* absence over a 12 month period, either separate or continuous working days (*pro rata for part time staff - see guidance document).
	<ul style="list-style-type: none"> • Where there is a cause for concern regarding an employee's health, even where there may be no absence.
	<ul style="list-style-type: none"> • There is a particular pattern of absence that has not yet reached one of the trigger points above (for example Monday and/or Friday absence, frequent part-day absences etc).
Long term/ chronic absence	
	Trigger point
	<ul style="list-style-type: none"> • A continuous period of 4 weeks absence.

If a trigger point is reached, it will require a formal meeting, under this policy, with the employee to discuss their attendance/medical condition and be given appropriate support and the opportunity to improve their attendance.

When reviewing trigger points, managers should also consider special cases such as pregnant employees, or employees with a disability to ensure they are not acting in a discriminatory manner.

Where absences are specifically related to a disability, a reasonable adjustment may include revised triggers for the employee. More information is contained in the guidance document and from Human Resources. Managers should seek advice from HR if they are unsure which absences they should disregard. It is important that the provisions of the Equality Act 2010 are observed.

7.2 Rights of Representation

Employees should be reminded by their manager of the right to be accompanied by a recognised trade union representative, or a work place colleague, during formal stages of the procedure. It is the employee's responsibility to arrange trade union representation.

In some circumstances an employee may wish to be accompanied by a representative from an appropriate charity to support them during a meeting, e.g. Solihull MIND. Please refer to the guidance document appendices for contact details.

7.3 Stage 1 meeting

A stage 1 meeting should be arranged when:

- An individual's absence has reached one of the trigger points (please refer to section 7.1);
- A particular pattern of absence is identified which is a cause for concern;
- An individual's health appears to be a concern, although none of the trigger points have been reached (advice should be sought from HR in this circumstance).

The meeting should be carried out by the line manager/Associate Headteacher and the employee given at least 5 working days' written notice of the meeting.

The purpose of the meeting will be to:

- Offer support to the employee in a sensitive and constructive manner;
- Discuss and explore the reasons for absence or health concerns;
- Review the current level of sickness;

- To identify any necessary support and assistance and look at ways to resolve any problems that may improve attendance or encourage a return to work. This may include making reasonable adjustments, particularly with regards to employees who have a disability;
- To advise the employee of the circumstances in which they could be referred to **stage 2** of the process.

Short-term absences - If they do not meet a target sickness level in the agreed review period from stage 1. Target sickness levels should take into account the circumstances of the employee's absences and their attendance levels in the previous 12-month rolling period. The agreed sickness target should be based around the trigger points in the agreed monitoring period.

Long-term absences - If the employee's ongoing absence shows no sign of a return to work in the foreseeable future.

The employee will receive an outcome letter, summarising the key points discussed at the meeting and the agreed joint action plan, within 5 working days.

In accordance with the action plan, further review meetings may continue at stage 1, provided absence levels have not exceeded the target sickness level. In some circumstances, a stage 1 meeting may proceed in the absence of the employee. Employees who are unable to attend may nominate and arrange for a representative to attend on their behalf, or submit written representation in advance.

At the end of the monitoring period, if the employee has met the agreed standards and the level of absence is below the trigger points, no further action will be taken and a letter will be sent to the employee confirming the end of the sickness absence management process.

However, if the employee has failed to meet the agreed standards during, or at the end of, the agreed monitoring period, the employee will be notified by the line manager and then be invited to a stage 2 meeting.

There may be occasions when it is decided to take no further action at stage 1 and to ensure support/adjustments are put in place.

Further information relating to the issues needing to be discussed at this meeting can be found in the guidance documents.

7.4 Stage 2 meeting

A stage 2 meeting should take place in any of the following circumstances when:

- Following the actions agreed at stage 1, an employee has not shown sufficient or sustained improvement in their attendance;
- The employee has met a trigger point during their review period;
- Ill-health continues to give cause for concern;
- An employee's absence is ongoing and there is no realistic prospect of a return to work in the foreseeable future.

The meeting should be carried out by the line manager/Associate Headteacher and the employee given at least 5 working days' written notice of the meeting. The purpose of the meeting will be to:

- Discuss and explore the reasons for absence or health concerns.
- Review the current level of sickness (frequent absence).

- Identify support and assistance and look at ways to resolve any problems that may improve attendance or encourage a return to work.
- Explore redeployment or ill-health retirement options, if applicable (refer to the guidance documents for more information on the process).
- Advise the employee that if they do not meet the target sickness level in the agreed review period (short-term absences), or the employee's ongoing absence shows no sign of a return-to-work in the foreseeable future (long-term absences), the employee will be referred to stage 3 of the process, which may result in their dismissal.

HR should be consulted for advice before undertaking this stage and be present at any meetings. It should only be in exceptional circumstances that an employee on a long-term sickness absence is referred to stage 2 without first having obtained advice from Occupational Health.

In some circumstances, a stage 2 meeting may proceed in the absence of the employee. Employees who are unable to attend may nominate and arrange for a representative to attend on their behalf, or submit written representation in advance.

The employee will receive an outcome letter, summarising the key points discussed at the meeting and the agreed joint action plan, within 5 working days.

At the end of the monitoring period, if the employee has met the agreed standards or is able to return to work, no further action will be taken and a letter will be sent to the employee confirming the end of the sickness absence management process.

However, if the employee has failed to meet the agreed standards during, or at the end of, the agreed monitoring period, or if there is still no sign of a return to work in the foreseeable future, the employee will be notified by the line manager and then invited to a stage 3 meeting.

Please refer to the guidance documents for further information relating to each stage of the process.

7.5 Stage 3 meeting

A stage 3 meeting should take place when:

- An employee has not met the required level of improvement in attendance, as specified at stage 2 (or attendance has deteriorated following initial improvement);
- The employee has reached a trigger point following actions agreed at stage 2;
- The review date agreed at stage 2 has been reached and where there is no realistic prospect of a return to work in the foreseeable future.

The employee will be given at least 5 working day's written notice of the meeting and will be provided with all the documentation and reports the employer wishes to refer to in the meeting. A stage 3 meeting will normally be chaired by an appropriate senior manager (not involved in stages 1 or 2) who will be advised by Human Resources.

In exceptional circumstances, a stage 3 meeting may proceed in the absence of the employee. Employees who are unable to attend may nominate and arrange for a representative to attend on their behalf, or submit written representation in advance.

In schools/academies, stage 3 meetings are normally conducted by a panel of three governors, but in situations of ill-health retirement, for example, it is possible under the School Staffing Regulations 2009 for the Governing Body to delegate responsibility for individual dismissal decisions to the Associate Headteacher, with the agreement of the employee.

If no reason can be established for the employee's failure to improve their level of attendance, they will be informed that their employment is terminated (with appropriate notice) on grounds of their unsatisfactory attendance record.

In respect of ongoing long-term absence, where there is no realistic prospect of a return to work, as advised by Occupational Health and/or a doctor, within an acceptable timeframe because of their ill-health, or where they may be able to return but the school/academy is unable to make adjustments or find redeployment, the employee's employment will be terminated with appropriate notice. Prior to making this decision, the possibility of ill-health retirement should be considered.

For more information on ill-health retirement and redeployment, please refer to the Sickness Absence Management Guidance document.

The decision should be confirmed in writing within 5 working days and the employee informed that they have the right of appeal against this decision. Any appeal should be made in writing, within ten days of receipt of the written notification of the outcome of the stage 3 meeting.

Please refer to the Sickness Absence Management Guidance document for further information relating to the procedure.

8. Appeals

Where an employee is dissatisfied with the outcome of the stage 3 meeting, they can appeal, in writing, against the decision, within 5 working days of receiving written notification of the decision, using the form in Appendix 4. The employee's appeal should clearly state their grounds for appealing.

An employee may choose to appeal, for example, because:

- They believe the outcome or action is unreasonable;
- New, relevant medical information comes to light;
- They believe the absence management process was procedurally flawed.

Appeals should be sent to the Clerk to the Trust:

Victoria Large – vlarge@arden.solihull.sch.uk

The appeal hearing

The purpose of the hearing will be to consider the grounds for appeal. The appeal hearing will review the original decision and establish its fairness. The appeal hearing is not intended to be a 're-run' of the original hearing, unless the person hearing the appeal considers this is necessary.

Trustees/governors

The appeal will be heard by a panel consisting of three governors, none of whom will have been previously involved in the case. The panel shall be assisted by a HR representative, who has not previously been involved in the case, to act as technical advisor to the panel.

Where possible, all appeal hearings should be convened within 10 working days of receiving notification from the employee. Where this is not possible, the employee will be kept informed of future

timescales. The employee will be notified, in writing, giving at least 5 working days' notice of the date, time and venue for the appeal hearing. They will be informed of their right to be accompanied by a recognised teacher association, trade union representative (or a person approved by the trade union), or a nominated work colleague.

The employee should be informed of the decision within 5 working days of the appeal hearing.

APPENDIX 1

Sickness Reporting Procedure

1st day of absence	<p>The employee should notify their line manager/nominated person within the school/academy of their absence before their known or expected start time, in accordance with the arrangements specific to the school/academy. The employee should give the nature (that is a description of the symptoms that mean they are unable to attend work because of their sickness) and anticipated duration of their absence.</p> <p>Unless there is a good reason, which is explained to the line manager, employees should always report their sickness absence themselves by telephone, rather than asking a friend or relative to telephone. The use of text and email would not normally be acceptable.</p> <p>If the line manager/nominated person is not available, the employee should leave a message to the effect that they are sick and provide contact details for the appropriate person to return the call, if appropriate. Details about sickness absence should not be left with work colleagues. The line manager/nominated person should ensure, if appropriate, that they return the call as soon as possible. If the line manager/nominated person is unavailable, contact should be made by a deputy or more senior employee.</p> <p>The line manager/nominated person will make a record of the telephone conversation and the absence should also be recorded on SIMS and Oracle.</p> <p>An employee should continue to make contact each day of absence unless it is known on first reporting that the absence will be ongoing.</p>
4th calendar day	<p>If the employee has not returned to work, they should make further contact with their line manager/nominated person in order to discuss the ongoing nature of the absence and, where possible, the expected date of return. This information will be recorded by the nominated person.</p>
8th calendar day	<p>The employee should telephone their line manager/nominated person to provide them with an update on their health. The employee should also obtain a medical certificate or “fit note” from their doctor. This should be sent in to the school/HR as soon as possible and no later than the tenth calendar day of absence, and uploaded onto Oracle. Originals should be kept by HR.</p> <p>If the employee continues to be absent, further medical certificates will be required at appropriate intervals to cover the entire period of absence. Failure to provide certificates may result in loss of pay.</p>
Absence longer than 8 days	<p>Every working week, or as agreed with the line manager/Associate Headteacher, the employee should maintain contact, by phone or email, to report on their health and indicate when they expect to return to work, as mutually agreed. In cases of serious illness, different arrangements will need to be agreed.</p>

**Sickness and Industrial Injury Allowance Scheme
(excludes teachers)**

1. The scheme is intended to supplement Statutory Sick Pay and Employment & Support Allowance, in order to maintain normal pay during defined periods of absence due to sickness, disease, accident or assault.
2. Absence in respect of normal sickness is entirely separate from absence resulting from an industrial disease, accident or assault arising out of, or in the course of, employment with the council. Periods of absence in respect of one shall not be set off against the other for the purpose of calculating entitlements under the scheme, although the entitlements to both are calculated as shown below.
3. Employees are entitled to receive sick pay for the following periods:

During 1 st year of service:	1 month's full-pay and (after completing 4 months' service) 2 months' half-pay
During 2 nd year of service:	2 months' full-pay and 2 months' half-pay
During 3 rd year of service:	4 months' full-pay and 4 months' half-pay
During 4 th and 5 th year of service:	5 months' full-pay and 5 months' half-pay
After 5 years' service:	6 months' full-pay and 6 months' half-pay
4. The Trust will, at its absolute discretion, extend the period of half-sick pay, where an employee is suffering from a critical or terminal illness, subject to appropriate medical advice and review. Extensions of sick pay require the approval of the relevant Trustee and Head of Human Resources.
5. The period during which sick pay shall be paid, and the rate of sick pay in respect of any period of absence, shall be calculated by deducting from the employee's entitlement of absence the aggregate of periods of paid absence during the twelve months immediately preceding the first day of absence.
6. In the case of full-pay periods, sick pay will be an amount which, when added to Statutory Sick Pay and Employment & Support Allowance receivable, will secure the equivalent of normal pay.
7. In the case of half-pay periods, sick pay will be an amount equal to half normal earnings, plus an amount equivalent to Statutory Sick Pay and Employment & Support Allowance receivable, as long as the total sum does not exceed normal pay.
8. Normal pay includes all earnings that would be paid during a period of normal working, but excluding any payments not made on a regular basis.

9. Any Social Security benefits to be taken into account for the calculation of sick pay are those to which an employee is entitled, on the basis that the employee has satisfied, so far as is possible the:
 - Conditions for the reporting of sickness, as required by the school/academy/Trust;
 - Claiming of benefits;
 - Obligation to declare any entitlement to benefits and any subsequent changes in circumstances affecting such entitlement.
10. An employee who is prevented from attending work because of contact with an 'infectious disease' shall be entitled to receive normal pay. The period of absence on this account shall not be reckoned against the employee's entitlements under this scheme.
11. If an employee abuses the sickness scheme, or is absent on account of sickness due, or attributable, to deliberate conduct prejudicial to recovery, or the employee's own misconduct or neglect, or active participation in professional sport or injury while working in the employee's own time on their own account for private gain or for another employer, sick pay may be withheld. The Trust shall advise the employee of the grounds for suspension and the employee shall have a right of appeal to the appropriate committee of the Trust. If the Trust decides that the grounds were justified, then the employee shall forfeit the right to any further payment in respect of that period of absence. Repeated abuse of the sickness scheme should be dealt with under the disciplinary procedure.
12. An employee shall not be entitled to claim sick pay under the scheme unless they comply with the sickness reporting procedure.
13. An employee shall, if required by the Trust at any time, submit to a medical examination by a medical practitioner nominated by the Trust, subject to the provisions of the Access to Medical Reports Act 1988, where applicable. The Trust will meet any costs associated with the examination. Where it is necessary to obtain a second medical opinion, it should be provided by an independent medical referee.
14. Where, for the purpose of qualifying for sick pay under the scheme, the Trust requires a doctor's statement from an employee, the Trust will reimburse the employee the cost of such a statement on the provision of a receipt.
15. Where an employee is receiving sick pay under the scheme, sick pay should continue if a public or extra statutory holiday falls during such sickness absence. No substitute public or extra statutory holiday should be given.

Conditions of Service for Teachers in England and Wales

Payment during sick leave

a) Subject to the provisions of the Occupational Sick Pay Scheme, entitlement to pay during sick leave in any one year will be in accordance with the following scale of continuous service:

- **During the first year of service**
Full-pay for 25 working 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 year of service**
Full-pay for 100 working days and half-pay for 100 working days

In exceptional cases the Trust may, at its discretion, extend periods of sick leave.

Appointment and entry to the Sickness Payment Scheme are conditional upon a satisfactory medical report. The Trust reserves the right to terminate the employment of any employee who is subsequently found to have withheld or otherwise distorted any information, the disclosure or correct statement of which might have resulted in medical clearance not being given.

b) You should follow the procedure below to qualify for sickness payment:

- **Day 1**
Ensure that an authorised person (at school) is notified of sickness absence by telephone or other means.
- **Day 4**
Inform the authorised person (at school) of the continued absence and the likely date of return to work.
- **After 7 Days**
See a doctor and obtain a medical certificate no later than the 8th day of illness (employees are entitled to a free Doctor's Statement for absences which last more than 7 days).
- Further certificates should be obtained on the expiry of the previous note(s) until you are fit to resume work. This applies to employees at schools/academies even when your absences continue, or you become fit, during school holidays.

For the purpose of this scheme, "working days" means teaching and non-teaching days within "directed time", as specified under paragraph 40 of the School Teachers' Pay and Conditions Document.

Sick pay shall include, where appropriate, Statutory Sick Pay and shall not exceed the full (ordinary) pay of the teacher under their contract of employment.

**Arden Multi-Academy Trust
Appeal Against Dismissal/Sanctions Taken**

**DATA PROTECTION
FAIR PROCESSING NOTICE**

All information supplied on this appeal form may be held and used as detailed.

The form is sent to the Head of Human Resources to process and acknowledge, and is retained until the sickness absence process has been completed. A copy of the form will be shared with Human Resources to ensure the appeal process is correctly followed, and also with members of the independent appeal panel as part of a confidential 'bundle' of evidence heard at an appeal meeting, or to an employment tribunal, ACAS and legal representatives, should a case progress that far.

For further information about how we use your information, please refer to the Trust's Data Protection Policy on the AMAT website.

I wish to submit an appeal against dismissal/action taken.

PERSONAL DETAILS

Your name:	
Your job title:	
Your contact address:	
Your contact telephone no.:	
Trade union/representative (if known):	

DETAILS OF ACTION TAKEN

Type of action taken (e.g. dismissal etc.):	
Name of line manager/Associate Headteacher/chair taking decision:	
Date of receipt of written decision:	

GROUND OFS OF APPEAL

Please provide further detail for your grounds of appeal (continue on another sheet if necessary).

--

Your signature :		Print name:	
Date:			

NOTE: If you are appealing against dismissal, please send this form to the Head of HR/Chair of Governors within 5 working days of receipt of the dismissal letter.

Leave of Absence for Medical Appointments

Introduction

High absence levels affect the Trust's ability to deliver its services and can also impact upon the morale, performance and health of staff. All staff share a responsibility to help keep absence levels to a minimum and are entitled to expect fair treatment when needing time off. This document outlines the approach when staff need time off to attend medical appointments.

General approach

Employees will generally be expected to attend routine medical (doctor, dentist, hospital, etc.) appointments in their own time.

Where an employee has to attend an appointment and this cannot be arranged outside of normal working hours, it may be reasonable to allow paid time off to attend within working hours. This will be subject to service considerations and approval by the Headteacher.

For non-routine or urgent medical/hospital appointments that occur during normal working hours, paid time off will be allowed.

Staff requesting time off will be required to produce an appointment card or other document confirming details of the appointment.

It is recognised that both manager and employee will need to be flexible in the application of this arrangement.

Treatment for underlying medical conditions

For staff who need to undergo regular treatment for an underlying medical condition, each case will be treated on its merits and much will depend on the individual's circumstances and the nature of the treatment. Arrangements should be discussed and preferably agreed, in advance, between the individual and their line manager.

Pregnant workers

Please refer to the Maternity Policy for details of time off for appointments and ante-natal care.

Medical screening

Employees will be granted paid time off for the purposes of cancer screening where they cannot make visits in their own time. The employee should liaise with their line manager/Associate Headteacher to agree a mutually convenient time.

For information on other types of leave, please refer to the Leave of Absence Policy.

AMAT Return to Work & Employee Wellbeing Discussion

The purpose of this document is to proactively manage employee absence and wellbeing. This discussion must be conducted after every sickness absence. It should be private and confidential, informal, and carried out in a positive and supportive way. The form should be completed by the line manager/Associate Headteacher and employee immediately on return to work from a sickness absence.

Employee name:			
School:	Arden	Department:	
First day of absence:		Last day of absence:	
Medical certificate provided:	Yes / No	Cause of absence: (please tick)	Sickness^[1] <input type="checkbox"/> Accident at work <input type="checkbox"/> Accident when not at work <input type="checkbox"/>
<p>^[1] Where “stress” is given as the reason for absence, early intervention and support is important. Managers should discuss with HR and consider a referral to Occupational Health using the fast-track facility. Managers should also review their Managing Stress at Work Risk Assessment to ensure appropriate preventative and protective measures are in place. If you have any queries about carrying out and completing a Work Risk Assessment please contact your line manager.</p>			
Date of return to work discussion:			
1. Welcome back. How are you feeling now?			
2. What was the reason for your absence? <i>(if reason was disability or pregnancy related please consider section 5.7 of the SAM Guidance Document for managers)</i>			
3. Were there any other reasons affecting your absence that we need to be aware of (such as any personal, domestic or work-related issues)?			
4. Was the absence due to an on-going or underlying health condition that we need to be aware of? If so, how is this being treated?			
5. How are you managing your health/condition (if applicable)?			
6. Are you getting support from anyone else (if applicable)? Please give details.			

<p>7. Are there any support mechanisms / adjustments that we need to put in place to support you in your return to work / improve attendance / wellbeing? <i>e.g. phased return, amended duties, altered hours, workplace adaptations, training etc.</i></p>	
<p>8. Discuss their absence record (number of days and periods of absence in the last 12 months). Do you agree with this record?</p> <p>Sickness record to date (over a rolling 12 months): No of working days: _____ No of occasions: _____</p> <p>Has the sickness absence triggered a stage meeting? Yes / No</p> <p>Is the employee currently in a stage monitoring period? Yes / No</p>	<p>Trigger points:</p> <ul style="list-style-type: none"> • 4 or more periods of absence in a rolling 12 month period • 10 days* absence over a 12 month period, either separate or continuous working days (*pro rata for part time staff - see Guidance Document) • Where there is a cause for concern regarding an employee's health, even where there may be no absence • There is a particular pattern of absence • A continuous period of 4 weeks absence
<p>9. Our agreed actions to be taken/followed up (if applicable):</p> <ul style="list-style-type: none"> • <i>If approaching a trigger point, discuss the triggers within the Sickness Absence Management Policy and the implications of the employee's absence levels, where appropriate, including a referral to a stage 1 meeting.</i> • <i>Discuss a referral to Occupational Health where appropriate.</i> • <i>Share the Employee Assistance Programme details/Healthy Council intranet pages.</i> • <i>Share the Employee Health & Wellbeing Policy where appropriate.</i> 	
<p>10. Agree a review date for any agreed actions (where appropriate)</p>	<p>Review date:</p>
<p>11. Update on anything the employee has missed during the period of absence.</p>	

12. Do you have any questions for me or is there anything else you wish to discuss about your absence?	
Employee signature:	Date:
Manager signature:	Date:



Please ensure that you update Oracle Managers Self Service as soon as possible.

Scan and upload this form and any supporting Fit Notes/medical documents relating to this absence before closing the absence. Please do not send paper copies to HR.

**DATA PROTECTION
FAIR PROCESSING NOTICE**

All information supplied on this form may be held and used as detailed:

The form will be retained securely by the line manager and uploaded onto your personal HR file on Oracle. The form will be accessed by, and disclosed to Human Resources to process the absence information. All information is strictly confidential.

**DATA PROTECTION
FAIR PROCESSING NOTICE**

All information supplied on this form may be held and used as detailed:

The form will be retained securely by the line manager and accessed by, and disclosed to, individuals only for the purposes of managing your request for leave of absence. This may include being shared with Human Resources to process the request.

Information may be shared with HMRC, DWP, SMBC's Finance Department and SMBC pension providers where necessary. All information is strictly confidential.

For further information about how we use your information please refer to the Council's Data Protection Policy on the [Intranet](#)/School Extranet and Privacy Statement on www.solihull.gov.uk.