

Sickness Absence Management Policy

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1. Definitions

- 1.1 **DEMAT** means the Diocese of Ely Multi-Academy Trust.
- 1.2 **Academy** means a constituent academy of DEMAT.
- 1.3 **Central Team** means Staff who are not employed within an academy.
- 1.4 **Central Leadership Team** means any Director or Head of a Function in the Central Team other than the Director of Education, and the CEO.
- 1.5 **CEO** means the Chief Executive Officer of DEMAT, or any officer or other person exercising relevant authority delegated by the Chief Executive Officer to them.
- 1.6 **Headteacher** is a leader of an academy, in any academy that has an Executive Headteacher, it means that Executive Headteacher.
- 1.7 **Staff** means any person employed by DEMAT, temporarily or permanently.
- 1.8 **Trust Board** means the Board of Trustees of DEMAT
- 1.9 **Scheme of Delegation** means the Scheme of Delegation for DEMAT as adopted by the Trust Board from time to time.
- 1.10 **Short Term Absence** means short term absence is any periods of absence lasting less than 4 weeks.
- 1.11 **Long Term Absence** means long term absence is any period of absence lasting 4 weeks or more.

2. Application of this Policy

- 2.1 The policy is applicable to all employees (permanent and temporary) of DEMAT.
- 2.2 The above definitions are included for reference purposes for both School and Central team staff to enable clarity and transparency when applying this policy.

3. Relationship with DEMAT Values

- 3.1 The application of this policy must be applied at all times in a way that reflects the values of DEMAT:
 - Love** – We engender love and tolerance between and for our staff, pupils and others to foster an inspiring atmosphere of mutual support.
 - Community** – We are committed to ensuring our schools are a living part of the community and contribute positively to its needs.

Respect – We do everything to provide a caring, safe and secure place for our staff and pupils to be happy and respected in our schools so they may achieve their potential.

Trust – We acknowledge accountability and responsibility for our actions and ensure that we encourage each other to make brave decisions and then learn from any mistakes.

Ambition – We are determined that our schools offer a place for the joy of learning, enabling those of all abilities to thrive and go on to lead rewarding lives.

- 3.2 This is further defined in the four key strands of DEMAT, all of which are underpinned by our Christian distinctiveness,

Children are at the heart of all we do
Keep close to the work
Maintaining a legacy, creating new traditions
Aspirational, yet sustainable

4. Associated Policies and Documents

- 4.1 This Policy should be read in conjunction with the following DEMAT Policies/Procedures:

- Wellbeing Policy
- Menopause Policy
- Discretionary Leave of Absence Policy
- Performance Improvement Policy
- Maternity Leave Policy
- Probationary Policy

DEMAT HR policies can be accessed via our website at: <https://demat.org.uk/policies>

5. Policy Version Control

Policy type	DEMAT Trust Policy
Author	Helen Fisher, HR
Reviewed by	Helen Rothwell, Head of HR
Approved by	Personnel Committee Minor amends added September 2025 Date: Jan 2024
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Review	ANNUAL Policies will be reviewed in line with DEMAT's internal policy schedule and/or updated when new legislation comes into force.
Description of changes	The policy has been reviewed in line with legislation and best practice to provide clarity, greater consistency and support for staff. For further information regarding the specific changes please contact the HR Team at hrteam@demat.org.uk

For all questions in relation to this policy please contact the HR team at hrteam@demat.org.uk.

6. Purpose and Scope

- 6.1 As part of a suite of health and wellbeing policies the purpose of this policy is to set a clear framework for the following:
- Support staff who have health issues so that high quality education can continue to be delivered across the Trust.
 - Ensure fair and consistent management of both short and long-term sickness absence.
 - Provide guidance to ensure that all decisions are free from discrimination, such that there is no discriminatory effect on any staff, including those with a protected characteristic under the Equality Act 2010.
 - Provide a framework for reporting and recording sickness absence.
 - Ensure that staff are aware of the key points relating to triggers, absence management meetings and targets that are set when managing short or long-term absence.
- 6.2 This policy applies to permanent and temporary employees. It does not apply to agency workers, consultants, self-employed contractors, volunteers or interns.
- 6.3 This policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time following consultation with Trade Unions.

7. Policy Statement

- 7.1 DEMAT are committed to the long-term health, safety and wellbeing of all its employees. DEMAT's aim is to ensure that staff remain fit and healthy and able to come to work, and sustain high levels of attendance, but it recognises that there are occasions when employees may be unable to attend work due to their own ill-health.
- 7.2 DEMAT has standards for staff attendance which are in line with those expected of pupils. It is the responsibility of all levels of management to ensure that these standards are achieved and to raise awareness of the effect of sickness absence levels on the quality, continuity of provision and effectiveness of the education delivered by DEMAT.
- 7.3 Return to work meetings will take place to enable discussions regarding individual circumstances and fitness for work. These are designed to be supportive meetings.

- 7.4 Where employees hit absence triggers, it should be understood that supplementary meetings will seek to avoid future absence. These meetings will continue to be supportive and seek ways in which the employee and/or the Trust could assist in reducing absence levels or in the case of long-term absence facilitate a return to work.
- 7.5 As part of absence management Line Managers and Headteachers will identify and address problems in the work environment and/or job factors that may be contributing to staff absence. Where possible, adjustments on a temporary or permanent basis will be considered. Advice and/or options regarding reasonable adjustments will be sought from the HR team to ensure consistency across the Trust.
- 7.6 The Trust recognises it is important to develop and promote policies and systems to ensure that our pupils, staff and anyone associated with our Trust are not unlawfully discriminated against and we encourage a commitment to equality, diversity and fair treatment of all. We have therefore considered the impact of this policy, on those individuals with a protected characteristic(s).

8. The Equality Act

- 8.1 If a member of staff has a health condition that has lasted for, or is likely to last, 12 months or more, they may be considered disabled and be covered under the Equality Act 2010.
- 8.2 Under the Equality Act, Neurodivergent workers may also meet the legal definition of disability in addition to this with a physical disability and/or a long-term health condition.
- 8.3 Staff are encouraged to inform their Line Manager or Headteacher if they have a health condition. Any information provided will be handled in a confidential manner and in accordance with our Data Protection Policy.
- 8.4 At each stage of DEMATs sickness absence management policy, where a member of staff has a condition that is covered under the Equality Act 2010, particular consideration will be given to whether reasonable adjustments may be made to the requirements of a job or other aspects of working arrangements or environment to support an employee's capability and/or assist a return to work.

9. Mental Health and Wellbeing

- 9.1 As outlined in our Wellbeing Policy, we aim to provide an environment in which staff who have mental health difficulties feel able to discuss them in a safe, confidential environment to allow them to receive suitable support adjustments to their environment, where it is operationally feasible.
- 9.2 Wellness Action Plans are available to support employee mental health and wellbeing. For more information on this, please refer to the DEMAT Wellbeing Policy.
- 9.3 We have a number of Mental Health First Aiders across the Trust based in our academies. If you would like more information regarding this, please see our Wellbeing Policy and speak to your Line Manager, Headteacher and/or the HR Team.

10. Employee Assistant Programme

- 10.1 Our Employee Assistant Programme supports staff on a 24/7 basis covering several areas such as mental health, family support, bereavement, financial, addiction, law (including consumer law and property law.) They can be contacted via the following methods:

<https://www.employeeassistance.org.uk>

24/7 freephone: 0800 328 1437. From outside the UK: +44 (0) 1482 661814

Minicom: 01482 661 911 (08:30 – 18:00)

Services can be accessed using the code '*diocese*'.

11. Sickness Absence Reporting

- 11.1 An employee working in an academy who is prevented from reporting for duty by illness or injury shall personally notify their Headteacher or designated person that they are unable to attend work on the first day of sickness between 7.00 a.m. and 7.30 a.m.
- 11.2 For staff working in the Central Team, they should report their absence to their Line Manager at least 30 minutes prior to their start time.
- 11.3 Contact should be via a telephone call only, messages (emails, teams or other) should not be left, unless agreed locally with your Line Manager or Headteacher. The following details should be provided:
- The nature of your illness or injury.
 - The expected length of your absence from work.
 - Contact details.
 - Any outstanding or urgent work that requires attention.
- 11.4 Where there are no exceptional circumstances, failure to report absence may be dealt with under our disciplinary policy.

12. Providing Evidence of Sickness Absence

- 12.1 For any sickness absence of up to seven calendar days you must complete a self-certification form which is available from the academy office/Line Manager and should be completed on the first day back after absence and given to your Line Manager or Headteacher.
- 12.2 For absence of more than seven days you must obtain a certificate from an eligible healthcare professional (a "Statement of Fitness for Work") stating that you are not fit for work and the reason(s) why. This should be forwarded to your Line Manager or Headteacher as soon as possible. If your absence continues, further medical certificates must be provided to cover the whole period of absence, including where absence continues over a school holiday.
- 12.3 If your healthcare professional provides a certificate stating that you "may be fit for work" you should inform your Line Manager or Headteacher immediately. We will discuss with you any additional

measures that may be needed to facilitate your return to work, taking account of your healthcare professional's advice. This may take place at a return-to-work meeting. If appropriate measures cannot be taken, you will remain on sick leave, and we will set a date to review the situation.

- 12.4 Where we are concerned about the reason for absence, or frequent short-term absence, we may require a medical certificate for each absence regardless of duration. In such circumstances, we will cover any costs incurred in obtaining such medical certificates, for absences of a week or less, on production of an appropriate invoice.
- 12.5 The provision of any false information relating to staff absence will be dealt with in accordance with the disciplinary policy and this could result in disciplinary action, which may include dismissal.

13. Unauthorised Absence

- 13.1 If you do not report for work and have not telephoned your Line Manager or Headteacher to explain the reason for your absence, your Line Manager/Headteacher or designated person will try to contact you, by telephone and via email/in writing, if necessary to determine the key points as outlined in 11.2.
- 13.2 Should unauthorised absence occur (including the failure to provide medical certificates) this may result in action being taken under our disciplinary procedure depending upon the circumstances.

14. Illness or Injury Arising from Work

- 14.1 Any accident arising out of, or in the course of, employment with the Trust must be reported and recorded in accordance with the required procedures which can be obtained from the academy office or the H&S Officer. The accident may be subject to investigation by the central H&S team and reported to outside agencies if required.
- 14.2 Where an employee seeks medical advice about an illness which is suspected or alleged to result from the nature of his or her employment, the employee must report relevant information to their Line Manager or Headteacher at the first opportunity.
- 14.3 In the case of any absence due to industrial disease or accident, an employee shall agree, at any time during such absence, if so, required by the employer, to a medical examination by a registered medical practitioner nominated by the Trust.

15. Data Protection

- 15.1 Any data collected and processed as part of employing and managing employees is held securely. It is accessed by, and disclosed to, individuals only for the purposes of completing that specific procedure, process or activity.
- 15.2 Records are retained and destroyed in accordance with the Trust's Retention Schedule.
- 15.3 Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the Data Protection Policy immediately. It may also constitute a disciplinary offence, which may be dealt with under the Disciplinary Procedure.

16. Sick Pay

16.1 Teaching and Support staff contractual sick pay entitlement is set out below and is in line with the following government guidelines:

- Conditions of Service for School Teachers for England and Wales ('Burgundy Book')
- National Agreement on Pay and Conditions of Service for Local Government Services ('Green Book')

Support Staff (Green book)	
Years of Service	Contractual Sick Pay Entitlement
During first year of service	One months' full pay and, after four calendar months' service, two months' half pay
During second year of service	Two months' full pay and two months' half pay
During third year of service	Four months' full pay and four months' half pay
During fourth and fifth years of service	Five months' full pay and five months' half pay
Six years of service and above	Six months' full pay and six months' half pay

Teaching Staff (Burgundy book)	
Years of Service	Contractual Sick Pay Entitlement
During first month up to and including fourth month of service	25 days of full pay
During fifth month up to and including twelfth month of service	25 days of full pay and 50 days of half pay
During second year of service	50 days of full pay and 50 days of half pay
During third year of service	75 days of full pay and 75 days of half pay
Four years of service and above	100 days of full pay and 100 days of half pay

16.2 Central team staff should refer to their Contract of Employment for further details of sick pay provisions.

16.3 Any employer and employee pension contributions will continue subject to the relevant scheme rules during any period of company sick pay or SSP.

17. Occupational Health

17.1 We may, at any time in operating this policy, require the employee to attend a medical assessment by either our Occupational Health Department or a doctor nominated by us.

- 17.2 You will be asked to agree that any report produced in connection with any such assessment may be disclosed to us and that we may discuss the content of the report with our advisers and the relevant doctor.
- 17.3 In the event that the employee does not consent to an Occupational Health referral, and we are unable to obtain medical information from the employee's GP or consultant, the employer may have no option but to base future decisions relating to future employment on the information available and in the absence of medical advice.
- 17.4 Should an employee be concerned about their health and impact this may be having on their role or vice versa, they may request a referral to Occupational Health is made. The employee should discuss this with their Line Manager/Headteacher.

18. Returning to Work

- 18.1 Return to work meetings must take place after every period of absence regardless of duration and should be conducted by the employee's Line Manager or Headteacher. Ideally the meeting should take place the day the employee returns from sick leave or within 48 hours of their return.
- 18.2 The return-to-work meetings should be supportive in nature, clarify the reason for absence and confirm that the employee is fit to resume work. Should a pattern of absence become a cause for concern this should be addressed as part of the return-to-work meeting.
- 18.3 The return-to-work form should be completed during the meeting. This can be found at Appendix A of the policy.

19. Sickness Absence and Performance

- 19.1 Should there be any performance concerns that had arisen prior to the sickness absence, these will be discussed in a separate meeting, to be arranged once it has been ascertained the individual is fit to be back at work. It may be necessary to arrange a meeting under the Performance Improvement Policy where the impact of any health condition/disability on performance will be considered.
- 19.2 Should the cause of any absence(s) be related to an ongoing disciplinary or performance process, it will be managed in accordance with this procedure.

20. Attendance at Meetings

- 20.1 The employee must take all reasonable steps to attend meetings. Failure to do so without reasonable cause and prior notification will result in the meeting going ahead in the employee's absence and a decision being made based on the information and evidence available.
- 20.2 Employees will be given at least 5 working days' notice of all absence meetings.
- 20.3 At all formal meetings employees may be accompanied by a workplace companion or a professional association/union representative. If the employee and/or their companion/representative is unable to attend at the time specified, the employee should immediately inform their Line Manager or

Headteacher who will normally seek to agree an alternative time. Meetings will not normally be postponed beyond 5 working days.

- 20.4 Depending on circumstances, if an employee indicates that they are too unwell to attend a meeting, alternative arrangements and adjustments may be considered and discussed with the employee.

21. Absence Triggers

- 21.1 You will be invited to attend an informal or formal sickness absence review meeting with your Line Manager or Headteacher wherever we consider it necessary, including in one of the following circumstances which constitute our sickness absence triggers:
- A total of 7 working days' absence within 1 term
 - 10 working days' absence within 3 terms
 - 3 occasions of absence within 1 term
 - The pattern of absence is cause of concern.

22. Absence Targets

- 22.1 When setting targets, each individual case will be considered including whether the employee may have a condition which falls within the definition of disability under the Equality Act 2010.

23. Short Term Absence Procedure

- 23.1 Short term absence is when an employee takes short periods off work due to being unwell. These could be from a couple of hours or up to four weeks. When an employee has been absent for four weeks or more this would be considered long term absence, and the long-term absence procedure would apply.

23.2 Informal Absence Review Meeting

- 23.2.1 An employee will be required to attend an Informal Absence Review Meeting if they meet any of the triggers outlined in section 21. The purpose of this review meeting is to be supportive and consider ways in which the Trust may be able to assist the employee in improving their attendance. The aim of the meeting is to:
- Explain the standard of attendance expected, how attendance has been assessed as falling below the standard – including the trigger(s) which have been reached.
 - Establish if there is an underlying medical condition or disability contributing to the absence levels.
 - Identify any contributing issues and how these may be supported.
 - Consider if a referral to Occupational Health may be appropriate to inform and support the employee in the workplace.
 - Consider what, if any measures might improve an employee's health and/or attendance including temporary or permanent work adjustments.
 - Consider what other support may be available.

- Where appropriate, review the impact the level of attendance is having on the school and/or the department.
- Determine the likelihood of further absence and agree targets for improvement clearly identifying the timescale for improvement and how attendance will be measured/monitored.
- Reasonable adjustments and support measures, where able to be accommodated, will be discussed and agreed.
- If an Occupational Health referral has not yet been obtained it may be necessary to do this prior to setting targets in which case a further meeting under the informal stage may be held to discuss the contents of the report and set targets (if appropriate). When setting targets the Equality Act 2010 will be taken into account.

23.2.2 Following the meeting the Line Manager or Headteacher will write to the employee to confirm the discussions, agreed outcomes and targets.

23.3 Informal Stage Outcomes

23.3.1 Once targets have been set a review meeting will be scheduled. If the employee fails to meet the targets prior to the scheduled review meeting, a follow up meeting will take place sooner.

23.3.2 Possible outcomes may include:

- No further action – if a review period is set the Line Manager or Headteacher will review the absence levels throughout the monitoring period. If the level of attendance has improved to a satisfactory level, no further action will be taken, and this will be confirmed in writing and kept on the employee's personnel file for 12 months. This letter will also confirm that the improved attendance must be sustained consistently during the next 12 months and explain that if there are further periods of absence, the Short-Term Absence Management Procedure may be invoked at Stage 1.
- Reconvened informal Meeting – in exceptional circumstances, if the employee has not made a satisfactory improvement, but subject to mitigating circumstances, the Line Manager or Headteacher may hold a further sickness absence review meeting under the informal stage to extend the monitoring period.
- Stage 1 Meeting – if the employee has not made a satisfactory improvement in their attendance, the Line Manager or Headteacher may move to a Stage 1 Absence Review Meeting.

23.4 Stage 1 Absence Review Meeting

23.4.1 A Stage 1 meeting will be held where the employee has failed to meet the target(s) as set out at the Informal meeting or following an extended period of monitoring set at a previous Stage 1 meeting.

23.4.2 The Stage 1 meeting also aims to cover the key points outlined in section 23.2.1 above.

23.5 Stage 1 Outcomes

23.5.1 Possible outcomes may include:

- No further action – if a review period is set the Line Manager or Headteacher will review the absence levels throughout the monitoring period. If the level of attendance has improved to a satisfactory level, no further action will be taken, and this will be confirmed in writing and kept on the employee's personnel file for 12 months. This letter will also confirm that the improved attendance must be sustained consistently during the next 12 months and explain that if there are further periods of absence, the Short-Term Absence Management Procedure may be invoked at Stage 2.
- Reconvened Stage 1 Meeting – in exceptional circumstances, if the employee has not made a satisfactory improvement, but subject to mitigating circumstances, the Line Manager or Headteacher may hold a further sickness absence review meeting under Stage 1 to extend the monitoring period up to a maximum of a further 3 months.
- Stage 2 Formal Attendance Hearing – if the employee has not made a satisfactory improvement in their attendance, the Line Manager or Headteacher may move to a Stage 2 Formal Attendance Hearing where the employee's continued employment may be considered.

23.6 Stage 2 Formal Attendance Hearing

- 23.6.1 The hearing will be convened in line with the Trust's scheme of delegation. An HR Advisor or member of the Trust HR Team may attend in an advisory capacity only. Notes will be taken at the meeting.
- 23.6.2 The employee will be given a minimum of 5 working days' written notice of the meeting and will be sent all relevant documentation for consideration, as well as being informed that one outcome of the meeting could be the termination of their employment on the grounds of capability as a result of ill health.
- 23.6.3 The employee may be accompanied at the meeting by a workplace companion or a professional association/union representative.
- 23.6.4 The Line Manager or Headteacher who attended the informal stage and Stage 1 meetings will be present to provide information on the case so far, to include action taken to date, describe previous discussions and any support/adjustments which have been implemented, along with the impact the absence is having on the School/Department and/or Trust.
- 23.6.5 Up to date medical advice from Occupational Health must be sought prior to a Stage 2 Hearing being held.

23.7 Stage 2 Formal Attendance Hearing Outcomes

23.7.1 The panel will decide whether:

- To dismiss the employee with notice on the grounds of capability as a result of ill health.
- Allow for a further review period which will involve resetting targets.
- Consider whether redeployment on a temporary or permanent basis or adjustments to current role could be implemented.

If the decision is to dismiss, the employee and their companion will be notified in person, where possible. The Chair of the meeting will confirm in writing, to the employee within 5 working days, or as soon as reasonably practicable thereafter that they have been dismissed and the grounds, reasons for and date the dismissal will be effective.

23.7.2 The employee has the right of appeal against a dismissal in line with section 29 below.

24. Long Term Absence Procedure

24.1 Each case must be judged on its own merits. As a general rule, a Long-Term Absence Review Meeting should be arranged for absences of four weeks or more. The Line Manager or Headteacher will however contact the employee prior to four weeks to check on their wellbeing and discuss if there is anything the academy/Trust may be able to do to support them.

24.2 If an absence is clearly identified as being four weeks or more from the outset, it may be decided, subject to the circumstances of the absence, to hold the meeting sooner.

24.3 Long Term Absence Review Meetings

24.3.1 The meeting should be arranged at a mutually convenient time and location. The meeting arrangements should be confirmed in writing with a minimum of 5 working days' notice.

24.3.2 The employee may be accompanied by a professional association/union representative or a workplace companion at all Long-Term Absence Review Meetings (hereafter LTAR).

24.3.3 Regular LTAR meetings at approximately 6–8-week intervals will be held with the employee throughout the absence period. Occupational Health advice will also be sought on a regular basis as required.

24.3.4 The purpose of the meeting is to:

- Establish the nature of the illness.
- Discuss the prognosis for a return to work.
- Explore what assistance the School/Department and/or Trust can give the employee – e.g., reasonable adjustments, phased return, support measures such as the Trust's Employee Assistance Line and/or wellbeing action plans.
- Explore whether an Occupational Health referral may be appropriate and if so, request consent from the employee for this.
- If a medical report has been obtained prior to the meeting, examine the report and options available. These options may include a phased return, reasonable adjustments, redeployment, the feasibility of ill health retirement, or the need to progress to a Formal Attendance Hearing.

24.4 Long Term Absence Review Outcomes

24.4.1 The outcome may vary according to circumstances and medical advice but may include any of the following:

- Referral to Occupational Health and meet upon receipt of report for a further Long-Term Absence Review Meeting.
- Implement a phased return or any reasonable adjustments that allows the employee to make an immediate or imminent return to existing post.
- Redeploy the employee on a temporary or permanent basis to allow the employee to make an immediate or imminent return.
- Allow further time to review progress.

24.4.2 If medical advice identifies that the employee is unfit for work and has no prospect of returning, a Formal Attendance Hearing may be arranged, where dismissal may be considered. Further review meetings may not therefore be required.

24.4.3 The outcome of the Long-Term Absence Review Meeting, including any agreed actions, will be confirmed in writing within 5 working days.

24.5 Progress Review

24.5.1 Contact will continue to be maintained between the employee and the Line Manager or Headteacher. The employee will keep the Line Manager or Headteacher updated of any progress or updates.

24.6 Formal Attendance Hearing

24.6.1 Where absence continues, it may be necessary to convene a Formal Attendance Hearing. Up to date and current medical advice, must be sought prior to arranging a Formal Attendance Hearing.

24.6.2 The Hearing will be convened in line with the Trust's Scheme of Delegation. An HR Advisor or member of the Trust HR Team may attend in an advisory capacity only. Notes will be taken at the meeting.

24.6.3 The employee will be given a minimum of 5 working days' written notice of the meeting and they will be sent all relevant documentation for consideration, as well as being informed that one of the outcomes of the Hearing could be the termination of their employment on the grounds of capability as a result of ill health.

24.6.4 The employee may be accompanied at the hearing by a workplace companion or a professional association/union representative.

24.6.5 The Line Manager or Headteacher who attended the Long-Term Absence Review Meetings will explain the nature of the absence, describing what process has been followed and the support/adjustments which have been given and/or considered, as well as details of all medical advice received and the impact the absence is having on the school and/or Trust.

24.6.6 The employee will be given the opportunity to respond before a decision is made.

24.7 Formal Attendance Hearing Outcomes

24.7.1 The panel will decide whether:

- To dismiss the employee with notice (this may also include formalising an Ill Health Retirement process) on the grounds of capability as a result of ill health.
- To allow for a further period of review.

24.8 Dismissal

- 24.8.1 If the decision is to dismiss, the employee (and their companion) will be notified in person, where possible. The Chair of the Hearing will confirm in writing to the employee within 5 working days, or as soon as reasonably practicable thereafter that they have been dismissed and the grounds, reasons for and date the dismissal will be effective.
- 24.8.2 The employee has the right of appeal against a dismissal in line with section 29 below.

24.9 Further Review

- 24.9.1 If the Hearing outcome is to allow for a further period of review, then the Line Manager or Headteacher will continue to support the employee during their absence. A Formal Attendance Hearing will be reconvened if insufficient progress is being made and/or if there is no prospect of a return to work.

25. Long Term Absence - Reasonable Adjustments

- 25.1 Occupational Health may be able to suggest reasonable adjustments that could be made to either the physical place of work, or the work itself. If reasonable adjustments are identified and implemented as part of a return from a long-term absence, then a three-month monitoring period will be put in place to assess whether the adjustments are working effectively. If at the end of the three-month period the adjustments have not had the desired impact on the employee's ability to attend work and further adjustments are deemed unreasonable, a Stage 2 Formal Attendance Hearing may be convened, the outcome of which may result in the termination of employment.

26. Phased Returns

- 26.1 Depending on the nature of the employee's absence a phased return may be recommended by the employee's GP (this should be detailed on the employee's Fit Note) or Occupational Health Advisors.
- 26.2 The type and duration of each phased return will be determined on a case-by-case basis however, it is vital that the Line Manager or Headteacher and employee are clear from the outset how this will operate. In most circumstances we would expect the employee be working at least 50% of their normal working hours by week 2 of the phased return.
- 26.3 A phased return will normally be for no longer than four weeks. Only in exceptional circumstances will consideration be given to extending the phased return beyond four weeks.
- 26.4 An employee returning to work on a phased basis will be paid their normal pay regardless of the phased hours they work. If, however, the phased return extends beyond four weeks, pay may need to be adjusted accordingly.

- 26.5 If an employee is unable to resume full duties at the end of the phased return period or has an episode of sickness during the phased return, then a decision will be made on whether to explore other possible options. This may mean convening a Formal Attendance Hearing, the outcome of which may result in the termination of employment on the grounds of incapability.

27. Redeployment

- 27.1 If medical advice identifies that the only option to support an employee back to work is through redeployment, and the employee is in agreement, then discussions and arrangements for this can take place on a case-by-case basis.

28. Ill Health Retirement

- 28.1 Ill Health Retirement for employees in the Local Government Pension Scheme or Teachers Pension Scheme must be certified by a designated independent Occupational Health Advisor.
- 28.2 Where certification is received while an employee is still employed by the school/Trust, and unless the employee waives their right to attend, the employee will be invited in writing to a Formal Attendance Hearing at which the ill health retirement decision will be ratified by the panel.

29. Right of Appeal

- 29.1 An employee has the right to appeal against a dismissal decision. Any appeal must be submitted within 10 working days of receipt of the letter confirming the dismissal and must clearly state the grounds for appeal. Details of who to appeal to will be included in the Formal Attendance Hearing Outcome letter.
- 29.2 The appeals panel will be convened in line with the Trust's Scheme of Delegation. The appeal hearing will be held as soon as practicable, and the employee will be given 5 days' written notice. The employee will have the right to representation at the hearing by a professional association/union representative or workplace colleague.
- 29.3 The outcome of the appeal will be confirmed in writing and as soon as possible and usually within 5 working days of the hearing. The decision of the appeal panel is final and there is no further right of appeal.

30. Combination of Short- and Long-Term Absence Procedures

- 30.1 If an employee's combination of short term and long-term absence is giving cause for concern, the overall absence record must be considered when making a decision about how to manage the attendance issues. The approach taken will vary depending on whether the employee is currently subject to the short term or long-term procedure.

31. Annual Leave Entitlement and Sick Leave (for those employed to work 52 weeks per year)

- 31.1 Any employee who falls sick immediately prior to commencing pre-booked annual leave or who having fallen sick during a period of leave wishes to reclaim a proportion of that leave will be required to provide a Fit Note from his/her doctor stating the period the employee was not able to work and the reason for the absence. Any fee charged by the doctor for this Fit Note will not be reimbursed. Additionally, if the employee falls sick immediately prior to or during a period of annual leave they should, where practicable, follow the standard reporting procedures, as detailed in Section 11, at the commencement of their illness.
- 31.2 During long term absence an employee's annual leave allowance will continue to accrue. Employees have the choice of taking a period of annual leave during their long-term sickness absence. If, however, the employee chooses not to take annual leave while sick and therefore unable to take this annual leave within the current leave year, they will be entitled to carry outstanding annual leave capped to the statutory amount of 20 days (pro rata for part time staff) over to the next leave year. Any annual leave not taken within 18 months of the end of the holiday year in which it accrues (whether or not you have returned to work) will be lost.

32. Medical suspension

- 32.1 By law, medical suspension is when an employer tells an employee to stop working because there are health and safety issues working with:
- dangerous chemicals
 - lead
 - radiation
- 32.2 If a risk is identified in respect of the above areas, the Trust will consider making temporary or permanent changes at work or offering suitable alternative work. If the Trust is unable to make adjustments, it may be necessary to suspend the employee until it is safe for them to return to work.
- 32.3 The employee will receive their usual pay during medical suspension for up to 26 weeks, as long as they've been employed for a month or more.
- 32.4 The employee will not be entitled to pay if they:
- are not available when needed for suitable alternative work.
 - refuse other suitable work from the employer without good reason.
 - are an independent contractor.
- 32.5 If medical suspension does not relate to working with dangerous chemicals, lead or radiation, these rules do not apply.

Appendix A – Return to Work Meeting Form

This form should be completed by the employee's Line Manager after every sickness absence from work and stored on the employee's personnel file.

Employee Information

Employee Name	
Job Title	
Academy	

Duration and Reasons for Absence

First day of absence	
Last day of absence	
Number of days absent	
Reason for absence	
Who absence was reported to and on what date	

Work Related Absences/Accidents

Do you consider that your work has in any way contributed to your illness? (if yes, supply detail below)	NO	YES
Was the sickness or injury as a result of an accident or injury at work?	NO	YES
If YES, have you complied with the necessary accident reporting procedure?	NO	YES

If applicable, please supply relevant detail below:

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Absence Record

The employee's year to date absence record should be generated from the EPM portal and the information copied into this form in the space below. Using the information from this report, the below sections of the form should then be completed.

Description of Absence	Absence Sub Category	Notes	From Date	To Date

Triggers

Has the employee met an absence trigger?	NO	YES
If yes, please mark the relevant trigger(s) they have met: <i>Please ensure you discuss that the employee has met a trigger within the 'moving on' section of the return to work conversation, explaining that relevant next steps will be taken where applicable.</i>		
A total of 7 working days absence within 1 term		
A total of 10 working days within 3 terms		
3 occasions of absence within 1 term		
Unacceptable pattern of absence		

Return to Work Discussion

Welcome
<i>Welcome the employee back to work, ask them how they are feeling, updated them on any news since they have been off.</i>
Absence Discussion
<i>Get a health and wellbeing update from the employee; are they able to carry out their normal hours and duties?</i>
<i>Does the employee need to have any adjustments to their role? Are these adjustments short term or long term?</i>
<i>Are they on any medication which may affect them? If yes, please provide details.</i>
<i>Does the employee consider their illness to be work related? If yes, in what way is it work related?</i>

<i>Is this absence the result of an existing health condition?</i>
Responsibility for Attendance at Work
<i>It is a key message of this discussion that reliable, consistent attendance is expected of all employees. It is important that employees understand that they are expected to attend work so that the Trust can provide an excellent education provision for our children. Remind colleagues of the support available to help them achieve reliable and consistent attendance, such as the Employee Assistance Programme. Is there anything you as the Line Manager can do to help/support the colleague to attend work?</i>
Moving On
<i>Discuss what the employee will be working on now they have returned; progress any reasonable adjustments if applicable; consider if a risk assessment is required; progress occupational health referral if appropriate; progress to absence review meeting if appropriate.</i>

Declaration			
I confirm that this record is a true account of the points discussed.			
Employee Signature:		Date:	
Manager's Signature:		Date:	