

MODEL ABSENCE MANAGEMENT PROCEDURE

Application of this section to Community, Voluntary and Foundation schools.

The first part of this section addresses contractual sick pay entitlement.

Community schools should follow the guidance set out on contractual pay for both teaching and non-teaching staff, as they form part of the conditions of service for these staff.

Voluntary and foundation schools should adhere to the guidance set out on contractual sick pay for teachers, as this is a requirement of national conditions. However, for non-teaching staff, Governing Bodies of such schools may have alternative policies, providing they satisfy the conditions of service for their staff. Where conditions of service for non-teaching staff mirror those in community schools, the procedures set out here are likely to be applicable.

The second and third parts of this section are model guidelines on sickness absences for managers and for employees. The fourth part of this section are model guidelines for Considering Special Leave Requests.

The special leave provisions, have not been agreed with the Teacher Trade Unions. These are guidelines and Governing Bodies have the discretion to vary the special leave provisions and are able to adopt a policy that reflects this. The LEA would however, expect teaching and support staff to be treated equitably, except where the teacher conditions are different by statute, such as in relation to sick pay.

If a Governing Body is proposing to adopt an absence management policy all the trade unions and staff must be consulted on it.

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PART 1 CONTRACTUAL SICK PAY

Contractual sick pay for non-teaching staff

Sick pay entitlement depends upon the length of service of the employee. Previous service with other local authorities is taken into account.

The scale is as follows:

<u>Period of Service</u>	<u>Entitlement (working Days)</u>
During 1st year of service	1 month full pay and 2 months half pay (after completing 4 months service)
During 2nd year of service	2 months full pay and 2 months half pay
During 3rd year of service	4 months full pay and 4 months half pay
During 4th and 5th 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

The amount of sickness absence taken is calculated on a rolling 12 month period (i.e. 1 January 2004 to 31 December 2004) that determines the person's entitlement to sick pay.

Contractual sick pay for teaching staff

Sick pay entitlement depends upon the length of service. All previous teaching service recognised for salary increments is taken into account.

The scale is as follows:

<u>Period of service</u>	<u>Entitlement (working Days)</u>
1 st year	25 days full pay and for absences beginning in the second or third term an additional 50 days half-pay.
2 nd year	50 days full pay, 50 days half-pay.
3 rd year	75 days full pay, 75 days half-pay.
4 th & subsequent years	100 days full pay, 100 days half pay

Ex ILEA Staff

The following additional entitlements apply to ex-ILEA staff who were transferred by statute and have remained in the same post:

8 -13 years	111 days full pay, 111 days half pay
14 - 19 years	122 days full pay, 122 days half pay
20th & subsequent years	133 days full pay, 133 days half pay

For the purpose of calculating a teacher's entitlement during a year, a year is deemed to begin on 1st April and end on 31st March of the following year. Where a teacher starts service after 1st April in any year, the full entitlement for that year will be applicable. Where a teacher is on sick leave on 31st March in any year, no new entitlements shall begin until the teacher has resumed duty and the period from 1st April until the return to duty is regarded as part of the preceding year's entitlement for the purpose of the scheme.

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PART 2 GUIDELINES FOR HEADTEACHERS/ MANAGERS

The Governing Bodies of all schools should have a procedure on this issue. This is based on the Council's own procedure which may be adapted for local use.

1. INTRODUCTION

Everyone in the school, at all levels, feels the impact of ill health and sickness absence and it significantly affects how the School performs. This in turn affects the level and quality of services we provide to our pupils, both internal and external.

It is essential that both Headteacher / Managers and employees have a shared understanding of the actions that must take place at the time of sickness absence, be clear on the levels of attendance required and the action that will be taken where this is not achieved. Effective communication between managers and employees at all stages of the process is thus a key requirement.

2. HEADTEACHER/ MANAGERS DISCRETION

Headteacher/ Managers should exercise common-sense when following these procedures, particularly in cases of recurring or chronic illness, hospitalisation and for staff with disabilities. It is advisable that in such cases professional support and advice should be sought from your personnel service provider, or the Occupational Health Service, etc. particularly when establishing the existence of a disability. Headteachers / Managers have a statutory requirement placed on them not to discriminate against a person who has a disability.

3. CONFIDENTIALITY

Many of the Issues surrounding sickness absence are of an extremely personal and private nature to the employee concerned. Headteacher/ Managers should be sensitive to any employee's difficulties and appreciate the strict confidence of any information provided. Information should only be shared with other staff on a genuine "need to know basis". Inappropriate breaches of confidence may be considered as a disciplinary offence.

4. DEFINING DISABILITY

Under the provisions of the Equalities Act 2010 disability is defined as "*physical or mental impairment which has a substantial and long-term adverse impact on his/her ability to carry out normal day to day activities*"

In many cases this will be clear:

- i. there is an impairment, which is not specifically excluded under the Act;
- ii. the impairment has a **substantial adverse** effect, i.e. more than trivial and represents a limitation which extends beyond the normal differences in abilities which exist among people.
- iii. it is long term. The long term effect is of an impairment which has lasted:
 - 12 months or where the total period for which it is likely to be at least 12 months
 - or which is likely to last for the rest of the life of the person effected.

Once a Headteacher/ Manager is aware of an employee's disability there should be a means which is suitably confidential for bringing the information together, e.g. Occupational Health Service, so the Headteacher/ Manager can fulfil his/her duties under the Equalities Act. On occasions it might be necessary for the Headteacher/ Manager to implement reasonable

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adjustments for a disabled employee without knowing precisely why he/she has to do so. It may be necessary to tell one or more of a disabled person's colleagues (in confidence) about a disability which is not obvious or where special assistance is required. This will depend on the nature of the disability and the reason others need to know. The Headteacher/ Manager should in all cases consult with the disabled employee before revealing personal information. Disclosure could be held to be discriminating if the Headteacher/ Manager would not reveal similar information about another person for an equally legitimate management purpose.

5. REPORTING SICKNESS ABSENCE

Making early contact with the appropriate manager is key to effective sickness absence management. The manager needs to know as soon as possible if a member of his/her team is too unwell to come to work. Any necessary action can then be taken quickly, including investigating the cause of any illness that appears to be work-related. It also allows other colleagues in the team to be alerted and gives everyone time to make suitable arrangements for cover.

On the first day of sickness absence, therefore, contact must be made to the manager, or arrange for contact to be made, to report sickness absence in accordance with the local arrangements in place within the school. Staff should indicate when they will be fit to return to work and endeavour to contact the school by the end of the school day of the preceding day if not returning to work.

6. MAINTAINING CONTACT DURING SICKNESS ABSENCE

If staff are still unable to attend work after three days, contact must be made with the manager, or arrange for contact to be made, on the fourth working day of absence.

Maintaining regular and frequent contact with your manager while you are absent due to illness is important. What form that contact takes, and how regular and frequent it is, will be determined on a case by case basis. As a general rule and in the absence of any other locally agreed arrangements, however, you will be required to contact your manager again if you are still absent due to illness on the sixth working day (and to give an indication of when you expect to return to work), and thereafter every fifth working day of absence.

7. CONTACT

If it is likely to be an absence for a long period (possibly more than five weeks), it is important that the Headteacher / Manager maintains contact with the employee's from the first stage of sickness absence. A meeting may be arranged at the employee's place of work or another suitable venue.

Transport for the employee to and from meetings arranged at venues other than the employee's home may be provided if warranted.

8. SICKNESS CERTIFICATES

From 6 April 2010 the sick note will be called the Statement of Fitness for Work (Fit Note). The statement will no longer have the "fit for work" option. Therefore, Schools will not request that an employee obtains a fit for work certificate from their GP to return to work. As per the School's policy there still remains occasions when a private medical certificate is required, for e.g. during a period of notice and this remains unchanged.

The GP will state whether they need to assess their patient's fitness for work again at the end of the statement period. Where the GP does not need to see the patient again, in most cases

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you can expect the employee to return to work or their usual duties at the end of the statement period. If the GP needs to see the patient again and during the subsequent consultation they feel the employee is able to return to work without any functional limitations, the GP will not issue your employee with a new statement.

There is a new option for GPs to advise whether an employee may be fit for work with some support. There is also more space for a GP to provide information on how the employee's condition will affect what they do, and helpful tick boxes for GPs to use to suggest common ways to help an employee return to work. Where a GP feels an assessment by an occupational health professional is required, they will state this. If this is not statement, it does not prevent Headteachers / Managers from referring an employee to occupational health services if it is felt that this is necessary. Managers who are unsure of GPs recommendations may liaise with Schools Human Resources Service provider on the way forward.

Periods of sickness absence in excess of seven consecutive calendar days of the first day of incapacity SSP guidance must be covered by a fit certificate. Fit certificates must be submitted by the employee which is obtained from the general practitioner and submitted without delay to the manager promptly. Certificates obtained after the sickness absence should not normally be accepted, except in exceptional circumstances subject to the Headteacher's / Manager's discretion.

Irrespective of the length of absence, a medical certificate must be submitted where the sickness absence continues or falls within a school holiday period, annual leave, and during a period of notice and, on either side of a public or bank holiday, annual leave, or first/last days of school break.

National Health Service medical practitioners are not obliged to, and seldom do, provide NHS medical certificates to cover sickness absences of less than seven consecutive calendar days of the first day of incapacity. Where an employee is required to submit medical certificates for periods less than this, employees are required to obtain from their general practitioner a private medical certificate where s/he declines to provide a NHS fit note. In these circumstances, the School will reimburse the employee the amount charged by the general practitioner for providing a private medical certificate.

Failure by the employee to provide fit notes or private medical certificates at the appropriate times may result in the loss of their pay.

Schools need to have arrangements made for staff that are employed all year round to report absence during school break periods.

9. RECORDS AND DOCUMENTATION

Absence returns showing all occasions of sickness must be submitted to the contractor for Payroll. The Employee's Record must be completed following each spell of sickness absence and should be kept by the Headteacher / Manager. Information on the reasons for sickness absence should be entered under the notes column.

It is essential that Headteachers/ Managers keep a thorough record of the actions they take in respect of their employee's sickness absence. This should include record of sickness absence, sickness/guidance interviews, consideration of job redesign options etc.

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10. RETURN TO WORK

When employees return to work after a sickness absence (of any duration) the Headteacher / Manager will hold a return to work meeting with the employee. Where practical, this meeting will take place on the day you return to work. Return to work meetings are an important part of a proper and fair sickness absence management framework since they provide the Headteacher / Manager with an opportunity to:

- confirm the reason for the absence and the nature of it;
- confirm there are no underlying problems at school or home or patterns of sickness that need to be addressed;
- to identify any assistance and support required;
- to ensure the school meets its duty of care regarding the health and safety of its staff and pupils.
- update the employee sickness record and decide whether there is a need for any further action to be taken.

Return to work meetings are a normal part of the everyday management / supervisory process and as such there is no requirement nor entitlement for the employee to be represented or accompanied at such meetings.

In cases where the employee has had an extended absence, it will be necessary for the Headteacher / Manager to consider, with the employee and in consultation with the Occupational Health Service, whether the illness should now be defined as a disability.

Regardless of whether or not the employee has a disability, re-introduction, or induction into the workplace situation must be addressed. At a simple level this may involve acclimatisation and information updating. However, it may also require temporary or permanent adjustments to working arrangements, such as shorter working days.

In cases where a serious change to the normal working arrangements appears warranted, advice may be sought from the School's HR service provider, and where reasonable phasing, timescale and pay arrangements agreed and documented. Advice may also need to be obtained from the Occupational Health Service on any professional health issues.

11. CONSIDERING JOB RE-DESIGN

Job redesign should be considered, where appropriate, for all employees. Particularly if an employee becomes disabled whilst employed or their disability worsens this will place a responsibility on Headteachers / Managers to consider their duty to make reasonable adjustments, including not just physical adjustments but also job redesign.

Headteachers / Managers should bear in mind that evidence of their attempts to redesign the employee's job may be required should the employee subsequently allege disability discrimination.

The following list gives examples of what it may be reasonable for a Headteacher / Manager to include:-

- Temporary adjustment to duties/workload/hours with timescales for review.
- Job redesign (temporary or permanent).
- Short term reasonable time off to attend guidance and support or other 'Support Service'

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e.g. for drug or alcohol dependency.

- Provision of guidance, target setting, training with purpose and time limits stipulated.

The Headteacher / Manager should in all cases seek to modify the job to accommodate the employee's changed needs by considering all of these steps. The alterations should be fully discussed with the employee and the way in which a job is redesigned should be with his/her agreement.

12. EQUALITIES ACT 2010

The Equalities Act 2010 came into effect in October 2010 and incorporated the provisions of the Disability Discrimination Act 1995 (DDA) providing legal protection for disabled people against discrimination. It impacts on sickness absence management in two key ways:

- under the Equalities Act, an employer unlawfully discriminates against a disabled person where, for a reason "related" to their having a disability, they receive unjustified less favourable treatment than they would otherwise receive; and
- an employer also unlawfully discriminates if they fail unjustifiably to meet any duty to make a "reasonable adjustment" in relation to a disabled person.

Under the Equalities Act a disabled person is defined as a person with:

"A physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day-to-day activities."

The DfES Circular 20/99 provides guidance to Schools on what the Equalities Act means for Schools and LEAs. This gives examples of adjustments that may be considered, which include:

- altering premises
- allocating some duties to another staff member
- transferring the person to fill an existing vacancy
- altering working hours
- changing the staff member 's place of work
- allowing time off for rehabilitation, assessment or treatment
- supplying additional training
- acquiring or making changes to equipment

The school can also contact the regional Access to Work contact centre at the local Job Centre to check whether the school can get specialist advice. Employers can claim back any costs approved by Job Centre Plus required to support an individual in their work.

13. CONSIDERING RELOCATION/ REDEPLOYMENT

Where it becomes apparent that an employee is no longer able to continue working at the same location due to illness or disability, and suitable adjustments cannot reasonably be made, relocation of the employee must be attempted.

In cases where this is not possible alternative posts of a similar nature should, where possible, be identified in other departments across the Authority. Identification of new posts would be undertaken by the School based on information provided by the employee e.g. identifying the experiences, skills, knowledge, achievements and potential.

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In cases where the same or a similar post is not available other posts within the Authority should be considered for the employee. This may require medical advice from the Occupational Health Service on the tasks that the employee can undertake.

14. INDUSTRIAL INJURY/ACCIDENTS AND ASSAULTS

Sickness absence due to accidents and/or assaults at work (or those which are directly related) should be managed in exactly the same way as all other sickness absence, although for pay purposes they are treated differently. Such absences must be identified and recorded separately from other sickness absence. Headteachers / Managers should ensure that these absences are recorded on the appropriate documentation.

15. SICKNESS PAYMENTS:

Non teaching staff will be paid an allowance under the appropriate sickness payment scheme at a rate of full salary (less any Statutory Sick Pay or National Insurance benefit received) for no more than 12 months from the date when the accident occurred.

Teaching staff shall in all cases be paid full pay for a period of not exceeding six months. Where a teacher is still absent after the initial six months, the question of extension of payment shall be considered by the Governing Body. In the event of no extension of leave being granted, the teacher shall be entitled to normal sick leave and pay according to length of service.

The Council operates a Personal Injury Allowance Scheme for all employees in the event of injury or death in the course of their employment. Further advice is available in the first instance from Schools Human Resources. Including in the scheme is a discretionary element of a payment of up to £1,221 which the School may award for personal distress or inconvenience suffered, and / or for increased expense arising from an industrial injury. However any payment awarded must be offset against any compensation that the employee receives.

To submit a claim under this arrangement the employee must provide the school with details of the personal distress or inconvenience suffered, making reference to:

- The severity of injury, supported by medical evidence
- Any admission to hospital or appointments as an out-patient
- Any periods of absence from work
- Any relevant personal / family circumstances
- Evidence of liability for the industrial injury
- The actual additional expenses incurred (with copies of receipts and invoices)
- Any other relevant information.

16. DENTAL, DOCTOR, AND HOSPITAL APPOINTMENTS

Requests for time off for essential dental and hospital appointments must be accompanied by an official appointment card or documented evidence. Appointments should always be made in order to ensure minimal disruption to attendance at work. Employees where possible should be encouraged to attend appointments before the start or at the end of the working day.

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Where an employee needs to attend a series of appointments for on-going treatment, the Headteacher / Manager should be told about the arrangements as soon as possible. If appropriate, the absence should be recorded as sickness absence and dealt with within these framework.

17. SPECIAL LEAVE

The special leave criteria specify areas where leave may be granted and the maximum duration. Headteacher / Managers should ensure that staff know that special leave is available where there are domestic difficulties, rather than reporting sick. Headteacher/ Managers have discretion to grant special leave, in accordance with the Guidelines. Further details are contained in the section on Special Leave.

18. EXPECTANT MOTHERS

The Parental Leave arrangements provide time-off for ante-natal care. Such time should not be regarded as sickness absence.

Sickness absence that is maternity/pregnancy-related should be recorded separately from general sickness absence or disability-related sickness absence. The reason for keeping maternity/pregnancy-related sickness absence separate is that women have a number of statutory rights and protection from unfair dismissal relating to these issues.

19. SICKNESS ABSENCE AND CAPABILITY

Sickness is not in itself a disciplinary offence but it may be a contributory factor, particularly in cases concerning capability. The School's capability procedure outlines the courses of action to be taken where such action becomes necessary.

Wilful or consistent failure to follow the Schools procedure and procedures may result in disciplinary action. It is imperative therefore that all employees are fully aware of the sickness absence framework and ensure there are no breaches of School procedure.

20. SICKNESS REVIEW PROCESS

Monthly Review

On a monthly basis, Headteachers / Managers should examine the sickness records for all their staff. If any of the following occurs, a review process will be set in motion:

- where there are 3 spells of sickness, of any length, in the previous 3 month period.
- where a total of 10 days sickness has been taken in the previous 12 month period (for this purpose, there is no distinction between certificated, self-certificated and uncertificated sickness).
- where there are concerns

Return to work meetings, as a normal part of the everyday management/supervisory process, may have identified the reasons for absence and in some instances that no further action need be taken. However, an interview with the member of staff may need to follow the review process.

21. SICKNESS GUIDANCE INTERVIEW

The Headteacher / Manager will conduct an interview, normally within 2 weeks of the end of the period. The purpose of the interview is twofold:

- To ensure the employee is fit to return to work from a management viewpoint (rather than on medical opinion) and to assist the employee to undertake work duties. Assistance may

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be offered from the manager direct or via another agency, as appropriate.

- (ii) To be confident that there is no underlying problem contributing to the absence, either at home or work.

The interview should be used as a structured method to communicate between the Headteacher / Manager and the employee, in order to:-

- outline the areas of concern, explain the effect their absence is having and why their attendance is not acceptable;
- ask for an explanation for the area of concern;

discuss ways of resolving or overcoming the concern, e.g. guidance or training, and consider if other support and assistance are required;

confirm the standards of attendance/performance required and/or any targets to be reached; and

- review any arrangements made at a further interview, if necessary.

The manager must keep a detailed written record of the guidance interview and any agreed outcomes.

At the conclusion of the meeting there must be clarity on:

- action for the future, which may impact upon the achievement of targets, and areas of responsibility
- a date for the next review meeting

The Headteacher / Manager should confirm to the employee in writing the salient points of the meeting and the outcomes to be pursued.

Action which may be pursued as a result of a sickness guidance interview includes:

- referral to the occupational health service
- referral to other support functions, e.g. confidential counselling service or specialist assessment temporary adjustment to duties/workload
- job redesign (where appropriate)

A further interview will be arranged within 6 weeks of term time.

22. 6 WEEK REVIEW INTERVIEW

The Headteacher/ Manager should use the meeting to recap whether the defined standards of performance have been achieved. There are two possible outcomes:

(i) Performance/attendance now meets required standards.

The Headteacher/ Manager will confirm this to the employee and explain that the formal guidance process is at an end. The manager should confirm in writing to the employee the outcome reached.

(ii) Performance/attendance has not improved to required standards.

The Headteacher/ Manager will confirm this to the employee, and use the meeting to:

- again explore those issues of discussion in the previous guidance interview but within the context that an initial meeting has been held;
- to determine a further reasonable period for the employee to meet the required standards;
- to determine the next stage of the process which will follow the interval awarded to the employee to meet the required standards.

The two options available at all review meetings are:

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- (i) at the end of the interview to hold a further review meeting
- (ii) at the end of the interview to take formal capability action. This decision should take account of:
 - *the gravity of the poor performance*
 - *the previous instances that the sickness procedure has been invoked*

The Headteacher/ Manager should confirm to the employee in writing the salient points of the meeting and the outcomes to be pursued.

23. SECOND AND SUBSEQUENT FORMAL GUIDANCE INTERVIEWS

At the end of the period agreed for the employee to meet the required standards the Headteacher/ Manager should determine whether:

(a) Performance/attendance now meets required standards.

The Headteacher/ Manager will confirm this to the employee and explain that this ends the sickness review process. If there are further, similar capability concerns at a later date then these should be addressed at the First Review meeting stage rather than through a guidance interview. The manager should confirm in writing to the employee the outcome reached.

(b) Performance/attendance has not improved to required standards.

The Headteacher/ Manager will confirm this to the employee, and again use the meeting to make a judgement on:

- whether to award a further period for improvement
- whether to now pursue formal capability action

The Headteacher/ Manager should confirm to the employee the salient points of the meeting and the outcomes to be pursued.

24. RECEIPT OF REPORTS FROM THE OCCUPATIONAL HEALTH SERVICE

Reports from the Occupational Health Service will provide valuable information to the Headteacher / Manager in determining an appropriate response to the employee's absence(s) from work.

(a) If there is an underlying medical reason

Medical opinion to be considered in the light of service needs and the likely duration as well as the requirements of the Disability Discrimination Act. Responses include; no further action, job redesign, redeployment, relocation, ill-health retirement, termination of employment on grounds of incapacity.

(b) If there is no underlying medical reason

Inform employee of Occupational Health Service view and ask employee for an explanation.

(c) If there is no satisfactory explanation

Inform the employee that this may give rise to disciplinary action. Consider setting new timescales and targets. Confirm any intended action in writing.

The process of referral to the Occupational Health Service and report back should normally take 4 weeks, but may be longer depending on the circumstances. Should this timescale be

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too lengthy in terms of the Headteacher's / Manager's intended action, contact will need to be made with the Occupational Health Service to agree a specific timescale.

In accordance with the Access to Medical Reports Act 1988 and taking into account the General Data Protection Regulation which took effect on 25 May 2018. The Authority must gain a person's written permission before they approach their doctor for a medical report.

PART 3 GUIDANCE FOR EMPLOYEES

1. REPORTING ABSENCES

Day 1

- Contact your Headteacher / Manager to report your sickness
- If you cannot contact your Headteacher / Manager yourself, you must arrange for someone to do it for you (e.g. partner, friend, etc.)
- If you are unwell at work, you must inform your Headteacher/ Manager of your intended sickness absence immediately. Absence before completion of ½ of the working day will be recorded as ½ day.
- You must inform your Headteacher / Manager of any meetings and important information relating to your work.

Day 4 (4th working day of sickness absence)

- Contact your Headteacher / Manager to report your continued sickness.
- You will be required to fill in a self-certification form on your return to work.

Day 6 (6th working day of sickness absence)

- Contact your Headteacher / Manager to report that you are still
- sick and to give an indication of when you expect to return to work.
- Periods of sickness absence in excess of 5 continuous working
- days must be covered by a medical certificate. You must, therefore, obtain a medical certificate from a doctor and send it to your Headteacher / Manager without delay.

Every Further 5th Working Day

- Contact your Headteacher / Manager to report that you are still sick and to give an indication of when you expect to return to work.

2. CONTACT WHILST ABSENT FROM WORK:

If your absence is likely to be for a long period (possible more than five weeks), it is important that the Headteacher / Manager maintains contact with the you from the first stage of sickness absence. It may be necessary to meet with you to discuss the possible implications of your continued sickness absence, monitor progress of your recovery and establish when you may be able to return to work. This meeting may be arranged at the your place of work or another suitable venue at a mutual agreed date and time.

3. RETURNING TO WORK:

Upon your return to work, your Headteacher / Manager will conduct a return to work interview to confirm the reason(s) for your absence and to complete your sickness record card. These records are then signed by you and your Headteacher / Manager.

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If you have been off work for 4 working days or more, you must fill in a Return to Work Self-certification Form. This is available from your Headteacher / Manager and it will require you to indicate the days you were absent and the reasons for your absence.

From 6 April 2010 the sick note will be called the Statement of Fitness for Work (Fit Note). The statement will no longer have the "fit for work" option. Therefore, Schools will not request that an employee obtains a fit for work certificate from their GP to return to work.

The new Fit Note system will mean that your doctor can advise your Headteacher / Manager that you are either

- Unfit for work or
- May be fit for work

Your GP will state whether they need to assess your fitness for work again at the end of the Statement period. Where the GP does not need to see you again, in most cases your Headteacher / Manager can expect you to return to work or your usual duties at the end of the Statement period. If your GP needs to see you again and during the subsequent consultation they feel that you are able to return to work without any functional limitations, your GP will not issue you with a new Statement.

There is a new option for your GP to advise whether you may be fit for work with some support. There is also more space for your GP to provide information on how your condition will affect what you do, and helpful tick boxes for your GPs to use to suggest common ways to help you return to work. Where your GP feels an assessment by an occupational health professional is required, they will state this. If this is not statement, it does not prevent your Headteacher / Manager from referring you to occupational health services if it is felt that this is necessary. Headteachers / Managers who are unsure of your GPs recommendations may liaise with their Human Resources Service provider on the way forward.

4. PROVISION OF MEDICAL CERTIFICATES

A medical certificate covering each day of the sickness absence period must be obtained if you are sick:

- during a period of notice
- on the day either side of a public bank holiday
- annual leave, or
- first/last days of school break.

Medical certificates must indicate the period of sickness they are covering. If this is not shown, the certificate is assumed to provide a maximum cover of 5 working days from the date of issue.

Medical certificates obtained after the sickness absence will not be accepted. Failure to provide medical certificates as required will result in loss of pay.

5. OTHER SICKNESS ABSENCE:

The general procedure for reporting sickness absence also applies to staff who are outside the school when they fall sick (for example, at a meeting, on a training course).

- For staff working part-time or job share of less than 5 days a week or uneven hours each day, the time-scales are to be counted pro rata for the purposes of completing the sickness

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record and in consideration for the manager’s monthly review.

- Staff who do not comply with the above framework, and fail to report their absences as required, will be deemed to be absent without permission. This will result in loss of pay. Continued non-compliance will lead to action being taken in accordance with the Schools’ disciplinary procedure.

PART 4

MANAGEMENT GUIDELINES FOR CONSIDERING SPECIAL LEAVE REQUESTS

The Governing Bodies of all schools should have a procedure on this issue. This is in line with the Corporate guidance on applying discretion, which is recommended as good practice and which may be adapted for local use.

All references to ‘days’ below are to be read as ‘working days in a 12 month period’.

PURPOSE	RECOMMENDATION
Serious illness of a close family member (e.g. partner, parent, child or a person for whom the employee has care responsibility), requiring the presence of the employee. This is not intended to cover illnesses of a minor nature (e.g. colds, infections, minor ailments etc.)	Period reasonably necessary, normally not more than 3 days with pay.
Death of persons specified above, where the employee has responsibility for making funeral arrangements.	Period reasonably necessary, but not more than 3 days with pay.
Funeral attendance of persons specified above.	Period reasonably necessary and allowing for journey time.
Serious domestic difficulties caused by the sudden and unforeseen breakdown of childminding/nursery arrangements without the employee being able to make alternative arrangements.	Period reasonably necessary, but not more than 3 days with pay.
Unforeseen domestic emergency (e.g. burglary, fire, flood) which is beyond the control of the employee.	Not more than 1 day with pay (may be applied retrospectively on production of supporting information which may be required by the Headteacher / Manager)
Bone marrow donations	Period reasonably necessary but not more than 5 days with pay.

Headteachers / Managers are permitted to approve special leave up to a maximum of 5 days per individual over a 12 month rolling period.

1. SPECIAL LEAVE

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These notes are intended to provide guidance to Headteachers / Managers concerning the treatment of requests for special leave with pay. Such requests need to be treated fairly and consistently, and the needs of the employee should be balanced with the requirements of the service.

Whilst decisions on special leave should reflect the Authority's role as a caring and reasonable employer, it needs to be emphasised that special leave is at all times subject to the exigencies of the service and is entirely at the discretion of the Headteacher / Manager.

As a general guideline special leave should relate to emergency situations, that is serious events of a sudden and unforeseen personal or domestic nature which are beyond the control of the employee and which require prompt attention.

The guidelines recognise that by virtue of the nature of special leave hard-and-fast rules cannot always be followed rigidly. Headteachers / Managers may sometimes need to apply an element of discretion in individual cases depending on the circumstances.

In determining special leave Headteachers / Managers should take into consideration all relevant factors:

- nature of the emergency
- the relationship of the person to the employee
- the employee's length of service
- the employee's work record
- amount of outstanding and uncommitted leave (if applicable)
- service requirements
- the possibility of unpaid leave
- the possibility of temporary variation in working times

It should be noted that for an extended period of unpaid leave (i.e. exceeding one month) there are implications for pension and accrual of holiday entitlement.

Visits to the doctor, dentist and hospital clinics shall normally be regarded as outside the provisions of special leave. Staff are entitled to paid time off for the purpose of attending pre-natal classes as detailed in the parental leave arrangements. In all such cases Headteachers / Managers may request to see appointment cards, and wherever possible employees are expected to make appointments at the beginning or end of the day in order to minimise any disruption at work caused by their absence.

It should be noted that the provision for 'up to 10 days special paid leave', contained within the revised parental leave procedure, is maintained (for a person on maternity leave with less than 26 weeks service, or at time of adoption irrespective of length of service).

2. PARENTAL SUPPORT LEAVE (UNPAID):

This should be read in conjunction with the Parental Leave Procedure.

3. OTHER

In addition to emergency situations of a personal or domestic nature, special paid leave may be granted for the following reasons:-

MODEL ABSENCE MANAGEMENT PROCEDURE

- a) for the duration of attendance at court or employment tribunal until such time they are freed by the court or tribunal providing:
 - the employee's attendance must be as a witness on subpoena, witness order or other directions through the court or tribunal or at the request of the police.
 - documentary evidence of required attendance is provided.
- b) jury service
- c) sitting sponsored exams and final revision (equivalent number of days to the length of the exam)
- d) acting as an examiner or lecturer to outside authorities (not exceeding an aggregate of one week in any 12 month period)
- e) attendance at appeal hearings before any Whitley body at provincial or national level
- f) magisterial duties or meetings of Whitley or public bodies or attendance at national conferences (not exceeding the equivalent of 12 days a year)
- g) serving as a member of another local authority (up to 208 hours a year)
- h) election duties
- i) duties undertaken as a school governor, whether within the borough or not (not exceeding 5 days a year)
- j) attendance at summer camp as a volunteer member of the non - regular forces (up to 2 weeks a year)

Applications for special leave should be made in advance of the requested absence or on the first day of absence in the event of emergency situations.

At all times line managers may require confirmation or prove of the need for special leave to be approved, and must be aware of the requirement to avoid discriminatory treatment or victimisation.

This procedure has not been agreed by the Trade Unions. If the Governing Body proposes to adopt or adapt this absence management procedure, it must be consulted on with by all the trade unions and staff.