

Sickness Absence Management Procedure

A model for Schools



This Essex County Council Model Policy was originally created in June 2001 and this issue was released in :	September 2008
School Staff were consulted on this document and it was accepted by the Personnel committee on :
It was ratified by the Governing Body on :

Sickness Absence Management Policy

A Model for Schools

Published by:

Essex County Council HR Service
County Hall, Chelmsford
Essex

© Essex County Council, HR Service (June 2001), Revised Sept 2008

Copies may be made without prior permission by any establishment purchasing this model procedure from Essex County Council provided such copies are used solely with that establishment and acknowledgement is given. For copying or use in any other circumstances, prior written permission must be obtained from the County Council.

Further copies may be obtained from:
Essex County Council HR Service
Schools' Team
County Hall, Chelmsford, Essex CM2 6WN
England

This management procedure has been re-formatted and minor changes to the content have been made for clarification and to take account of DDA legislation. The more significant changes are detailed below:

4.5	Medical screening	New
4.6	Medical referral	New
4.6.1	Co-operating with a referral to an occupational health advisor	New
7.1	Ill health retirement for teachers	Additional guidance on the two levels of benefits and retirement.
7.2	Ill health retirement support staff	New reference to Local Government pension regulations which took effect from April 2008

1.	INTRODUCTION	1
1.1	POLICY STATEMENT	1
1.1.1	Communication	1
1.2	DEFINITION.....	2
2.	SCOPE OF THE PROCEDURE	2
3.	ROLES & RESPONSIBILITIES	2
3.1	IT IS THE RESPONSIBILITY OF THE GOVERNING BODY TO:	2
3.2	IT IS THE RESPONSIBILITY OF THE HEADTEACHER AND OTHER LINE MANAGERS TO:.....	2
3.3	IT IS THE RESPONSIBILITY OF ALL STAFF TO:.....	3
3.4	OTHER PARTIES MAY HAVE A ROLE WITHIN SICKNESS ABSENCE MANAGEMENT, E.G.....	3
4.	THE PROCEDURE	3
4.1	REPORTING SICKNESS ABSENCE.....	3
4.1.1	When to report sickness absence.....	3
4.1.2	To whom sickness should be reported	4
4.1.3	What to report	4
4.1.4	Employees who fall sick during annual leave.....	4
4.2	SICKNESS CERTIFICATION	4
4.2.1	Local Government Services and other support staff.....	4
4.2.2	Teaching staff.....	4
4.2.3	Return to work certificate.....	4
4.3	RETURNING TO WORK	4
4.3.1	Fitness to return to work on a bank holiday or during a closure period	5
4.3.2	Return to work meeting	5
4.4	SICK PAY ALLOWANCES.....	5
4.4.1	Teaching staff.....	5
4.4.2	Local Government Services staff	5
4.4.3	Staff on other Conditions of Service	6
4.4.4	Sick pay and holiday entitlement	6
4.4.5	Extensions to sick pay.....	6
4.4.6	Accidents at work.....	6
4.4.7	Third Party Accident Compensation Claims	6
4.5	MEDICAL SCREENING.....	7
4.6	MEDICAL REFERRAL.....	7
4.6.1	Co-operating with a referral to an occupational health adviser	7
4.7	MEDICAL SUSPENSION	7
4.8	REASONABLE ADJUSTMENTS.....	7
4.9	TIME OFF FOR OTHER REASONS.....	7

4.10	CONDUCT AND CAPABILITY	8
4.11	DRUG AND ALCOHOL MISUSE	8
4.12	SICKNESS ABSENCE RECORDING	8
5.	FREQUENT SHORT-TERM SICKNESS ABSENCE	9
5.1	INFORMAL PROCEDURE	9
5.1.1	Informal Absence Review Meeting	9
5.1.2	Referral to an occupational health adviser	9
5.2	FORMAL PROCEDURE	9
5.2.1	Formal Absence Review Meeting	9
5.2.2	Formal Action	10
6.	LONG-TERM SICKNESS ABSENCE	10
6.1	COMMUNICATION.....	10
6.2	MEETINGS.....	10
6.3	REFERRAL TO AN OCCUPATIONAL HEALTH ADVISER	11
6.4	REVIEW MEETINGS.....	11
6.5	RETURNING TO WORK	11
6.6	FORMAL ACTION	12
7.	ILL-HEALTH RETIREMENT	12
7.1	TEACHING STAFF.....	12
7.1.1	There are two levels of benefit:	12
7.1.2	Retirement.....	12
7.2	SUPPORT STAFF	12
APPENDIX A(I)	SICKNESS ABSENCE / SELF CERTIFICATION FORM – TEACHING STAFF	14
APPENDIX A(II)	SICKNESS ABSENCE/SELF CERTIFICATION FORM–SUPPORT STAFF	15
APPENDIX B:	REFERRAL TO OCCUPATIONAL HEALTH-EMPLOYEE INFORMATION SHEET	16
APPENDIX C	SICKNESS ABSENCE MANAGEMENT POLICY - A BRIEF GUIDE FOR STAFF	18

The Sickness Absence Management Procedure

1. INTRODUCTION

This Policy sets out the obligations and entitlements of employees who are sick and the procedures that will be followed to manage sickness absence.

1.1 Policy Statement

The Governing Body is committed to providing a healthy working and learning environment and to promote good health amongst all its staff and pupils. The Governing Body recognises its statutory responsibilities in relation to health and safety and the Disability Discrimination Act, but also its duty to ensure that staff are fit to fulfil their roles. The Governing Body believes that serious problems can be averted if appropriate advice is sought at an early stage and it wishes to support staff to avoid the risk of stress related illness and to minimise the loss of good quality staff to ill health retirement.

The sickness absence management procedure balances the needs of the school with the interests of individual employees. It is based on the following principles.

- To achieve high levels of attendance through the reduction of sickness absence from work.
- To reduce levels of sickness absence by providing a safe and healthy environment where employees feel that their contribution to the work of the school is valued.
- To support employees who are sick through the effective operation of sick pay schemes and management systems and to fulfil their duties under the Disability Discrimination Act.
- To treat all staff with dignity and sensitivity, fairly and consistently and in confidence, whilst recognising each as an individual and striving to ensure the health and welfare of all.
- To minimise disruption to the effective provision of education to pupils.
- To minimise disruption to the operation of the school and reduce additional staffing costs resulting from sickness absence.
- To maintain adequate sickness absence monitoring procedures and records, using the information collected to improve attendance levels.
- To distinguish between genuine sickness absence issues and issues of competence and conduct and address these in a fair and firm manner.
- To value mutual trust and confidence in the operation of the sickness pay scheme.
- To ensure all staff are aware of the school procedure for managing sickness absence.

1.1.1 Communication

Communication is key to effective absence management. Employees will be expected to keep in regular contact with the school, through third parties if necessary, to provide information about the absence, key work issues and any support/assistance required. For its part, the school will maintain contact with employees to support and inform them during the absence, to keep them in touch with school issues where appropriate and facilitate an early return, as well as for operational management reasons. The degree and nature of the contact will of

course depend upon the nature of the ill health and other relevant factors and should be supportive and constructive. Particular consideration will be given to the nature and content of any contact in cases where absence is due to stress.

1.2 DEFINITION

- Frequent short-term absence will normally be defined as
 - Three periods of absence in one term, or
 - Unacceptable patterns of absence, for example, regular Monday or Friday absence.
- Long term absence will normally be defined as an absence which has or may last for 8 weeks or more.

2. SCOPE OF THE PROCEDURE

This procedure is applicable to all staff employed at the school except those who have not completed a probationary period. While the principles will apply to this category of staff, it may be necessary to foreshorten the procedure in keeping with the particular circumstances of employment.

3. ROLES & RESPONSIBILITIES

3.1 IT IS THE RESPONSIBILITY OF THE GOVERNING BODY TO:

- have in place, monitor and review policies and procedures which safeguard the health, safety and welfare of staff;
- ensure that appropriate sickness management policies and procedures are in place, are monitored and reviewed regularly and are implemented in a fair and reasonable manner;
- depute a governor to implement sickness management policies and procedures in the case of the sickness absence of the headteacher;
- take emergency action (e.g. suspend from duty) when they consider a headteacher may have become medically incapable to perform his/her duties;
- ensure managers have sufficient interpersonal skills and procedural knowledge to deal with such issues.

3.2 IT IS THE RESPONSIBILITY OF THE HEADTEACHER AND OTHER LINE MANAGERS TO:

- ensure that full attention is given to staff health, safety and welfare and to develop systems of work to minimise ill health and consequent sickness absence;
- ensure pre-employment health checks are carried out;
- monitor and regularly review levels of sickness absence throughout the school, take action as appropriate and record any action taken in individual cases and report to the governing body;
- provide statistics on sickness levels to the LA/DCFS as required;
- ensure that individuals are aware of sickness absence management procedures, including reporting processes;
- implement the sickness absence management procedures fairly, sensitively and confidentially;

3.3 IT IS THE RESPONSIBILITY OF ALL STAFF TO:

- safeguard and maintain their own health and attend for work when fit to do so;
- ensure that medical advice and treatment, where appropriate, are received as quickly as possible in order to facilitate a return to work;
- co-operate with referrals to an occupational health adviser as required;
- comply with the sickness absence management procedure and co-operate with the processes contained therein;
- inform their manager in general terms of any health issues including the effects, prognosis and developments;
- keep in touch, as appropriate, with their designated contact during periods of long term absence.

3.4 OTHER PARTIES MAY HAVE A ROLE WITHIN SICKNESS ABSENCE MANAGEMENT, E.G.

- Occupational Health Service and/or other medical advisers (e.g. consultants, specialists).
- HR advisers.
- Trade Unions / Professional Associations.

Specific roles and responsibilities are outlined in the body of the procedure.

4. THE PROCEDURE

A leaflet summarising the procedures is at Appendix C.

Further information can also be found in:

- Conditions of Service for School Teachers (the 'Burgundy Book');
- Conditions of Service for Local Government Services Staff (the 'Green Book');
- DCFS Publication "Fitness to Teach" – December 2000;
- The Education (health Standards) (England) Regulations 2003 (ref: DCFS Guidance 2007 – Physical and Mental Fitness to Teach of Teachers and Entrants to Initial Teacher Training).
- These regulations require employers to determine the medical fitness of all education workers prior to employment, to monitor and manage ill health during employment and to report cases of ill-health dismissal to the Secretary of State.

4.1 REPORTING SICKNESS ABSENCE

4.1.1 When to report sickness absence

Contact must be made with the school as soon as possible on the first day of absence. Wherever possible contact should be made by telephone and in person.

"As soon as possible" means no later than *e.g. 8 am*.

Further contact must be made, where appropriate, on the fourth day and seventh day of absence and further regular contact must be maintained with the school, to inform about progress and likely duration of absence.

Where the fourth/seventh day falls on a bank holiday, weekend or during a closure period, contact must be made with the school on the first working day thereafter, unless a doctor's certificate has been provided in advance to cover those days.

4.1.2 To whom sickness should be reported

To e.g. *Headteacher / Deputy Headteacher, other member of senior staff.*

4.1.3 What to report

When contacting the school, the following information should be reported:

- an indication of the nature of the illness and its likely duration;
- any work matter that may need to be attended to during the absence;
- the first day of illness;
- if sickness absence results from an accident at work this should be reported immediately, together with details of to whom the accident was initially reported.

These first three points will be relevant for every contact.

4.1.4 Employees who fall sick during annual leave

Where sickness begins during a period of annual leave, or during a closure period the employee must report the sickness immediately or as soon as possible thereafter in the case of the sickness occurring whilst away from home. For Local Government Service staff a doctor's certificate may be required to cover each day of sickness during annual leave periods/closure periods in order to reimburse leave where appropriate.

4.2 SICKNESS CERTIFICATION

(Ref. Appendix A)

Medical certificates must be provided in accordance with statutory and contractual requirements as follows:

4.2.1 Local Government Services and other support staff

A self-certification form must be provided from day one and thereafter to cover up to and including the seventh calendar day of sickness absence.

A doctor's certificate will be required from the eighth calendar day onwards.

4.2.2 Teaching staff

A self-certification form must be provided from day four, and thereafter to cover up to and including the seventh calendar day of sickness absence.

A doctor's certificate will be required from the eighth calendar day onwards.

4.2.3 Return to work certificate

Where a doctor's certificate covers a period exceeding 14 days, or where more than one certificate is necessary for the same period, the employee must, before returning to work, submit a doctor's statement/certificate of fitness to resume duties.

4.3 RETURNING TO WORK

Where practicable, one clear day's notice should be given of fitness to return to work.

4.3.1 Fitness to return to work on a bank holiday or during a closure period

Where an employee becomes fit to return to work during a closure period, contact must be made with the school by; e.g. leaving a message on the school answer phone, contacting the headteacher/nominated person on the day of fitness to return, or by providing a doctor's certificate of fitness on the first day back.

4.3.2 Return to work meeting

A return to work meeting will normally be conducted by the headteacher or other manager on an employee's return to work following any period of sickness absence. The purpose of this meeting is to update the employee on work related matters and to identify any additional support that may be required.

4.4 SICK PAY ALLOWANCES

The majority of staff as part of their conditions of service, have entitlement to receive an allowance where they have been absent from duty owing to illness.

Subject to service and earnings qualifications, staff may also have an entitlement to Statutory Sick Pay, which will be included in contractual sick pay where appropriate.

The scale of contractual allowances is as follows for full-time staff (pro-rata for part-time staff).

4.4.1 Teaching staff

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 and successive years service:	full pay for 100 working days and half pay for 100 working days.

For the purpose of the sick pay scheme, "service" includes all aggregated teaching service with one or more local education authorities.

4.4.2 Local Government Services staff

During the first year of service:	full pay for 1 month and (after completing four months' service) half pay for 2 months.
During the second year of service:	full pay for 2 months and half pay for 2 months.
During the third year of service:	full pay for 4 months and half pay for 4 months.
During the fourth year of service:	full pay for 5 months and half pay for 5 months.
After 5 years' service:	Full pay for 6 months and half pay for 6 months.

For the purpose of the sick pay scheme, “service” refers to Local Government continuous service.

4.4.3 Staff on other Conditions of Service

Staff on local conditions of service may have an entitlement to contractual sick pay and should refer to their contract of employment.

All staff may also have an entitlement to Statutory Sick Pay, which will be included in contractual sick pay where appropriate.

4.4.4 Sick pay and holiday entitlement

Employees are not entitled to take annual leave during periods of long term sick leave. Annual leave will continue to accrue during periods of sickness absence but an employee will not be able to take their entitlement until they return to work.

Where a member of staff does not return to work before the end of the leave year, their entitlement to statutory annual leave is lost. Annual leave cannot be carried over to the subsequent leave year.

In cases where an employee’s contract is terminated immediately following a period of long-term sickness, there is no entitlement to money in lieu of untaken leave.

Where an employee falls sick during a period of annual leave, the leave days may be refunded. There shall be no such compensation for sickness on public/bank holidays.

LGS term-time only employees, who have their holiday paid as part of their salary, will be entitled to pay in lieu of holiday accrued during sickness absence if they return to work, on the same basis as full-time employees.

4.4.5 Extensions to sick pay

The Governing Body will consider any requests for an extension to sick pay on a case by case basis.

4.4.6 Accidents at work

Support staff - where an employee suffers an accident, injury or assault arising out of, or in the course of employment, s/he will be paid a sum equivalent to their sick pay entitlement and this period shall not count against their sick pay entitlement.

Teaching staff - where a teacher suffers an accident, injury or assault arising out of, or in the course of employment s/he will be entitled to full pay for a period not exceeding 6 months. Where the teacher remains absent beyond 6 months they will then be entitled to their normal sick pay entitlement as determined by their length of service and any previous sickness absence.

4.4.7 Third Party Accident Compensation Claims

Where employees are absent as the result of an accident for which damages may be recoverable from a third party, s/he must inform the school. The employer may

recover all/a proportion of the costs of sick pay/accident pay from the damages received by the employee.

4.5 MEDICAL SCREENING

All new employees will be required to complete a pre-employment medical screening questionnaire.

4.6 MEDICAL REFERRAL

The school may, as appropriate, require a referral to an occupational health advisor where an employee's absence or other issues indicate a potential health concern. In these circumstances the employee will be advised of the process and the reasons for the referral.

4.6.1 Co-operating with a referral to an occupational health adviser

Employees are obliged to attend appropriate appointments with an occupational health adviser. Where an employee refuses to consent to the occupational health adviser contacting his/her GP/consultant, decisions, which may have implications for his/her future employment, will be taken on the basis of the more limited information available.

4.7 MEDICAL SUSPENSION

In certain circumstances, where they feel an employee is not fit to attend work, the headteacher or Chair of Governors may suspend an employee on medical grounds. Any suspension will be on full pay or sick pay where the employee is on, or enters, a period of certificated sick leave. Suspension will be lifted, where appropriate, by the governing body only after advice has been sought from an occupational health adviser.

4.8 REASONABLE ADJUSTMENTS

An important element of managing ill-health is the need, as appropriate to explore reasonable adjustments/alternative employment, particularly but not exclusively for disabled employees, and these options will be discussed with staff as necessary with a view to facilitating continued employment.

4.9 TIME OFF FOR OTHER REASONS

As part of its commitment to supporting the health and wellbeing of employee, the Governing Body has a Leave of Absence Policy which sets out the school's approach to leave of absence for reasons other than personal sickness.

Employees should normally arrange non-urgent personal medical appointments for the doctor, dentist, hospital, clinic (e.g. ante-natal) and elective procedures, outside of their working time wherever possible. However, where this is not possible and in urgent cases, requests for leave will be considered sympathetically.

Employees must not claim sick leave for reasons other than their own ill health. Such claims may constitute a disciplinary offence.

4.10 CONDUCT AND CAPABILITY

Incidents of failure to comply with the requirements of the school's sickness absence management procedure and/or the submission of false sick claims may be investigated under the school's Disciplinary (Misconduct) Procedure.

4.11 DRUG AND ALCOHOL MISUSE

Employees are encouraged to disclose drug/alcohol problems so that the school can support them. Where drug or alcohol misuse is suspected or admitted, a meeting will be sought with the employee to decide upon an appropriate course of action. Where possible and appropriate, drug and alcohol misuse will be treated as an ill-health issue and as such will be dealt with under the Sickness Absence Management Procedures described above. Employees will be expected and supported to, follow an appropriate programme of support/rehabilitation.

There are, however, occasions when cases of alcohol/drug misuse may need to be dealt with as a matter of conduct. These may include:

- being drunk at work;
- drinking at work;
- drinking in between work periods which may have an adverse effect on later work periods (e.g. operating machinery, supervising others, driving, impacting detrimentally on the school's reputation etc.);
- stealing and other acts of dishonesty connected with drug misuse;
- serious drugs offences committed in or out of the workplace;
- drug trafficking/pushing;
- failure or refusal to seek, accept, or complete treatment.

In such cases, action may be taken under the school's Disciplinary (Misconduct) Procedure.

4.12 SICKNESS ABSENCE RECORDING

In accordance with the requirements of the Data Protection Act 1998, the governing body will seek, and actively encourage the provision of, individual members of staffs' express permission, where this has not previously been given by acceptance of a relevant contract, to record sickness details for management purposes.

In certain circumstances, such records may be kept without express permission to enable the governing body to fulfil its statutory health, safety and welfare responsibilities. Impersonal aggregated data may also be collected and processed for certain internal and statutory monitoring purposes.

Copies of medical certificates and return to work meeting record forms will be held on employees' personal files. These records will normally be destroyed after three years, in accordance with the Data Protection Act Code of Practice.

5. FREQUENT SHORT-TERM SICKNESS ABSENCE

The following procedure will apply where an employee's level of sickness absence causes concern.

Normally, although not exclusively, this will be when the following triggers have been reached, although individual employee's sickness records will be considered on a case by case basis.

- Three periods of absence in one term, or
- Unacceptable patterns of absence, for example, regular Monday or Friday absence.

5.1 INFORMAL PROCEDURE

5.1.1 Informal Absence Review Meeting

The manager will normally arrange an Informal Absence Review Meeting to discuss the employee's sickness record. The employee will be given reasonable notice of the meeting (usually 5 working days). Although this will generally be a one to one meeting, requests to be accompanied by a friend, trade union representative or other appropriate person will be considered sympathetically.

As soon as possible following the meeting, the employee will be given a written record of the key points and any action agreed.

Subsequent informal meetings may be arranged by the manager as appropriate.

5.1.2 Referral to an occupational health adviser

It may be appropriate to make a referral to an occupational health adviser following an Informal Absence Review Meeting in order to obtain a professional view about the employee's health. This process and the reasons for it will be explained to the employee prior to the referral being made. An outline of the referral process is at Appendix B.

Subsequent referrals will be made as and when required.

The employee will be informed of the outcome of the occupational health referral.

5.2 FORMAL PROCEDURE

5.2.1 Formal Absence Review Meeting

An employee will normally be given a minimum of one term from the first Informal Absence Review Meeting to improve his/her absence record. If an employee's absence record does not improve or deteriorates, he/she will be required to attend a Formal Absence Review Meeting.

This marks the date of entry into the formal procedure.

The employee will be given at least 5 working days written notice of the meeting and this will include the right to be accompanied.

Within 10 working days of the Formal Absence Review Meeting, the manager will notify the employee in writing of:

- the key issues discussed;
- the timescale for expected improvement;
- the support, guidance and monitoring systems;
- the outcome of the medical referral where appropriate;
- notice that if attendance does not improve sufficiently within the given timescale, referral may be made to the governing body and the possible outcomes of such a referral.

Up to two further Formal Absence Review Meetings may be arranged by the headteacher as appropriate.

5.2.2 Formal Action

Where an employee's sickness absence continues to be unacceptable in all the circumstances, the matter may be considered at a formal hearing. An employee should make every effort to attend this hearing, may make representations and may be accompanied by a representative or other appropriate person. The outcome of the hearing could be a warning about the level of absence. In exceptional circumstances, dismissal may occur without prior formal capability (ill-health) warnings. Any warnings will be on the grounds of lack of capability due to ill-health.

Where sickness absence levels continue to be unacceptable or deteriorate following a warning, a further hearing(s) may be held, the outcome of which may be additional warnings or dismissal as appropriate.

The possibility of formal action will be discussed with the employee at an appropriate Formal Absence Review Meeting and the employee will be consulted about the process prior to any formal action being taken.

The employee will have the right of appeal against any formal sanctions/dismissal.

6. LONG-TERM SICKNESS ABSENCE

Where an employee is on long-term sickness absence (usually defined as absence for 8 weeks or more), the following procedure will apply.

6.1 COMMUNICATION

Employees are expected to maintain regular contact with the school throughout the period of illness for the purpose of updating on likely length of absence, clarification of procedures and sick pay entitlement and where appropriate, work related issues. Contact may, where appropriate, be in writing or via third parties e.g. trade unions, HR advisers.

6.2 MEETINGS

A meeting will normally be arranged with the employee to discuss his/her absence. This may include discussion about likely prognosis, support for the individual, clarification of procedures, medical referral and, where appropriate, any work related issues. Where a meeting is not appropriate, e.g. due to the nature or

severity of the ill health, contact will be maintained through third parties and/or correspondence. Where appropriate and with mutual agreement, a meeting may take place at the employee's home. Such visits will not be used as a mechanism for 'checking up' on employees. The meeting will usually take place around the 8th week of the absence. The meeting will normally be conducted by the manager or a HR adviser. A written record/note of issues discussed will be made and copied to the employee.

6.3 REFERRAL TO AN OCCUPATIONAL HEALTH ADVISER

It will normally be appropriate to make a referral to an occupational health adviser after 8 weeks of absence to provide information about the employee's long-term prognosis. This process and the reasons for it will be explained to the employee prior to the referral being made. An outline of the referral process is at Appendix B.

In certain circumstances, particularly those involving stress or depression, a referral may be made sooner, as evidence suggests that early intervention increases the chance of a successful return to work.

Subsequent referrals will be made as and when required.

The employee will normally be informed of the outcome of the occupational health referral.

6.4 REVIEW MEETINGS

Following a referral to an occupational health adviser, and at any other appropriate stage, the manager or HR adviser will arrange to meet with the employee to discuss the ongoing absence. The employee will have the right of representation at any such meeting.

The purpose of the meeting will be to discuss the long-term prognosis and any strategies which may support the employee's return to work.

However, at an appropriate stage it will be necessary to advise the employee that the school is finding it difficult to sustain the continued long-term sickness absence and that ultimately this might necessitate the matter being considered at a formal hearing, the outcome of which could be the termination of the contract of employment.

A written record will be made of the key points of the meeting and any action agreed.

6.5 RETURNING TO WORK

Where an employee becomes fit to return to work, the manager will normally arrange a re-integration meeting before his/her return. This meeting will normally be informal and its purpose will be to support the employee's return to work.

It will sometimes be necessary to make alternative working arrangements, on a permanent or temporary basis, to facilitate an employee's return to work.

Such issues will be discussed with the employee (and the trade union representative and HR adviser as appropriate) and agreed arrangements will be confirmed in writing.

6.6 FORMAL ACTION

Having explored all other options, the manager may, at an appropriate stage (usually, but not exclusively after 12 months absence), consider that the absence is no longer sustainable in all the circumstances. In this case, the matter may be considered at a formal meeting, the outcome of which could be the termination of employment on the grounds of lack of capability due to ill-health. The meeting will normally be conducted by the headteacher who is empowered to make initial dismissal decisions. An employee should make every effort to attend this meeting, may make representations and may be accompanied by a representative or other appropriate person.

The possibility of ill-health dismissal will be discussed with the employee at an appropriate review meeting and the employee will be consulted about the process prior to any formal action being taken.

The employee will have the right of appeal against any formal sanctions/dismissal.

7. ILL-HEALTH RETIREMENT

7.1 TEACHING STAFF

A teacher may make an application for ill health retirement at any time. The application should be supported by an employee's GP/Specialist and must be reviewed and considered by the employer's Occupational Health Adviser. The decision to grant Ill health retirement rests with Teachers' Pensions.

7.1.1 There are two levels of benefit:

- Partial Incapacity Benefits (PIB) – where an employee is deemed to be unfit to continue teaching, but fit to undertake other employment.
- Total Incapacity Benefit (TIB) – where the employee is considered unfit for any employment.

Different benefits apply to each type of retirement.

7.1.2 Retirement

If an employee is deemed unfit by Teachers Pensions, a last day of service must be agreed as soon as possible under Regulations and normal contractual notice periods cease to apply.

7.2 SUPPORT STAFF

A member of support staff may be considered to be unfit to continue in employment or may apply to be so considered. The employers' occupational health adviser will recommend that an employee should be retired on the grounds of ill-health and a decision will need to be made by the school about whether to dismiss the employee on the grounds of lack of capability due to ill health. In this case, the matter will be considered at a formal meeting. An employee should make every effort to attend this hearing, may make representations and may be accompanied by a

representative or other appropriate person. An employee will have the right of appeal against any decision made at the formal meeting.

With effect from April 2008, the Local Government Pension Regulations was amended to introduce a three-tiered ill-health retirement system with differential benefits. In all cases an employee must be deemed to be permanently incapable of continuing in their current employment and the tiers are based on their prospect of being fit to obtain other employment in the future.

Appendix A(i) Sickness Absence / Self Certification Form – Teaching staff

.....school

CONFIDENTIAL

This form should be completed by all teaching staff returning to work after sickness or injury absence where such absence extends beyond three days. It should account for:
 (a) absence of between one and seven days where the teacher’s absence has continued beyond three days;
 (b) the first seven calendar days of any longer absence, excluding any part covered by a doctor’s statement.

When completed, the form should be passed to the employee’s line manager.

Making a false statement may result in disciplinary action, including the possibility of dismissal

Last Name:		(Mr/Mrs/Miss/Ms)
First Name(s):		
School:		
Job Title:		

I certify that I was incapable to work due to sickness/injury during the period stated below:

First working day unfit for work:				
Last calendar* day you were unfit for work:				
Date returned to work following period of absence:				
No. of days absence from work:	calendar days*		working days	

* The requirement for a medical certificate is based on calendar days (not working days)

Details of Sickness/Injury Please say briefly why you were unfit for work. (Give details of your sickness or injury. Words like ‘illness’ or ‘unwell’ are not sufficient)	
Do you consider this sickness a result of a work related accident, assault or ill health? (If so an Incident Report Form must also be completed)	Yes <input type="checkbox"/> No <input type="checkbox"/>
Do you consider this sickness related to an impairment/disability under the Disability Discrimination Act?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Any issues you may have arising from your sickness absence should be discussed with your line manager at your return to work meeting/discussion.

I declare that the information I have given is correct.

Signature of employee.....Date.....

The personal information provided will be dealt with in a confidential manner in accordance with the requirements of the Data Protection Act.

Appendix A(ii) Sickness Absence/Self Certification Form–Support staff

.....school

CONFIDENTIAL

This form is to be completed by the employee as soon as possible on return to work after sickness or injury absence. The information should account for:

- (a) absence of between 1 and 7 calendar days
- (b) the first 7 calendar days of any longer absence, excluding any part covered by a doctor's certificate.

When completed the form should be passed to your line manager.

Making a false statement may result in disciplinary action, including the possibility of dismissal

Last Name:		(Mr/Mrs/Miss/Ms)
First Name(s):		
School:		
Job Title:		

I certify that I was incapable to work due to sickness/injury during the period stated below:

First working day unfit for work:				
Last calendar* day you were unfit for work:				
Date returned to work following period of absence:				
No. of days absence from work:	calendar days*		working days	

* The requirement for a medical certificate is based on calendar days (not working days)

Details of Sickness/Injury Please say briefly why you were unfit for work. (Give details of your sickness or injury. Words like 'illness' or 'unwell' are not sufficient)	
Do you consider this sickness a result of a work related accident, assault or ill health? (If so an Incident Report Form must also be completed)	Yes <input type="checkbox"/> No <input type="checkbox"/>
Do you consider this sickness related to an impairment/disability under the Disability Discrimination Act?	Yes <input type="checkbox"/> No <input type="checkbox"/>

Any issues you may have arising from your sickness absence should be discussed with your line manager at your return to work meeting/discussion.

I declare that the information I have given is correct.

Signature of employee..... Date.....

The personal information provided will be dealt with in a confidential manner in accordance with the requirements of the Data Protection Act.

Appendix B: Referral to Occupational Health-Employee Information Sheet

What is Occupational Health?

Occupational Health is an independent, confidential health advisory service.

Our role is to advise management and staff on all matters relating to the effect of health on work and of work on health.

All Occupational Health medical records are maintained separately from any other records kept within Essex County Council and are only seen by Occupational Health staff. Information can only be released from Occupational Health with your written consent.

Request for Occupational Health Assessment

You have been referred to the Occupational Health Centre by your manager or by human resources. The reason for the referral will have been discussed and agreed with you.

Your manager will ask you to sign the bottom of the referral form before it is sent to the Occupational Health Centre so you are aware of and understand the reasons for the referral.

Where is the Occupational Health Centre?

The Occupational Health Centre is situated on the second floor of B Block in County Hall in Chelmsford. Simply report to the main reception desk in the atrium, who will be able to direct you. There is wheelchair access to County Hall and a lift to the second floor of B Block

What will happen at my appointment?

When you arrive in the Occupational Health Centre, you will be greeted by a receptionist. You will be asked to read and sign a form about the Data Protection Act. This form asks for your consent to release an opinion about your health to your manager or human resources officer and gives you details about how your notes are dealt with within the Occupational Health Centre.

From the waiting room, you will be shown into a consulting room to see an Occupational Health Physician or Occupational Health Nurse Adviser.

The appointment will take approximately half an hour.

A discussion will take place covering:

- The reasons for your referral.
- Any effect on work or home life.
- Occupational Health requirements that would benefit you or your condition.

You may be examined by the doctor or the nurse, but this will only be done if relevant to your assessment.

Occasionally we may require further information about your health from your own doctor/specialist/physiotherapist. If this is needed you will be asked to sign a consent form allowing your doctor to provide a report to us.

What happens after the appointment?

Following your appointment a letter detailing the advice from Occupational Health will be sent to your manager/human resources officer, and a copy will be sent to your home address.

No medical details will be included in the letter unless you have given your consent for these to be divulged.

You may be asked to return for a review appointment by the Occupational Physician or Nurse Adviser. This appointment date will be sent to your home address.

If you have any queries concerning your appointment with us please contact the Occupational Health Centre on 01245 430222. Please let us know if you have any specific access requirements for both information and your appointment at the Occupational Health Centre.

Please bring with you to the consultation:

- Details of all your recent/current medication.
- Details of your GP and any consultant/specialist. (Contact name and address).
- Details of any other clinic or hospital appointments.

Please Note:

The service operates an appointment system.

If you are delayed please try to telephone us. If you are more than fifteen minutes late it is likely that your appointment will have to be rearranged.

If you require detailed directions to the Occupational Health Centre at County Hall, please contact the Centre on 01245 430222.

This information is available (on request) in large print, Braille, on audio tape and computer disk. For further information contact the Occupational Health Centre on 01245 430696 (Ednet 20696).

Appendix C

SICKNESS ABSENCE MANAGEMENT POLICY - A BRIEF GUIDE FOR STAFF

The school is committed to providing a healthy working and learning environment and to promote good health amongst all its staff. The school recognises not only its statutory responsibilities in relation to health and safety, but also its duty to ensure that staff are fit to fulfil their roles.

The aim of this leaflet is to summarise the school's sickness absence management policy and to inform staff about the processes involved in managing sickness absence issues. Any questions arising in relation to the application of the policy should be referred to your line manager in the first instance. The following details set out your responsibilities and those of the school:-

First day

If you are unable to attend work please inform the school at the earliest opportunity. You should try to do this yourself; if you are unable to, please ensure that someone does it for you. You will need to state:-

- the reason why you are unable to attend work & how long you think you might be away
- any urgent work that needs attending to



Keeping in Touch

If you are away for more than one day you will need to keep the school informed so that cover arrangements can be made. You must contact the school again on the fourth and the seventh day if your absence is to continue and let us know of your progress and when you expect to return. If the fourth or seventh day falls on a weekend or a bank holiday you must contact the school again on the next possible working day.

Sick Certificates

When you are sick you will need to complete a self-certification form from the first or fourth day of absence (in accordance with your conditions of service). All staff must then provide a medical certificate to cover for the period from the eighth day of absence onward.

Sick Pay

Most staff are entitled to receive payments during their sickness absence. Details can be found in your contractual documents or can be clarified by the school.

Continuing Absence

If you are going to be away for some time you will need to send medical certificates at regular intervals in accordance with the school's policy. You should also keep in touch with your line manager about your progress and the school might contact you while you are away to find out what support or help you may require. Some absences may require a referral to an Occupational Physician.

Returning to work

Where possible you should give at least one day's notice of your fitness to return to work. If this falls within the school closure period, bank holiday or weekend, you should follow the procedure outlined in the school's sickness absence policy. On return to work you will be updated on relevant work issues and events that have occurred while you were away. More detailed discussions may follow a lengthy absence including any more focussed support that may be required. You should also use this opportunity to discuss issues that may be affecting your health and wellbeing at work.



Other Issues

If you have an accident at work you should fill out an accident form. Any absence as a result of an accident at work should be reported to the school.

If you need time off to attend any non-urgent medical appointments, absences for this reason are not treated as sick leave but are covered under the school's separate leave of absence policy.

If your absence is for reasons other than your own sickness, these should be discussed with the school and will be managed under separate arrangements which may allow you to take appropriate time off from work.

If at any time you are concerned about your health and wellbeing or that of your colleagues while at work please raise the issue with your manager or the relevant colleague so that the issue can be addressed. The school's sickness absence management procedure attempts to balance the needs of the school with the interests of individual employees. Its principles aim to achieve high level of attendance through the reduction of sickness absence from work by providing a safe and healthy environment.

Employees who are off sick are supported through the effective operation of the policy and the school's aim is to treat staff with dignity and sensitivity. The overall objective is to minimise disruption to the effective provision of education to pupils or to the overall operation of the school, including staffing. Monitoring sickness absence will help to address any concerns and a culture of mutual trust and confidence should exist between employees and the school.