



Policy for the Management of Sickness Absence

POLICY NUMBER HR8

Key Manager	H R Director
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Policy Context:	This Policy applies to all staff of the Nene Education Trust.

Revision History

Revision Date	Description	Sections Affected	Revised By	Approved By
13/02/2019	Annual Reivew	Whole policy and Trust references	H R Director	H R Committee
Winter 2022				

1. Terms of Reference

For all employees employed by the Nene Education Trust (NET):

Definitions:

The term "Principal" also refers to the CEO and all Principals/Executive Leaders in the Trust or other senior manager delegated to deal with the matter by the CEO or Principal.

"Companion" refers to a person chosen by the employee to accompany him/her, who shall be a trade union representative or a workplace colleague.

2. Introduction

The Trust Board recognises its responsibility for the health, safety and welfare of its staff. This Policy for the Management of Sickness Absence sets out procedures for reporting and managing sickness absence in a fair and consistent way.

This policy places emphasis on proactive support for staff in the event of ill health difficulties (see below). This policy does not form part of any employee's contract of employment and it may be amended at any time. Procedures set out in this policy, including any time limits, may be varied as appropriate in any case.

It is the responsibility of managers to monitor sickness absence and to respond effectively to actual and potential problems. The NET has standards for attendance for staff as it does for its pupils. It is the responsibility of the Principal and all levels of management to ensure these standards are achieved and to raise awareness of the impact poor sickness absence levels have on the quality and continuity of teaching and learning and the effectiveness of other areas of the Trust. In addition, managers have a clear obligation to identify and address problems in the work environment and/or job factors that may be contributing to staff absence.

3. Purpose

The Policy for the Management of Sickness Absence aims to provide a framework supporting fair and equal treatment of all employees and to provide support to enhance well-being and minimise absence.

The procedures aim to ensure that employees are:

- Treated fairly, consistently and sensitively;
- Provided with appropriate support;
- Informed when their absence record is causing concern;
- Given adequate opportunity and assistance to improve their attendance record with a view to ensuring their full return to normal working, modified working, or possible redeployment to alternative work;
- Fully informed of the supportive services available from the Trust well-being packages, including occupational health advice;
- Given the opportunity for a meeting to discuss their general welfare and ease any anxiety about returning to work;
- Aware that a 'return to work' meeting will be carried out as soon as possible after periods of absence, during the normal school day;
- Informed of when self-certification and GP Fit Notes are appropriate in accordance with the procedure for reporting sickness absence.

4. Scope

This policy applies to all employees employed within the Trust. It does not apply to employee's who are within their probationary period, who are subject to separate procedures.

This procedure covers all absences caused by sickness or injury. Sickness absence can vary from short intermittent periods of ill-health to a continuous period of long-term absence and have a number of different causes (for example, injuries, recurring conditions, or a serious illness requiring lengthy treatment).

Sickness absence may be regarded as a disability in accordance with the Equality Act 2010. Where this is a possibility, specialist advice will be obtained, and appropriate reasonable adjustments made to working systems, equipment, or other arrangements. This includes reasonable adjustments made to the monitoring sickness absence procedures that are outlined in this policy.

This procedure is separate from the Trust's Disciplinary Procedure, meaning that any action within this procedure is not classed as disciplinary action in accordance with the Disciplinary Procedure.

Contractual sickness pay is paid in line with individual terms and conditions of employment.

Disciplinary action may be considered where there are reasonable grounds for believing an employee has abused the sickness scheme or sickness procedures.

No action will be taken under the formal part of this Sickness Absence Policy against a trade union representative without prior discussion with an appropriate trade union officer.

5. Ill health which does not lead to absence from work

There may be occasions where a member of staff is suffering from ill health, but this does not lead to the staff member being absent from work. If the staff member believes that their ill health is impacting on their ability to undertake their job they should raise this with their line manager.

The line manager should discuss the matter confidentially with the staff member, review any workplace risk assessment(s) and discuss whether any additional support can be provided to the employee to support them at work. Depending on the circumstances, it may be helpful to seek advice and guidance from the Occupational Health (OH) service.

6. Roles and Responsibilities

6.1 Principals

Principals are responsible for monitoring the implementation of the policy and ensuring the procedure is communicated to all employees and that it is applied consistently.

Principals will ensure systems and procedures in place to maintain accurate sickness records and storing sensitive information relating to an individual's health.

Principals are responsible for ensuring all sickness absence is treated sensitively, consistently and with confidentiality.

All Principals are responsible for monitoring levels of sickness absence and providing information for reporting to Trustees on an anonymised basis.

The CEO is responsible for managing and monitoring the attendance of the Principals. The Chair of the Trust Board is responsible for managing and monitoring the attendance of the CEO.

6.2 HR Support

The HR Director will provide advice and assistance to managers regarding the application of this policy and operating the procedure. Managers should seek advice from the HR Director when taking formal action under this policy.

The HR Director reserves the right to attend any meetings held under this policy.

6.3 Managers

All managers are responsible for:

- communicating this policy and procedure to employees, and for the day to day welfare of employees;
- ensuring that this policy and procedures are fully implemented and followed.
- Managers will take prompt and appropriate action in accordance with each stage of these procedures;
- ensuring that accurate and timely absence information is provided to the nominated person in the academy (or Trust) to support the maintenance of payroll and personnel systems;

- conducting return to work discussions with all staff returning from a period of absence, this meeting should be held within 48 hours of the return to work, the completed return to work form will be retained on the employee's personnel file.
- holding informal sickness absence meetings as required
- ensuring any agreed support is put in place and referrals to specialist services are made promptly.

6.4 Employees

Employees will:

- attend work when they are fit and able to do so.
- be proactive in caring for their own health and seek medical attention and help whenever appropriate to support early recovery and / or minimise the recurrence of illness.
- comply with the specific Absence Reporting procedures at their place of work and contact the academy/line manager/relevant person at the earliest opportunity, if they are not well enough to work. Please see Appendix B for academy reporting procedure. Absence that has not been notified in accordance with the appropriate sickness absence reporting procedure will be treated as unauthorised absence.
- provide the appropriate information about the sickness absence including the reason for the illness/injury, expected length of absence from work, current contact details and any outstanding or urgent work that requires attention.
- maintain regular contact with their Manager, including attending meetings in accordance with this procedure, and be contactable during periods of sickness absence.
- provide a medical certificate (a 'Statement of Fitness for Work', also known as 'Fit Note') from the EIGHTH day of absence (including Saturdays and Sundays). This should be provided to the line manager as soon as possible and, if absence continues further, Fit Notes should be provided to cover the whole period of absence. Failure to do so may result in non-payment of sick pay (where applicable) and/or disciplinary action if appropriate.
- continue to submit Fit Notes during school closure periods.
- complete a self-certification form for any period of sickness absence immediately on return to duty.
- attend appointments and engage with the Trust Occupational Advisors when invited to do so or if there is good reason rearrange the appointment in good time.

7. Reimbursement of Cost of Statement of Fitness for Work

Where the Principal requires a Statement of Fitness for Work ('Fit Note') from an employee, the academy shall, on provision of a receipt, reimburse the employee if a charge is made for the Fit Note.

8. Illness or Injury Arising from Work

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. The accident may be subject to investigation and reported by an employee authorised for this purpose by the Trust.

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 the Principal or Senior Manager at the first opportunity.

In the case of any absence due to industrial disease or accident an employee shall agree, to a medical examination by a registered medical practitioner nominated by the Trust if required by the Trust.

9. Probationary Periods and Sickness Absence

Where new employees are subject to a probationary period, sickness absence issues that arise during an employee's probationary period may be taken into account in determining whether or not the probationary period is completed satisfactorily and this procedure (save for the sickness absence reporting procedure) will not normally apply.

10. Unauthorised Absence/False Information

Failure to follow the academy's Absence Reporting procedures and/or unauthorised absence will be dealt with under the Trust's Disciplinary Policy and could result in disciplinary action which may include dismissal.

The provision of any false information will be dealt with under our Disciplinary Policy and could result in disciplinary action, which may include dismissal.

11. Occupational Health referrals

The Trust is committed to supporting individuals to remain at work or to return to work. A referral to OH may be made at any stage of an employee's sickness absence. An OH report can assist managers to understand the implications of the employee's ill-health on their ability to undertake their role.

We may, at any time in operating this policy, ask an employee to consent to a medical examination by our Occupational Health provider, at our expense, to establish whether there are any medical or work-related reasons for the employee's absence(s) and to establish any reasonable steps to help the employee sustain attendance at work or return to work in the case of long term absence.

If an employee does not consent to attend or misses more than one pre-planned OH appointment without reasonable excuse, they should be advised that action may still be taken under this Policy based on the information available which may be less beneficial to them.

In addition, under the conditions of service for teachers (Burgundy Book), a teacher who has prolonged or frequent absence levels due to sickness is not entitled to be paid sick pay unless, at the academy's request, they attend an examination by an approved medical practitioner such as an occupational health provider).

The conditions of service for support staff (known as the Green Book) require support staff to attend a medical examination with a medical practitioner nominated by the Trust at any time.

12. Long term sickness absence

Absences lasting over four weeks are considered long-term. Long term absence cases will be managed through the informal and formal procedures detailed below.

With long-term absences it is essential that managers consult regularly throughout the absence management process with employees who are off sick and make every effort to assist their recovery and identify appropriate support

Where an employee has a serious condition or terminal illness they should be treated with greater sensitivity and sympathy and not subjected to rigorous absence monitoring procedures. HR should be notified to support the employee and academy facilitate ill health retirement (if applicable) as quickly as possible.

Where it is expected that a period of sickness absence will be ongoing and will continue for more than eight weeks, advice should be sought from Occupational Health. This is a guide only. A judgement will be made, based on the circumstances of each case. The purpose of a referral will be to provide an indication of the likely duration of the employee's absence and whether any steps can be taken to help them make a successful return to work.

Where an employee has a condition covered by the Equalities Act, advice will be sought as to any reasonable adjustments (short term or permanent) in the workplace which would support an employee in a sustained return to work.

13. Ill-health retirement

The Trust will consider an employee's eligibility for Ill Health Retirement before consideration is given to dismissing an employee for lack of capability due to ill health. The application (to be considered for ill health retirement) will be based on the rules and procedures of the relevant pension scheme.

14. General Return to Work Arrangements

13.1 Return to Work discussion

The line manager will normally have a discussion with the employee on their return from a period of sickness absence. This should take place within 48 hours of returning to work, ideally on their first day back. The purpose of the meeting will be to:

- welcome the employee back to work;
- ensure that there is an accurate record of the absence and appropriate certification;
- ensure the employee is fit and able to return to work;
- discuss with the employee any support/adjustments that can be put in place to assist the employee in remaining in the workplace;
- update the employee on any work issues.

A Return to Work discussion record should be completed and agreed with the employee.

13.2 Phased returns

If the employee returns to work with a Fit Note which states 'may be fit for work', the employee should notify his/her manager immediately. The advice on the note will be discussed together with any additional measures that may be needed to facilitate the employee's return to work, taking into account the doctor's advice. Consideration will be given as to how the advice could facilitate a return to work and also how it impacts the employee, the job, the workplace, service delivery, pupils and colleagues. Due regard will be given to the Equality Act 2010. Options may include:

- phased return to work;
- altered hours;
- amended duties;
- consideration of redeployment;
- workplace adaptations;
- other reasonable adjustments.

Where an employee returns to work on a temporary part time basis following a long-term sickness absence and there is the expectation that they will be able to return to working their full contractual hours (or other such amended contractual hours as agreed) within a reasonable period of time, then, in accordance with medical advice provided by Occupational Health or their doctor, the following arrangements will normally be made in relation to pay:

Where the employee has exhausted their sick pay entitlement, the salary payment made will be based on the number of hours worked during the phased return.

Where the employee has not exhausted their sick pay entitlement, the employee will be paid in accordance with the number of hours worked, or the occupational sick pay entitlement that would be payable if the employee remained off work due to sickness absence, whichever is the greater amount.

If a return to work is possible, the agreed action plan will be documented and implemented. If it is not possible to provide the support suggested by the doctor, the employee will remain on sick leave and a review date will be set. It may be necessary to return to their doctor to obtain a revised Fit Note if this is required in the circumstances.

Consideration will be given as to whether a risk assessment is required to ensure the health and safety of the employee in light of the reason for their ill health, for example a stress, ergonomic or more general risk assessment may be required.

The employee may return to work before the expiry of a Fit Note without going back to see their doctor, even if their Doctor has indicated that they need to assess them again. This will not breach the academy's Employer's Liability Compulsory Insurance, providing a **suitable risk assessment** has taken place if required.

15. Attendance at meetings under this Policy

The employee must take all reasonable steps to attend meetings. Failure to do so without good reason may be treated as misconduct.

Employees will not be entitled to attend informal meetings under this policy with a trade union representative or work place colleague. Consideration may be given to supporting a request in some instances; on the proviso that the meeting is not unnecessarily delayed by facilitating the request.

At all formal meetings employees may be accompanied by a Companion (see Terms of Reference). If the employee (and/or his/her companion) is unable to attend at the time specified the employee should immediately inform his/her line manager who will normally seek to agree an alternative time. Meetings will not normally be postponed beyond 5 working days. Depending on the circumstances, if an employee indicates that they are too unwell to attend a formal or informal meeting they will be given the option to:

- meet in another venue or at their home; or
- attend via telephone conference; or
- send a Companion to represent them, providing appropriate written consent (though this will not normally apply in the case of informal meetings or discussions); or
- provide a written submission; or
- request that the meeting takes place in their absence.

If an employee fails to communicate their wishes with regard to the above, the meeting may take place in their absence with the outcome communicated to them in writing.

Meetings will not, in normal circumstances, be postponed beyond 5 working days unless there is medical evidence that the employee is not medically fit to take part by any of the means described in clause 9.1 and, even if this is the case, the employer reserves the right to proceed with any necessary steps required to manage the specific case including holding meetings notwithstanding, as appropriate.

Any senior manager visiting an employee's home will be accompanied by another manager.

A meeting may be adjourned if the employee's line manager is awaiting receipt of information, needs to gather any further information or give consideration to matters discussed at a previous meeting. The employee will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.

16. Informal Procedure

Informal Sickness Absence Meetings

Informal sickness absence meetings will be arranged with employees when the employee meets any of the following conditions or when it is considered necessary:

- 3 occasions of absence within 2 terms*
- 10 working days absence within a rolling twelve month period (pro rata for part time staff)
- a total of 7 working days absence within 3 terms* (pro rata for part time staff)
- an unacceptable pattern or combination of absences
- Or
- a long term absence lasting four consecutive weeks or more

*based on 6 terms per academic year.

In preparation for the meeting the line manager may, when appropriate:

- consider the academy and Trust's statistical data on levels and types of sickness absence for all staff to ensure consistency;
- confirm that an unsatisfactory level of attendance has been reached, depending on the circumstances, or that the record shows a pattern of absence or some other factual data which identifies the cause for concern;
- consider the job description and the impact of the absences on all affected; the work of the academy and on the work group.

There is no entitlement for the employee to be accompanied by a Companion at an informal sickness absence meeting. A note taker may be present but that will not normally be necessary.

The purpose of the meeting is to agree a way forward, any action that will be taken and a timescale for review and/or a further meeting under the sickness absence procedure if this is required.

The line manager will, in normal circumstances, use the Sickness Absence Meeting Proforma at Appendix A as the agenda for the meeting and will record salient points.

The line manager will:

- assess the employee's absence record and its impact;
- attempt to establish reasons for any on-going absence(s);
- offer any assistance to the employee (e.g. Occupational Health, Employee Assistance/Counselling);

- consider what, if any, measures might improve the employee's health and/or attendance with a view to supporting the employee and improving the employee's attendance record.
- If appropriate set a target for improvement and a review period over which absence levels will be monitored
- Explain to the employee the potential consequences of unsatisfactory improvement.

The employee will be given a completed signed copy of the proforma after the meeting.

17. Monitoring Period following Informal Sickness Absence Meeting

After conducting a sickness absence meeting, the line manager will review or monitor the employee's attendance for a further period, normally this will be for a period of not less than one month and no longer than three months.

Further meetings may take place during the monitoring period if there are further instances of sickness absence.

During the monitoring period the Principal/line manager may require that any period of absence is covered by a medical certificate (Fit Note). If the employee has a fit note which states 'may be fit for work', the process in paragraph 13.2 will also be followed. If the suggested support cannot be reasonably accommodated in order to facilitate the employee's return to work, a decision may be made to move to the formal part of the procedure.

Where the line manager is of the view that the employee's attendance has not improved to an acceptable level after the review period, the line manager should inform the employee that the issue will:

- be referred to Stage 1 of the formal procedure. A letter requiring attendance at a Stage 1 meeting will be sent to the employee; or
- if there are exceptional circumstances and it is appropriate to do so, extend the review period.

18. Formal Procedure

Stages in the Process

There are two stages in the formal process. The type of case (i.e. short or long-term absence) will determine the need to move either through the stages (short-term absence), or, in some circumstances, directly to Stage 2 (long-term absence). The procedure can end at any point in the

process if there is sustained improvement. If further unacceptable periods of absence arise within 12 months of a Stage 1 meeting being held, the procedure may resume at Stage 2.

19. Preparation for Stage 1 Meeting

An appropriate manager will arrange a formal meeting with the employee in writing, giving him/her 5 working days' notice and confirming:

- the reason for the meeting, outlining the concerns about the employee's attendance;
- the time, date and location of the meeting;
- who will be conducting the meeting and who else will be present;
- copies of any documents to be referred to including any previous action plans;
- the employee's right to be accompanied by a Companion and to refer to any documents/other parties if he/she wishes; and
- the requirement for the employee to provide at least 2 days prior to the meeting;
- the name of his/her representative (if applicable); and
- copies of any papers to be referred to and other parties to be called (if applicable).

20. Stage 1 Meeting

At the Stage 1 meeting the appropriate manager will explain the purpose of the meeting.

The following points are by way of guidance only:
discuss the reasons, including any underlying causes for the employee's absence;

- explain how the employee's attendance has been assessed as unacceptable and the impact on pupils, service efficiency and delivery and other colleagues;
- review the results of the informal procedure, including any measures taken to support the employee so far. Include any reasonable adjustments if appropriate, any work related issues and consider the content of any medical reports and advice received;
- discuss the likelihood of further absences, if absent on a number of occasions or how long the absence is likely to last, if absent on long-term sickness absence;
- seek agreement from the employee for a referral to Occupational Health if this is required and/or appropriate in the circumstances;

- consider any medical advice provided including Occupational Health advice if a report has been made available
- consider the employee's ability to return to/remain in his/her job in view both of his/her capabilities and the academy needs and any adjustments that can reasonably be made, if appropriate, to his/her job to enable him/her to do so;
- consider possible redeployment opportunities and whether any adjustments can reasonably be made, if appropriate, to assist in redeploying the employee;
- where the employee is able to return from long-term sick leave, whether to his/her job or a redeployed job if possible and/or appropriate, agreeing a return to work programme;
- give the employee and/or any Companion the opportunity to explain any mitigating circumstances;
- if appropriate, inform the employee that they may wish to consult their pension scheme provider with regard to ill health benefits;
- discuss the way forward and determine an action plan that clearly identifies:
 - ✓ the improvements necessary to achieve satisfactory levels of attendance;
 - ✓ the timescale for improvement;
 - ✓ how attendance will be measured/monitored;
 - ✓ any additional support/training to be provided; and
 - ✓ the review period, (normally one month and no more than three months);

The appropriate manager will write to the employee, normally within 5 working days of the Formal Stage 1 Meeting, to:

- confirm the action plan in writing; and
- advise the employee that if he/she fails to achieve the improvements in the review period then, unless the circumstances otherwise require, a Stage 2 meeting will be arranged where dismissal will be considered;
- confirm the employee's right to seek a review of the decision at an appeal meeting. Any appeal should be made in writing to the employee's line manager within 10 days of the date on which the decision was sent to the employee.

21. Stage 1 Review Period

The appropriate manager will ensure that during the review period the employee's attendance is closely and objectively monitored. Regular supervision meetings will be held between the employee and the appropriate manager to ensure:

- effective monitoring;
- appropriate support is given to the employee;
- positive feedback is given where possible; and
- if further periods of non-attendance are identified, the reasons are discussed.

Notes of the monitoring process will normally be kept by the appropriate manager and a copy provided to the employee. The notes may be referred to at Stage 2 of the procedure.

22. Stage 1 Review Period Evaluation

If, at the end of the review period, the employee's level of attendance has improved to acceptable standards, no further action will be taken under this procedure, unless an acceptable level of attendance is not sustained during the next 12 months.

The decision to take no further action will be confirmed by the appropriate manager in writing, normally within 5 working days of the end of the review period. 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 unacceptable periods of absence the Sickness Absence Procedure may be invoked at Stage 2. A copy of this letter will be kept on the employee's personnel file for 12 months.

If, at the end of the review period, the employee's attendance has not improved to acceptable standards then:

- the issue will be referred to the Principal under Stage 2 of the procedure; or
- in exceptional circumstances, if appropriate, the review period will be extended.

Where the employee is in a Pension Scheme it may be appropriate to explore eligibility for an ill health pension award prior to convening a Stage 2 Meeting.

23. Preparation for a Stage 2 Meeting

The appropriate manager will hold a formal meeting with the employee giving him/her 5 working days' notice, in writing, of:

- the reason for the meeting, outlining the outstanding concerns about the employee's level of attendance due to ill-health;
- the time, date and location of the meeting;
- who will be conducting the meeting and who else will be present;

- any documents to be referred to, which may include, as appropriate, previous action plans, notes of the monitoring process, copies of reports received from Occupational Health or other medical specialists;
- the employee's right to be accompanied by a companion as above, to call other parties and to refer to any documents he/she wishes, copies of which should be sent to the appropriate manager at least 2 days in advance of the meeting; and
- the possible consequences of the meeting, i.e. that it may result in the employee's dismissal, if appropriate.

24. Stage 2 Meeting

At the meeting the Principal (with advice from the HR Director) will, using the list below as a guidance only:

- explain the purpose of the Stage 2 meeting
- ask the appropriate manager to outline:
- the ways in which the employee has been assessed as not meeting the expected levels of attendance due to ill-health;
- the process followed so far under the *sickness absence* procedure;
- any opportunities for return or redeployment that have been identified and where identified, the outcome of discussions with the employee
- review, as appropriate:
- levels of attendance expected;
- notes of the formal Sickness Absence meetings, records of home visits or other meetings plus any other information relating to the informal action taken;
- the previous monitoring of attendance and steps taken under any appropriate action plans;
- medical advice received from Occupational Health or other medical specialists; and
- measures taken by management to support the employee, e.g. reasonable adjustments if applicable
- discuss with the employee and his/her companion whether the employee has been assessed as achieving the required improvements in attendance;
- review the effect of the unsatisfactory level of attendance on teaching and learning, service delivery and work colleagues;
- explore, as appropriate, the potential for the employee to achieve a sustained improvement in attendance;
- give the employee and/or his/her companion opportunity to answer the points made and to give an explanation or put forward any mitigating circumstances.

In circumstances where the Principal has assumed the role of the appropriate manager at an earlier stage, a Committee of Governors will assume the role of the Principal as set out above.

25. Stage 2 Decision

Following the discussions the Principal will adjourn the meeting to consider the options available including, without limit and for guidance only:

- to take no further action under the procedure;
- to set a further/final review period to allow for additional monitoring and/or additional management support. A further Formal Stage 2 meeting may be held at the end of this review period. If attendance is not satisfactory by that time then the employee may be dismissed;
- to dismiss the employee for lack of capability due to ill-health, ensuring that alternative work options have already been explored or will be explored during the employee's notice period, that there is no prospect of their return within a reasonable timeframe, or that they will be able to achieve or sustain their attendance.

26. Dismissal

If the decision at the Stage 2 (or a deferred Stage 2 meeting if applicable) is to dismiss the employee, the Principal will inform the employee and his/her Companion, that the employee is dismissed, with the required contractual or statutory notice.

The Principal will confirm in writing, to the employee within 5 working days, or as soon as reasonably practicable thereafter:

- that he/she has been dismissed;
- the grounds for dismissal and the reasons;
- the required contractual or statutory notice due (or payment in lieu of notice where applicable) and the date the dismissal will be effective;
- the employee's right of appeal against the dismissal to an Appeal Committee of the Governing Body.

Termination will normally be with full notice or payment in lieu of notice. In some cases it may not be appropriate for the employee to work during his/her notice period. Further, the contract may provide that the employee remain at home on 'garden leave' or this may be agreed between the parties. A Fit Note must be provided that covers the employee's notice period.

27. Appeals

An employee has the right to appeal against a decision made in the formal process including a dismissal decision. Any appeal must be submitted within 10 days of receipt of the letter confirming the decision/dismissal, and must clearly state the grounds for appeal. All appeals will be heard by an Appeal Committee of the Trustees/Governors. The purpose of an appeal hearing is to review the decision made to dismiss the employee and to decide if this decision was reasonable in all the circumstances. The appeal hearing will be held as soon as practicable, and the employee will have the right to representation at the hearing by a Companion.

The Appeal Committee of the Trustees/Governors has the authority to:

- uphold the appeal (i.e. to reinstate the employee); and/or
- issue a lesser level of management action, e.g. to:
- drop the formal process;
- refer to a lower stage in the formal process; and/or
- reduce standards of attendance or targets set in the action plan; or
- dismiss the appeal, i.e. the original decision including that of dismissal remains in force.

The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay. The decision of the Appeal Committee of the Trustees/Governors is final. The employee has no further right of appeal.

Appendix A

Informal Sickness Absence Meeting Record

This is the management record of a meeting held under the informal stage of the Sickness Absence Policy and Procedure. It is strictly confidential. It will be held on the employee's personnel file until such time as the employee's attendance is wholly satisfactory and for 12 months thereafter. The record may be accessed and referred to by those with authority to manage the informal and formal stages of the Sickness Absence Policy and Procedure. A Sickness Absence meeting is not part of the formal procedure and there is no entitlement for the employee to be accompanied or represented. The meeting will be held in private.

Employee	Date of Meeting
Length of Service	
Interviewing Manager	
Details of Sickness Absence	
Period(s) of Absence	Number of days Absent
Reason(s) for Absence	
<p>Is absence related to a known or possible disability under the Equality Act? Has there been consideration of whether the 'trigger point' relating to days absence should be extended, or approach to absence should otherwise be modified?</p> <p>No Yes if yes – details of medical evidence must be attached</p>	

Details of Meeting

Summarise key Points discussed

Welcome and update, if necessary, on work events and changes

Reasons for absence – underlying medical condition?

The value of your contribution to the academy and the impact of your absence on pupils' progress and attainment, service efficiency and delivery and colleagues.

Are you currently fit and/or fully recovered from most recent absence and able to fulfil substantive duties? Yes No

If your view is "no" then action plan should consider:

- Referral to Occupational Health (OH)
- Temporary adjustments which can reasonably be accommodated?

Action Plan

The objective is that attendance will be satisfactory to the employer. Is there anything we can do to improve your attendance, e.g. OH referral, counselling, a review of risk assessment, temporary or permanent reasonable adjustments to the workplace, working practices or working hours or training?

Is your absence in any way related to work?

Are you doing all you can to improve your attendance?
e.g. Act on medical advice, lifestyle choices, attention to work life balance, non-medical support e.g. counselling.

Agreed actions and/or improvement:

Fit note required for any period of absence during the monitoring period?
(see paragraph 7)
Yes No

Review

Attendance will be reviewed in
1 month 2 months 3 months Date of review:

Please note that further absence during this period may, depending on the circumstances, mean that the review is held under Stage 1 of the formal procedure if appropriate.

Date for informal review meeting:

Copy of Sickness Absence Policy and Procedure has been provided and process explained.

Yes Date: No (must be provided and explained prior to a formal meeting)

Signature of Manager:
Signature of Employee:

Date:
Date:

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Appendix B

Academy Absence reporting procedure

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