



inspiring the journey for
independence together

Managing Sickness/Absence and Special Leave Policy

Non-Statutory

Reviewed Annually

Chair of the Trust Signature:

Date: July 2026

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1. Introduction

- 1.1 Rivermead Inclusive Trust believes that employee well-being at work is fundamental to the recruitment and retention of its employees.
- 1.2 The Head of School and Local Advisory Board of the School within Rivermead Inclusive Trust recognise that prevention is better than cure and that employee well-being at work is a shared priority for all involved. The Trust will manage sickness absence in a fair, consistent and lawful manner, in line with ACAS guidance and relevant UK employment legislation.

2. Equalities Statement

- 2.1 This Rivermead Inclusive Trust is committed to providing equal opportunities and access to all. This policy embraces the spirit of managing a diverse workforce and those managing and dealing with sickness matters must ensure that no employee is discriminated against either directly or indirectly, harassed or victimised on the grounds of their race, disability, sex, sexual orientation, religion or belief, age, marital or civil partnership status or any stage of gender reassignment or any prohibited ground.
- 2.2 This policy will be applied in a non-discriminatory manner. Particular consideration will be given to employees with disabilities or other protected characteristics, including the duty to make reasonable adjustments where appropriate.

3. Scope

- 3.1 This policy applies to all employees of Rivermead Inclusive Trust.
 - 3.2 In respect of the Head of School's own sickness absence/attendance, the provisions of this policy will be initiated and progressed by the Chair of the Local Advisory Board (or other Governor nominated by the Local Advisory Board), and in conjunction with the CEO and the Deputy CEO.
 - 3.3 This policy operates under the Trust's capability (ill health) procedures. Outcomes under this policy are distinct from disciplinary sanctions and relate to an employee's capability to maintain attendance.
 - 3.4 A right of appeal will be available to the employee against any formal outcome. Appeals will be heard in line with the Trust's Disciplinary Appeals process (see Appendix 2).
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4. Roles and Responsibilities

4.1 Managing attendance, which includes sickness absence and other types of absence, is one of the line manager's key roles. Every manager within the Trust has a responsibility to manage attendance in a way that safeguards the interests of the school's resources, service provision and employee well-being. For ease of reference, the title 'Head of School' will therefore be used for the responsible manager throughout this policy.

This procedure aims to ensure that all employees are treated consistently and fairly and provide a framework for dealing with potential absence problems at an early stage, therefore longer-term problems may be prevented.

4.2 Employee responsibilities:

- Familiarise yourself with this policy.
- Ensure you comply with the absence reporting procedures as set out in the schools' procedures and;
- Understand that failure to adhere to the procedures or follow your Head of Schools instructions in relation to your absence may result in disciplinary action and/or suspension of sick pay.
- Keep your Head of School informed of the reasons for your absence and the likely duration of your absence.

4.3 Head of School (or delegated manager) responsibilities:

- Monitor and report on a timely basis all sickness absence episodes to enable sick pay provisions to be dealt with by payroll;
- Ensure regular contact is made with employees who are absent for more than 1 week.
- Ensure that return to work interviews and subsequent formal meetings are undertaken;
- Ensure that these procedures are applied consistently and fairly taking into account individual circumstances;
- Ensure that all staff are made aware of this policy and the need for them to follow the requirements of sickness absence notification procedures;
- Encourage and support employees to maintain good attendance, through good management practice and use of other appropriate services;
- Ensure that all employees are aware of the school's confidential employee assistance provider Optima Health.
- Undertake stress risk assessments for their team or individual employees, as required (advice on how to undertake a stress risk assessment is available from the school's forum or Medway intranet site).
- Head of School responsibilities also include considering at an early stage whether absence may be linked to a disability or underlying medical condition



and whether reasonable adjustments are required.

* NB – Optima Health is provided to Rivermead Inclusive Trust employees through Medway HR Services.

4.4 HR Team's responsibilities:

- Provide the Head of School with the tools to be able to manage sickness absence/other types of absence effectively including training, and template documentation;
- Provide the Head of School with specialist advice on implementing this policy and procedures;
- Support the Head of School/Line Manager when referring an employee to the Occupational Health Adviser.

4.5 Local Advisory Board's responsibilities:

- Ensure the school regularly reviews the impact and relevance of this sickness absence policy;
- Ensure the Head of School carries out his/her responsibilities as outlined in the policy;
- Ensure the absence of the Head of School is monitored and the appropriate procedures are applied;
- Determine an appropriate course of action when the Head of School refers a case to the Local Advisory Board.

5. Optima Health (EAP)

5.1 The school has a confidential employee assistance provider to support employees and managers. This is provided as part of the service contract through Medway Council and is available to all school-based staff within this Trust.

5.2 Optima Health support for employees

- 5.2.1 Employees and members of the employee's immediate household can contact Optima Health 24/7, 365 days per year to discuss any issue that may concern them. Optima Health will advise whether counselling is required.
- 5.2.2 Head of Schools/HR Manager can make a referral to Occupational Health providing they have the employees' permission to do so.
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Optima Health can be contacted on telephone number **0800 174319** or via their website:
<https://carefirst-lifestyle.co.uk/>

Optima Health has an online lifestyle advice and guidance service which is also available by visiting the website above. For the Username and Password, please contact the HR department or your Head of School.

6. Sickness Absence Monitoring

- 6.1 Effective sickness absence monitoring is essential for the early detection of problems including welfare and work-related problems. Early identification of issues can lead to speedier management or medical interventions, or to improved individual awareness.
- 6.2 It is essential that accurate records are kept for each employee by the Head of School. If a particular individual needs to be approached in respect of their sickness absence, accurate records provide evidence for the manager to illustrate how attendance levels are causing concern.
- 6.3 Regular monitoring also enables managers to gain a picture of where there may be underlying areas of concern such as management, motivation or stress issues and assess the impact of sickness absence on service provision. Monitoring data will be used sensitively and in context, recognising that absence levels alone will not determine outcomes.

7. Absence Triggers

- 7.1 Absence triggers are used as indicators to prompt review and consideration of support. They do not automatically result in formal action, and individual circumstances will always be taken into account.
- 7.2 Adjustments to triggers may be required where absence is disability related.
- 7.3 The use of absence triggers provides a consistent approach to managing sickness absence throughout school. The absence triggers are detailed below:

7.3.1 **SHORT TERM sickness absence triggers**

Periods of Absence	Time Frame
3 periods of absence occasions	three occasions of absence during a six-month period (i.e. Single days or multiple days)

5 working days or more	more than five days sickness, during a six-month period.
Any other pattern of absence that causes concern	Examples may include illness on the same day of the week, a particular time of the year, preceding or following annual leave.

When any of these triggers are met the Head of School will normally follow the process for managing short-term sickness absence as set out in section 11. In cases where an employee has had frequent absence for reasons other than sickness absence, the Head of School will review attendance and as appropriate arrange a meeting to discuss this.

7.3.2 **LONG TERM sickness absence triggers**

- Four continuous weeks sickness
- When the above trigger is met, the Head of School will normally follow the process for managing long-term sickness absence as set out in section.
- Psychological illnesses such as stress and depression.

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7.3.3 In cases of stress, depression or another psychological illness, Heads of School should consider what support may be provided to the employee and discuss a referral to the Occupation Health Advisor at the earliest opportunity; it is recommended that contact is maintained and the Head of School is encouraged to contact the employee in the second week of absence to arrange to meet to consider a referral to the Occupational Health Adviser.

7.3.4 In any cases of stress, depression or another psychological illness being given as the reason for absence Heads of School should consider what support is available to assist the employee (*Optima Health can be contacted for managerial guidance and employees should be encouraged to contact them as well for support). Heads of School should ensure a more in-depth return to work meeting is held, a stress-risk assessment is undertaken and consider a referral to the Occupational Health Adviser.

7.3.5 When an employee has been absent for four or more continuous weeks the Head of School will normally follow the process for managing long term sickness absence as set out in section 15. Heads of School in any doubt should contact the HR Manager (Mrs Karen Watkin) for further guidance.

8. Special Considerations



8.1 Disability related sickness absence

- 8.1.1 Where absence could be disability related, employees must be appropriately treated within the context of the Equality Act 2010. This legislation provides legal protection against discrimination for disabled people. In dealing with disability related absences Head of Schools should seek advice from their HR Manager if they are in any doubt about managing disability related sickness.
- 8.1.2 Sickness absence relating to disability should be identified and recorded separately as this could be regarded as a reasonable adjustment when referring to the sickness absence triggers.
- 8.1.3 Consideration must be given to reasonable adjustments, which may include adjusting absence triggers, modifying duties, or implementing flexible working arrangements.

8.2 Maternity related sickness absence

- 8.2.1 Employees must not be disadvantaged due to pregnancy or maternity-related absence. Pregnancy-related absence must not be used for disciplinary or capability purposes. Protection applies from pregnancy notification through to 18 months after birth in redundancy situations.
- 8.2.2 Illnesses, which are related to pregnancy, should be dealt with through this procedure. Any pregnancy-related sickness after the beginning of the 4th week before the Expected Week of Childbirth (EWC), will automatically start the maternity leave period. Any sickness before the 4th week of the EWC will be treated as sickness normal absence.
- 8.2.3 A risk assessment should be undertaken by the Head of School once notification has been received in writing that an employee is pregnant; has given birth in the previous six months; or is breast-feeding. Further details can be found in the Trust's Maternity and Paternity Policy.

8.3 Industrial injury related sickness absence

- 8.3.1 Where absence is as a result of an industrial injury the school's Accident and Incident Reporting and Investigation Policy must be followed.
 - 8.3.2 Any employee who is absent due to an injury sustained in the performance of their contractual duties, without them being at fault, shall be paid in accordance with normal sickness absence.
 - 8.3.3 An employee who is absent as a result of an accident where damages may be receivable from a third party, will be paid Occupational Sickness Pay subject to the employee undertaking to refund to the school the total amount of
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Occupational Sick Pay or a proportion of it from the damages received from a third party in respect of such an accident.

- 8.3.4 In the case of a teaching staff member whose absence is due to an accident, injury or assault attested by an approved practitioner to have arisen out of and in the course of a teacher's employment, including attendance for instruction, physical training or other classes, organised or approved, by the employer, or participation in any extracurricular or voluntary activity connected with the school, will be entitled to full sick pay. Such pay being treated as sick pay, subject to the production of self-certificates and/or GP's fit note from the day of the accident, injury or assault up to the date of recovery, but not exceeding six months.
- 8.3.5 Should the employee exhaust their full 6 months industrial injury pay, in making decisions about pay in these circumstances, the relevant committee/governing board should ensure that it has appropriate evidence relating to the injury, including, where necessary, medical evidence. In the event of no extension of leave being granted, the teacher shall be entitled to normal sick leave and pay according to his/her length of service in accordance with their contractual entitlements as prescribed by STP&Cd paragraph 2.1.
- 8.3.6 Absence resulting from accidents, injuries or assaults, as attested in para 8.3.4 will not count against the teacher's occupational sick pay entitlements but are reckonable for entitlement to statutory sick pay (teachers' pay and conditions of service).

8.4 Sickness caused by infectious disease

- 8.4.1 An employee who is prevented from attending work because of contact with infectious disease shall be entitled to receive normal pay. The period of absence on this account shall not be reckoned against the employee's.

entitlements under the occupational sick pay scheme. Please refer to Health & Safety Advisers for further clarification.

8.5 Attending medical/dental appointments

8.5.1 Employees should be encouraged to arrange for appointments to take place outside of normal working hours or failing that at the beginning or end of the day. Where this is not possible, employees should arrange appointments so that the time away from work is kept to a minimum. The Head of School will monitor attendance levels to ensure that this is not abused.

8.5.2

8.5.38.5.2 The school will monitor the amount of time off for appointments taken during working hours. Employees should attend appointments outside working hours where possible. Where this is not possible, reasonable paid or unpaid time off will be considered, taking into account the nature and frequency of the appointment and the needs of the service.

8.5.48.5.3 Special consideration should be given to employees who attend appointments for reasons relating to a disability in which case paragraphs 8.5.1 and 8.5.2 may not apply as these appointments may be considered to be a reasonable adjustment. Contact your HR Manager for further advice.

8.5.58.5.4 Time off for disability-related or pregnancy-related appointments will normally be treated as a reasonable adjustment and paid where appropriate.

8.5.6

8.5.78.5.5 The school is committed to being a fair and inclusive employer and will not discriminate against an employee who has or who is undergoing gender reassignment.

8.5.8

8.5.98.5.6 Transgender employees may need a number of different medical interventions which require absences from work. Such absence is covered by the Equality Act 2010 and the school will not treat a person who is absent because of gender reassignment less favorably than they would treat an employee who is absent due to sickness, injury or absent for some other reason. If there is surgery, this would be regarded as a planned operation.

8.5.108.5.7

8.5.118.5.8 The trust recognises that there will be occasions when staff need to request general leave for various reasons, for example to care for a sick child/parent/spouse or to take them to medical appointments. Whilst the Trust will endeavor to be supportive, the amount of time requested under general leave will be monitored. Each case will be

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considered by the Head of School and where there is a pattern of absence this will be addressed in accordance with this policy.

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8.5.13 8.5.9 Necessary paid time off will be granted for the purpose of medical screening.

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8.5.15 8.5.10 Absence for half, or more than half of the employee's normal working day should be recorded as sickness absence.

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8.6 Sickness Absence Whilst on Leave/During School Closure Periods

- 8.6.1 Support Staff – In the event of an all year-round employee falling sick during a period of annual leave, they will be regarded as being sick from the date of their GP's fit note (any costs associated with obtaining medical certification will be met by the employee) and further annual leave shall be suspended from that date and for the duration of the fit note. If no fit note is produced annual leave will stand. Every reasonable effort should be made by the employee to report any sickness absence during a period of annual leave as soon as practicable to their Head of School.
- 8.6.2 Support Staff (term time only) – in the event of an employee falling sick during the school closure periods, they will be regarded as being sick from the date of their fit note and must send in a GP's fit note to cover any absence extending into a closure period.
- 8.6.3 Teaching Staff – whilst sickness during closure periods will not affect the period of a teacher's entitlements to sick leave, it will be relevant so far as deduction of benefit is concerned. Thus the same deductions applicable to a teacher in respect of sickness on working days will be applicable in respect of sickness during a closure period.
- 8.6.4 The rate of sick pay applicable to a teacher in respect of sickness during the closure of a school is the rate applicable to them on the last day before the closure. Where a teacher, therefore, is ill immediately preceding a closure period and is on either full pay or half pay, they will continue on this rate of pay but the closure period is not counted against the teachers' entitlements. If the teacher has exhausted their sick pay and is on no pay, they will continue to receive no pay. A teacher may, in the above circumstances, be put back onto full (ordinary) pay if the teacher is ill immediately preceding a closure of the school and recovers during this period of closure. In this circumstance, the teacher shall be deemed, for the purpose of calculating salary due, to have returned to duty on the day he/she is authorised as medically fit by their GP via a GP's fit note, provided the teacher returns to duty on the first day after the closure.

8.7 Compassionate Leave

- 8.7.1 The Head of School can approve up to five days' paid leave of absence per annum or alternatively unpaid leave of absence can be agreed. Compassionate pay is at the discretion of the Head of School and Chair of the Local advisory Board. Decisions will be made reasonably, consistently, and in line with statutory rights such as time off for dependants.

8.8 Parental Bereavement Leave

8.8.1 The Trust recognises the significant impact of the loss of a child and is committed to supporting employees during such difficult circumstances.

8.8.2 In accordance with the Employment Rights Act 1996 and associated regulations, eligible employees are entitled to Parental Bereavement Leave following the death of a child under the age of 18 or a stillbirth after 24 weeks of pregnancy.

8.8.3 Eligible employees are entitled to take up to two weeks' Parental Bereavement Leave. This leave may be taken as:

- a single block of two consecutive weeks; or
- two separate blocks of one week.

Leave may be taken at any time within 56 weeks of the child's death or stillbirth.

8.8.4 There is no minimum length of service required to take Parental Bereavement Leave.

8.8.5 Employees with at least 26 weeks' continuous service and who meet the relevant earnings threshold may be entitled to Statutory Parental Bereavement Pay (SPBP) in line with current legislation.

8.8.6 The Trust will consider requests for additional compassionate leave sensitively and in line with section 8.7 of this policy, recognising that individual circumstances will vary.

8.8.7 Employees should inform their Head of School as soon as reasonably practicable of their intention to take Parental Bereavement Leave. Notification does not need to be in writing initially and will be handled sensitively and with discretion.

8.8.8 When managing leave in these circumstances, the Trust will adopt a flexible and compassionate approach, taking into account the needs of the employee. Employees will not be expected to provide detailed information and any information shared will be treated confidentially.

8.8.9 Further guidance and support, including access to the Employee Assistance Programme, is available from HR or via the Trust's wellbeing services.

8.9 Sickness Monitoring and Statutory Annual Leave (all year-round staff)

- 8.9.1 A break in long term sickness absence for taking statutory annual leave does not trigger a new period of sickness absence in terms of monitoring. Paid statutory holiday entitlement (for all year-round staff) accrues during sickness absence regardless of how long an employee is off sick. Employees are therefore able to take paid statutory annual leave while on sick leave if they are employed on an all-year-round employment contract.



8.10 Medical Suspension

- 8.10.1 If an employee's condition is considered to be a health and safety risk either to themselves, other staff, and or pupils they should be suspended on medical grounds. The suspension will be on full pay. Head of Schools in any doubt should seek advice from their HR Manager before taking this action.
- 8.10.2 An employee who is medically suspended would normally have been referred to the occupational health service or would be in the process of being referred for a medical opinion.
- 8.10.3 The employee will be advised to visit their GP in this circumstance to ascertain the doctors' opinion on their state of health. If the doctor agrees that the employee should not be in work, the employee should send the GP's fit note to their Head of School. The medical suspension will cease from the date of the GP's fit note and sickness absence will be recorded as the reason for absence.
- 8.10.4 For cases of suspected drug or alcohol abuse Head of Schools should refer to the schools Drugs and Alcohol Misuse Policy.
- 8.10.5 There may be occasions when the medical advice received from the GP or Occupational Health Adviser cannot be practically implemented. In such cases the Head of School has the authority to suspend on medical grounds; suspension will be implemented on full pay and will be reviewed at least fortnightly.
- 8.10.6 Medical suspension will only be used where necessary and will be reviewed regularly to ensure it remains appropriate.

8.11 Differences of Medical Opinion

- 8.11.1 On rare occasions, there may be a difference of medical opinion between the employee's GP and the Occupational Health Physician. Whilst the Occupational Health opinion will normally take precedence, all available medical evidence will be considered before decisions are made.
 - 8.11.2 The school may seek permission from the employee to request further medical information directly from the GP or other medical specialists to assist in determining the employee's fitness for work.
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- 8.11.3 Where medical reports are requested from a GP or medical specialist, the employee's written consent will be obtained in accordance with the Access to Medical Reports Act 1988. Employees have the right to view any medical report before it is shared.

9. Sick Leave and Pay Entitlement

- 9.1 **Support staff** - the rate of sick pay and the period for which sick leave shall be paid in respect of absence due to ill health, will be calculated on a 12-month rolling basis. It is not necessary for an employee's sick leave entitlement to be exhausted before termination of employment on medical grounds may be implemented. If a Head of School is considering this action, please see advice from your HR Manager.
- 9.2 **Teaching staff** – periods of sick leave are calculated in working days only. Teachers who are absent due to sickness continue to receive full or half pay as appropriate, through weekends, school holidays and bank holidays, though these periods do not count towards sick leave triggers.
- 9.3 Under the teachers' conditions of service, a new period of sick leave and sick pay starts from 1 April each year. However, if a teacher is absent from work due to illness on 31 March, the period of absence will continue to be calculated against the previous year's absence and the new sickness period will not start again until the teacher is back at work. Again, it is not necessary for a teacher's sick leave entitlement to be exhausted before termination of employment on medical grounds can be implemented.

Occupational Sick Pay

- 9.3.1 Occupational sick pay is paid in line with the terms and conditions of employment and subject to the conditions contained in this policy. Occupational sick pay is for a prescribed period based on length of service, as indicated below:-

Teachers:

<u>Length of Service</u>	<u>Entitlement</u>
During 1st Year of service	Full pay for 25 working days and, after completing 4 calendar months service. Half pay for 50 working days.
During 2nd Year of service	Full pay for 50 working days, and then Half pay for 50 working days

During 3rd Year of service	Full pay for 75 working days, and then Half pay for 75 working days
During 4th and successive years	Full pay for 100 working days, and then Half pay for 100 working days

Support Staff (NJC terms and conditions of service):

<u>Length of Service</u>	<u>Entitlement</u>
During 1st Year of service	1 month's full pay and (after completing 4 months service) 2 months' half pay
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

- 9.3.2 The Local Advisory Board can exercise its discretion to extend occupational sick pay in exceptional cases.

9.4 Stopping Occupational Sick Pay

- 9.4.1 Sick pay may be stopped if an employee fails to comply with the statutory sick pay requirements, such as the provision of a GP's fit note.

When making a decision to stop sick pay the Head of School may wish to seek advice from the HR Manager. The Head of School must make it clear, in writing, giving two weeks' notice of stopping sick pay to the employee:

- a) the circumstances that are leading the manager to come to the decision;
- b) the date that the pay will be suspended.

The employee will be given the opportunity to respond before a final decision is confirmed.

9.5 Suspension of Sick Pay

- 9.5.1 The payment of any occupational sick pay under the scheme may be suspended pending investigation, if the Head of School is of the opinion that the condition which has led to the employees' absence from work is due to any of the following circumstances:

- abuse of the sickness scheme;
- absence on account of sickness due or attributable to deliberate conduct prejudicial to recovery;
- the employee's own misconduct or neglect or active participation in professional sport or injury while working in the employee's own time on their

- own account for private gain or for another employer;
- some other substantial reason as discussed with the Schools HR Consultant. (e.g. non-engagement with occupational health).

9.5.2 Where suspension of sick pay is required the Head of School must advise (in writing) the employee of the grounds for suspension and the employee shall have a right of appeal to a panel of Governors/Trustees. If it is decided that the grounds were justified the employee shall forfeit the right to any further payment in respect of that period of absence.

9.5.3 Any alleged abuse of the sickness scheme will be investigated and as appropriate managed under the disciplinary procedure.

9.5.4 Any decision to stop or suspend sick pay will be based on reasonable grounds, following consultation with HR, and the employee will be given an opportunity to respond before a final decision is made.

9.6 Sick pay and statutory annual leave

9.6.1 All year-round contracted employees accrue and can request to take paid statutory annual leave whilst on long term sick leave. Employees whose employment terminates after a period of long-term sick leave will be paid in lieu of the statutory leave that they would otherwise have carried forward or lost.

10. Return to Work Interview

10.1 Following any period of sickness absence, the Head of School or the PA to the Head of School will meet informally with the employee to discuss their sickness absence.

The purpose of the meeting should be;

- to welcome the employee back and to discuss the reason and cause of the absence
- to consider any concerns regarding attendance or patterns of absences;
- to confirm the employee is fully recovered and fit to return
- to ensure the necessary notifications have been completed and that the employee has provided a GP-fit note covering their absence, if appropriate.
- to discuss and agree any support that the employee may need to work and sustain a successful return, including any recommendations made by a GP or Occupational Health Advisor
- to update the employee on anything they may have missed during their absence

10.3 In complex cases, where disability is a factor or in instances where an employee has



been absent from work for some time – it may also be useful for a trade union representative or workplace colleague to attend this meeting. There is no statutory right to be accompanied at an informal return-to-work meeting; however, requests may be considered in appropriate circumstances.

- 10.4 A written record of the return-to-work meeting will be made and kept on the Employee's personnel file for absence monitoring purposes and a copy provided to the employee.
- 10.5 Depending on the reason and length of the absence the Head of School may agree further follow up meetings to help ensure that the Employee makes a successful and sustained return to work.

11. Managing Short -Term Sickness Absence

- 11.1 The early and successful management of short-term absence is essential to good working conditions. Responsibility lies with the Head of School to manage this process in a consistent and appropriate manner.
 - 11.2 To ensure that a complete picture of absence is available, comprehensive sickness records must be kept for monitoring purposes.
 - 11.3 The Head of School may arrange for the employee to be referred to the Occupational Health Adviser in order to seek advice including whether there is any underlying cause for the short-term absence.
 - 11.4 Head of Schools should review absence levels more formally with an employee where a pattern or level of absence has emerged which causes concern and/or the absence triggers as set out in section 7 have been met. Consideration will be given to individual circumstances, including any underlying medical conditions or disability.
 - 11.5 In these instances a Stage One - Formal Review meeting should be held between the Head of School and the employee to discuss the Head of School's concerns. At this meeting the employee should be provided with a copy of this policy. During the formal stage the employee will be expected to improve their level of attendance. Failure to achieve and sustain the required level of attendance may result in progression through the formal stages of this procedure, which could ultimately lead to dismissal on capability grounds.
 - 11.6 In extreme cases a Stage Three final review meeting will be convened without going through Stages One and Two.
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12. Informal Action

12.1 In instances of repeated or persistent short-term absences causing concern the Head of School will seek to address this informally at an early stage by meeting with the employee. The aim of the informal stage is to address any health issues that the employee has and ensure that any necessary measures are put in place to support the employee in being fit to work.

12.2 The usual trigger point for informal action within the trust is more than 5 days sickness during a six-month period or a period of 5 or more continuous days. However, any sickness which is causing concern may be managed using this procedure.

12.3 The purpose of this initial, informal, meeting is to:

- Advise the employee that their level of attendance is falling below expected levels and discuss how the level of absence is impacting on the individual's performance and the school
- Explore reasons for the absence and give the opportunity for the employee to raise any health or other concerns arising from within or outside the workplace that may be impacting on their attendance
- Identify any support that the school may be able to provide or any action the employee can take to improve or sustain attendance
- Agree any follow up action including considering making a referral to an Occupation Health Advisor or counselling service or undertaking a risk assessment where appropriate
- Explain the school's expectations regarding attendance, agree an action plan or attendance targets and timescale for improvement
- Advise the employee that should an acceptable level of attendance not be achieved and sustained – formal action up to and including termination of employment may be considered
- Agree when/how attendance will be monitored and reviewed
- Attendance targets will be reasonable, clearly defined in writing, and take into account individual circumstances.

12.4 A written record of the discussion may be issued (an informal improvement note), setting out:

- the improvement required
- any support or reasonable adjustments to be put in place
- the timescale for monitoring

This record will normally remain on file for up to 6 months.

13. Monitoring of Attendance following Informal Action

- 13.1 In most instances it is anticipated that the level of attendance will improve and informal monitoring will continue to ensure satisfactory attendance is sustained. However, in circumstances where an employee's attendance does not show acceptable improvement the school may move to a formal absence review meeting.
- 13.2 In instances where it is suspected that the reason for the absence is not genuine, this will be investigated and if appropriate, may be treated as a conduct issue and addressed under the Trust's Disciplinary Procedure.

14. STAGE ONE - Formal Meeting One

- 14.1.1 The aim of the formal stage one is to address any health issues that the employee has and ensure that any necessary measures are put in place to support the employee being fit to attend work.
- 14.1.2 Employees have the right to be accompanied at formal meetings by a trade union representative or workplace colleague in accordance with statutory requirements.
- 14.1.3 The purpose of the meeting is to discuss the situation with the employee in a supportive way, to establish whether the absences from work are linked or related and to agree with the employee the best way forward.
- 14.1.4 At all formal stages the employee is entitled to written notice of the meeting (5 days for stage one and stage two meetings and 10 days for stage three), and should be asked if they wish to be accompanied by a Trade Union representative or a workplace colleague at the meeting. In exceptional circumstances your Schools HR Manager may attend if the matter is particularly complex.
- 14.1.4.1 If the reasons given for the absences appear to be unrelated and the level of absence and/or frequency and pattern is causing concern the Head of School should try and identify through discussion with the individual if there are other problems of a domestic or work nature that may be affecting their attendance.
- 14.1.4.2 If there are any work issues affecting attendance, the Head of School has a responsibility to make every effort to resolve these and to involve the employee in their effective resolution. A date should be set in two months' time to review the position at a Stage Two - Formal Review meeting.
- 14.1.4.3 Where an employee has taken three or more periods of sickness absence within a six-month period, the Head of School must automatically review the



need for a referral to the Occupational Health Adviser. Action taken to refer to the Occupational Health Adviser must be appropriate to the nature of the absence. Guidance on when this is appropriate is available from the HR Manager.

14.1.4.4 By the end of the meeting, the Head of School would be expected to have a clear understanding of the health problem and any workplace issues that are affecting the employee's ability to attend work. The meeting will determine any reasonable ways of assisting the employee in reducing his/her sickness absence and/or making a successful return to work. In situations where the Head of School is unable to fully understand the problem a further referral to Occupation Health may be appropriate.

14.1.4.5 The decision of the meeting should be recorded and a copy of the record along with the notes of the meeting should be given to the employee to avoid any confusion. The Head of School may at this stage decide to issue a Stage 1 Formal Improvement Notice. The notice should include:

- Details of the absence(s) that have led to the formal action
- Details of any measures that have been put in place to support the employee in being fit at work;
- Attendance targets and timescale for improvement
- Details of how attendance will be monitored;
- Timeframe for the employee's attendance to be reviewed, (Normally two months);
- A statement that the procedure could ultimately result in dismissal;
- Details of how to appeal the decision.

14.1.4.6 The Stage 1 Formal Improvement Notice will remain live for up to 12 months but may be extended in exceptional circumstances. The formal improvement notice will normally remain on the employee's file for 12 months, unless the period is extended in exceptional circumstances.

14.1.4.7 An employee may appeal a formal improvement notice within 5 days of it being issued, the appeal must be in writing setting out the reasons for the appeal (e.g. the penalty was too severe, there is new information that has come to light, the process was flawed).

14.2 STAGE TWO - Formal Review Meeting

14.2.1 The purpose of this meeting is to review the employee's attendance levels since the date of the Stage One Review Meeting.

14.2.2 An exception to this would be where medical advice indicates that the employee





will not be able to return to their role or a suitable alternative role, and where there are no reasonable adjustments that would enable them to return. A Stage Three final review meeting will then be convened.

14.3 Outcome from Stage Two

14.3.1 The outcome will be either (i) an improvement or (ii) failure to improve. The following explains the next steps that need to be taken in either circumstance:

- i) ***The level of absence has improved***
If the level of attendance has improved sufficiently this should be recognised and a further review meeting organised for two months time. If after that further review, there is no ongoing concern, then no further action is required. A record of this decision should be made and shared with the employee and placed on the employee's personal record for 12 months.
- ii) Head of Schools should make it clear to the employee however that should there be further concerns regarding their attendance within the next 12 months consideration would be given to re-starting the review process at Stage Two, or stage 3 should there be significant evidence of ongoing absence over a period of time, exceptional circumstances, or information that would warrant moving to Stage 3 (e.g. medical prognosis).
- iii) ***The level of absence has not improved sufficiently***
Where the employee's absence levels have not improved sufficiently, the Head of School should consider issuing a Stage 1 Formal improvement notice (a Stage 1 Formal Improvement Notice, unless such a warning had already been issued in which case a Final Review Stage / Final Capability Warning may be issued) along with setting a further monitoring period and a new attendance target. A further Stage 2 meeting should be arranged to review attendance levels after the end of the new monitoring period.

The decision of the meeting should be recorded and a copy of the record along with the notes of the meeting should be given to the employee to avoid any confusion. If the Head of School has decided to issue a **formal improvement notice**. The formal improvement notice should include:

- Details of the absence(s) that have led to the formal improvement notice;
 - Details of any measures that have been put in place to support the employee in being fit at work;
 - Attendance targets and timescale for improvement
 - Details of how attendance will be monitored;
 - Timeframe for the employee's attendance to be reviewed,
- 

- 
- (Normally two months);
 - A statement that the procedure could ultimately result in dismissal;
 - Details of how to appeal the decision.

14.3.1.2 The Stage 1 Formal Improvement Notice will remain live for up to 12 months if a Stage 1 Formal Improvement Notice, or 24 months if a Final Review Stage / Final Capability Warning. The formal improvement notice will normally remain on the employee's file for the duration for which it is live, unless extended in exceptional circumstances.

14.3.1.3 An employee may appeal a formal improvement notice within 5 days of it being issued, the appeal must be in writing setting out the reasons for the appeal (e.g. the penalty was too severe, there is new information that has come to light, the process was flawed).

14.3.1.4 Any appeal that is lodged by an employee will not delay the implementation of the next steps in the sickness absence management procedure.

14.3.1.5 The process will move to a Stage Three Review meeting in cases where the Head of School has exhausted all options available that might enable the employee to reach an acceptable level of attendance and where:

- the level of short-term absence remains unacceptable, and/or
- the steps taken at Review Stages One and Two have not secured the required improvement

14.3.1.6 In which case the Head of School should explain that the result of the Stage Three – Final Review meeting could result in their employment with the school being terminated on medical grounds.

14.4 Stage Three – Final Review Meeting

14.4.1 Where all options have been considered during Stages One and Two of the formal process, the Head of School should convene a Stage Three Final Review meeting to be chaired by a panel of Governors.

14.4.2 The employee will be informed of the Meeting and up to date Occupational Health or medical advice may be sought before the Final Review Meeting takes place.

The panel will ensure that a fair and reasonable process has been followed, including full consideration of medical evidence, reasonable adjustments, and alternatives to dismissal.





Where all reasonable steps have been taken during earlier stages of this procedure, and attendance has not improved to an acceptable level, or where medical advice indicates that a return to work is unlikely within a reasonable timescale, a Stage Three – Final Review Meeting will be convened.

This meeting will normally be chaired by a panel of Governors, supported by the Trust's HR adviser.

The purpose of the Final Review Meeting is to:

- Review the employee's sickness absence record and the steps taken to date
- Consider up-to-date medical evidence, including Occupational Health advice where available
- Provide the employee with the opportunity to present their views and any additional information
- Consider whether the employee is likely to return to work within a reasonable period
- Consider whether the employee is capable of sustaining regular attendance

Before reaching any decision, the panel must give full and careful consideration to:

- Any medical advice received (e.g. GP or Occupational Health reports)
- Whether there are any reasonable adjustments that could support the employee in returning to work
- The potential for a phased return to work
- Whether alternative roles or redeployment opportunities are available and suitable
- The impact of the absence on pupils, staff and service delivery
- The employee's length of service and overall employment record
- Any mitigating circumstances, including personal or work-related factors

Before any decision to dismiss, the panel will consider all reasonable alternatives including adjustments, phased return, redeployment or extension of review periods.

Any decision to dismiss will be in accordance with the principles of fairness, reasonableness, and proportionality, taking into account all available medical evidence and alternatives to dismissal.

Possible Outcomes

Following the meeting, the panel may decide to:

- Take no further formal action, where appropriate
- 

- Extend the monitoring period, with clear expectations and review dates
- Implement or continue reasonable adjustments or support arrangements
- Confirm a Final Review Stage / Final Capability Warning with a further review period
- Proceed to termination of employment on the grounds of ill health capability

Dismissal on Grounds of Ill Health Capability

Where dismissal is considered, the panel must be satisfied that:

- The employee is unable to maintain an acceptable level of attendance
- There is no reasonable prospect of a sustainable return to work within a reasonable timeframe
- All reasonable adjustments and alternatives have been explored and exhausted

Any decision to dismiss will be confirmed in writing and will include:

- The reasons for the decision
- The effective date of termination
- Details of the employee's notice period
- The employee's right of appeal

Right to be Accompanied and Notice

The employee will:

- Receive at least 10 working days' written notice of the meeting
- Be provided with all relevant documentation in advance
- Have the right to be accompanied by a trade union representative or workplace colleague

Right of Appeal

The employee has the right to appeal against any decision made at the Final Review Meeting.

Appeals must be submitted in writing within 10 working days of receipt of the outcome letter and will be heard by a panel not previously involved in the case.

14.4.3 The outcome of the Final Review Meeting will result in either:

- i) Further action including setting a new monitoring period and attendance target; and/or re-referral to Occupational Health and/or an extension of the current formal improvement notice, or: a Final Capability Warning to remain on the employee's personal file for up to 24 months, or
- ii) termination of employment due to ill health capability on medical grounds.

Details on the format for Stage Three – Final Review Meetings are contained in Section 21.

15. Managing Long-Term Sickness Absence

15.1 When an employee is on sick leave for a period of 4 weeks or more, it is important



that the Head of School (or nominated person) maintains regular and supportive contact in order that the individual is supported and does not feel isolated and also that an accurate picture of the circumstances can be maintained. There is also an obligation on the part of the employee to keep their Head of School updated with regard to their health situation.

15.2 Long-term ill health can be a fair reason for terminating an employee's contract of employment. The legal background is that an employee who is absent from work due to ill-health may be fairly dismissed provided that fair and reasonable steps are taken. A stage three meeting may be convened in cases of long term absence even if Stages One and Two have not been invoked. In cases of long term absence there is no requirement for the school to have undertaken Stages One and Two previously with the employee; the School can proceed directly to Stage Three where absence exceeds four continuous weeks.

Long-term sickness absence is defined as a continuous period of absence of four weeks or more.

The Trust is committed to supporting employees during periods of long-term ill health, while ensuring that service delivery is maintained.

Ongoing Management and Support

During periods of long-term absence, the Head of School (or delegated manager) will:

- Maintain **regular and sensitive contact** with the employee. Contact arrangements will be agreed with the employee and maintained in a supportive and sensitive manner
- Ensure the employee is kept informed of relevant workplace developments
- Obtain **appropriate medical evidence**, including GP fit notes
- Consider an **early referral to Occupational Health**
- Explore any **support mechanisms**, including the Employee Assistance Programme

Review Meetings

Regular review meetings will be arranged to:

- Discuss the employee's current health and prognosis
- Consider any **medical advice received**
- Identify any **barriers to returning to work**
- Explore options for a **return to work**, including adjustments

These meetings may take place remotely if the employee is unable to attend in person.

Consideration of Return to Work

Where appropriate, the Trust will explore options to support a return to work, including:

- A **phased return** (based on medical advice)
 - **Temporary or permanent adjustments** to duties or working arrangements
 - Consideration of **redeployment** to a suitable alternative role
- 

When Return is Uncertain or Not Possible

Where medical evidence indicates that:

- The employee is **unlikely to return to work within a reasonable timeframe**, or
 - The employee is **unable to fulfil their role even with reasonable adjustments**,
- the case may progress to a **Stage Three – Final Review Meeting**.

15.3 Referral to the Occupational Health Adviser

- 15.3.1 A referral can be made by the Head of School to Occupational Health at any point during the period of sickness for a medical opinion on the employee's fitness to carry out their duties and advice on how to facilitate an early return to work wherever possible. This will normally be where the employee has been off sick for a continuous period of four weeks or in cases of stress, depression and other similar conditions during the second week of absence (i.e. where they have met the triggers for further action).
- 15.3.2 Action taken to refer to the Occupational Health Adviser must be appropriate to the nature of the absence or employee's medical condition. If in any doubt Head of Schools should seek advice from their Schools HR Manager for further guidance.

15.4 Employees unable to return to their normal duties due to a disability:

- 15.4.1 If an employee becomes disabled as a result of illness, reasonable adaptations must be considered in order to avoid disability discrimination under The Equality



Act 2010. See appendix one for further details regarding reasonable adjustments.

- 15.4.2 Access to Work funding may be available to assist with reasonable adjustments required in the workplace. Whilst the school is not obliged to create a new position for an employee, if there is alternative work available which might be considered suitable, taking into account the individual's capabilities, they should be considered for re-deployment into this alternative position.
- 15.4.3 No decision to terminate the employee's contract should be taken without firstly consulting your Schools HR Manager.

15.5 Phased returns to work

- 15.5.1 In some circumstances, the Occupational Health Adviser may advise that a phased return to work is appropriate for employees returning from a period of long term sickness absence. This will enable the employee to gradually build up their working hours and/or days and settle back into their normal working pattern.
- 15.5.2 Timescales for a phased return to work will be discussed in advance and medical advice sought to determine when the employee will be able to return to their normal working hours and/or days. The employee should submit a GP fit note confirming that they are fit to return to work. During the initial period of a phased return, the employee will be paid their normal contractual salary.
- 15.5.3 Where a phased return extends beyond a short-term period, arrangements regarding pay will be reviewed on a case-by-case basis, taking into account medical advice and in consultation with HR.

15.6 Employees not fit to return to work

- 15.6.1 In cases of long-term absence where the employee is not expected to be fit to return to work within a reasonable timescale, and/or where any steps (e.g. reasonable adjustments) taken to support a return to work have been unsuccessful the Head of School should discuss this with the employee and move to Stage Three – Final review meeting.

16. Retirement on the grounds of ill-health

16.1 In those circumstances where employees cannot return to work on grounds of ill health or cannot be found suitable alternative employment, they may be eligible for retirement on ill-health grounds. The pre-requirement for an application is that the employee is a member of the Local Government Pension or the Teachers' Pension scheme.

16.2 This avenue will normally be explored before a formal Stage Three- Final Review meeting takes place, providing the medical information received thus far indicates that the employee may be incapable of returning to work for the foreseeable future.

16.3 The process of application is different for both pension schemes, but your Schools HR Manager will be able to advise you on the application process. The basis of the award is that the member of staff is permanently incapacitated or unable to carry out their employment duties due to illness.

17. Out of service applications for ill Health Retirement

17.1 HR Manager will assist the school in a referral to Occupational Health on behalf of the ex-employee, in order for occupational health to confirm permanent incapacity and issue a permanent incapacity certificate. In order to do this, occupational health may need to: -

- conduct an independent medical assessment
- contact the ex-employee's GP
- contact the ex-employees treating specialist

17.2 The school will not meet the cost of such a referral and the member will be asked to sign an agreement to meet the costs themselves prior to the application being commenced.

18. Termination of Employment on Grounds of ill Health

18.1 Any decision to terminate the employment on medical grounds will be dealt with in accordance with the following process.

18.1.1 The final Stage Three - Review Meeting should be convened to discuss the situation once it is established that:

- an employee is medically unfit for their duties as confirmed by the Occupational Health Adviser, or
- there is no sustainable resolution to their absence due to its impact on the provision of the service, or
- the procedure for managing short term absence has been followed and there has been no improvement in attendance at the end of the review period nor further evidence of a health problem has come to light;
- No reasonable adjustment is possible or any adjustments which have been put in place have failed.

18.2 If the Occupational Health Adviser determines that the employee will not be able to return to their normal duties, suitable alternative vacant posts within the school will be considered as a re-deployment opportunity before the Stage Three – Final Review meeting.

18.3 Termination will only occur after all reasonable adjustments and redeployment options have been fully explored.

19. Final Review Meeting Process

19.1 The Final Review meeting shall be conducted by a panel of Governors and they will be accompanied by a Schools HR Consultant. The employee will be notified in writing at least ten working days ahead of the meeting and will have the right to be accompanied by a trade union representative or work place colleague. The employee is required to provide the panel with any documentation they will be relying on at least five working days in advance of the meeting.

19.2 In the event that the panel at the Stage Three – Final Review meeting decides to dismiss the employee, the employee will be entitled to receive their appropriate notice period (statutory or contractual whichever is the greater) and entitled to the right of appeal.

19.3 The employee will be notified in writing of the outcome Stage Three – Final Review meeting and their right of appeal, normally within five working days of the decision.

20. Right of Appeal

20.1 The right to appeal against termination of employment on the grounds of ill health is to a panel of Governors not previously involved in the case. Appeals must be lodged with the school, addressed to the Chair of the Appeals Committee within ten working days of the date of receipt of the letter notifying the outcome of the formal



Stage Three – Final Review meeting, clearly stating the grounds for the appeal.

20.2 Reasonable grounds for appeal would be:

- It is alleged that the procedure has not been properly applied or an appropriate investigation conducted
- New evidence has come to light which was not available at the hearing, and which may make a difference to the original decision
- The sanction was too severe appeal will be heard as soon as practical.

20.3 The appeal panel's decision will be final.

21. Time off for Dependents

21.1 Employees are entitled to reasonable unpaid time off to deal with certain unexpected emergencies involving dependants, in accordance with the Employment Rights Act 1996. This is intended to provide short-term time off to make alternative arrangements and will normally be limited to what is reasonable in the circumstances.

22. Relevant Legislation

- Employment Rights Act 1996
- Equality Act 2010
- Social Security (Medical Evidence) and Statutory Sick Pay (Medical Evidence) (Amendment) Regulations 2010 (SI 2010/137)
- Access to Medical Records Act 1988
- Data Protection Act 2018

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APPENDIX 1

Supporting an Employee who Becomes Disabled

1. Making reasonable adjustments

Under the Equality Act 2010, disabled employees are protected against discriminatory treatment that occurs for a reason related to their disability. One of the key duties under the Act for employers is to make reasonable adjustments to working arrangements, working practices and premises.

1.1 Reasonable Adjustments





Should an existing employee become disabled an employer can help practically by considering what reasonable adjustments could be made to accommodate the employee's needs and ensure they are successfully retained in employment. The employee may have suggestions, which you should of course consider, but it remains your responsibility to identify and implement any adjustments. An employee may also need counselling or other advice and information, Optima Health, can provide these services on 0800 174319.

Some examples of these reasonable adjustments include in no particular order:

- **altering premises**, e.g. widening a doorway, providing a ramp, stair-climbing chairs or non-slip flooring, moving furniture, altering lighting, or providing parking spaces for drivers with disabilities.
- **allocating some duties to another employee**, within the working environment.
- **transferring the person to fill an existing vacancy via a redeployment process**, e.g. if an employee becomes disabled and there is no reasonable adjustment which can enable them to continue in their post they might be considered for another suitable post within the school.
- **altering working hours**, e.g. allowing an employee who becomes disabled to work part-time or to job share.
- **changing the person's place of work.**
- **allowing absences during working hours for rehabilitation, assessment or treatment**, e.g. allowing an employee who becomes disabled time off during work to receive physiotherapy or other treatment.
- **additional training**, e.g. training in the use of particular pieces of equipment unique to the disabled person.
- **Acquiring or making changes to equipment**, e.g. a visible fire alarm system, an adapted telephone, a specific software package etc.
- **providing a reader or signer**, e.g. reading information to a visually impaired person at particular times during the working day.
- When planning changes to buildings or practices, management should, as a matter of good practice, consider the possible needs of new employees with disabilities, impairments or long-term health conditions and existing employees who may develop them in the future.

2. Access to work programme (AtW)



Access to Work can provide advice and practical support to disabled people and their employers to help overcome work related obstacles resulting from a disability. AtW can also agree to pay a grant, through Job Centre Plus (Dept for Work and Pensions), towards extra employment costs resulting from a disability. This can help pay for special equipment or alterations to existing equipment to suit particular work needs arising from a disability or alterations to premises or working environment, if needed because of disability.

Further information about this programme can be found on the Government's website <https://www.gov.uk/access-to-work>

3. Employee Support (Section 5)

Optima Health, the Trust's confidential employee assistance provider can be contacted by the employee for support. With the employee's permission line managers may also contact Optima Health on their behalf.

Optima Health can provide counselling to employees and members of their immediate household. They can also provide advice via their information line on a wide range of subjects including benefits, housing and health.

Optima Health are contactable on freephone number 0800 174319 24/7, available 24 hours a day, 365 days per year or by emailing cousellingformedway.co.uk. Optima Health also has an online lifestyle advice and guidance service. <https://carefirst-lifestyle.co.uk/>

Disabled Workers Forum (DWF)

The Disabled Workers Forum is run by a group of employees within Medway Council who have disabilities. The group members meet on a regular basis to discuss issues affecting employees with a disability and to provide advice and support to others with a disability. The DWF also provides valuable input in policy creation and process implementation giving the benefit of their experiences and knowledge. Any member of staff who has a disability is able to attend forum meetings providing they notify their line manager in good time for cover to be arranged if necessary

The DWF can be contacted by email dwf@medway.gov.uk

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APPENDIX 2

Disciplinary Appeals Process

- 17.1 An employee is entitled to appeal against the formal decision taken at the disciplinary hearing.
- 17.2 The appeal must be made in writing, addressed to the appropriate person dependent on who chaired the hearing i.e. Head of School, Governor or Governor Panel. It must state the grounds for the appeal, within 5 working days of being advised in writing of the decision of the disciplinary hearing.
- 17.3 The letter of appeal from the employee must clearly state the reasons for appealing e.g.
- It is alleged that the disciplinary procedure has not been properly applied or an appropriate investigation conducted
 - New evidence has come to light which was not available at the disciplinary hearing and which may make a difference to the original decision
 - The disciplinary sanction was too severe
- 17.4 The disciplinary appeal will be heard as soon as possible taking into account the availability of all those involved and unless agreed otherwise not normally later than 20 working days following the date of receipt of the appeal. This is not automatically an opportunity to rehear the whole case.
- 17.5 The employee will normally be given no less than 10 working days' notice, in writing, of the date of the disciplinary appeal hearing. This notification will give the names of the panel members, and the name of the representative of the school's HR representative who will advise the panel. It will remind the employee of his/her right to be accompanied at the hearing by a trade union representative or workplace colleague.
- 17.6 No less than 7 working days before the date of the appeal, unless otherwise agreed, both sides will exchange with each other copies of documents they intend to rely upon at the appeal and a list of witnesses. Copies will be provided to the panel members and the HR representative. The panel may decide not to accept late submissions of documents and/or witnesses unless the evidence was not available at the time of exchange.
- 17.7 The Head of School/Chair of the disciplinary panel of governors who dealt with the disciplinary hearing will attend the appeal hearing and present the management case. They will normally be accompanied by the school's HR consultant who advised them at the disciplinary hearing. The employee will attend the appeal and has the right to be accompanied by a trade union representative or workplace colleague.
- 17.8 The employee or their representative will present their case referring to evidence and calling witnesses as necessary, the Head of School/Chair will present the management case. Both parties will have the opportunity to question the other and any witnesses called, as will the Appeal panel.
- 17.9 The Appeal panel will review the decision of the disciplinary hearing in the light of the

evidence presented at the appeal hearing and taking into account the grounds of appeal will decide whether or not to confirm the disciplinary decision, overturn the disciplinary decision or impose a lesser penalty

- 17.10 The employee will be informed of the decision of the Appeal panel in writing, the panel will set out the reasons for its decision within 5 working days.

APPENDIX 3

Examples of leave that may be requested

The following is a list of some typical circumstances where requests for time off may be received. It is not intended to be either exhaustive or prescriptive. In the case where special leave is granted, the table shows recommendations on whether the special leave might be paid or unpaid. Local discretion will be applied and individual circumstances will be taken into account in reaching a decision.

The school will monitor the granting of all discretionary leave in order to assist in a periodic review of its policy.

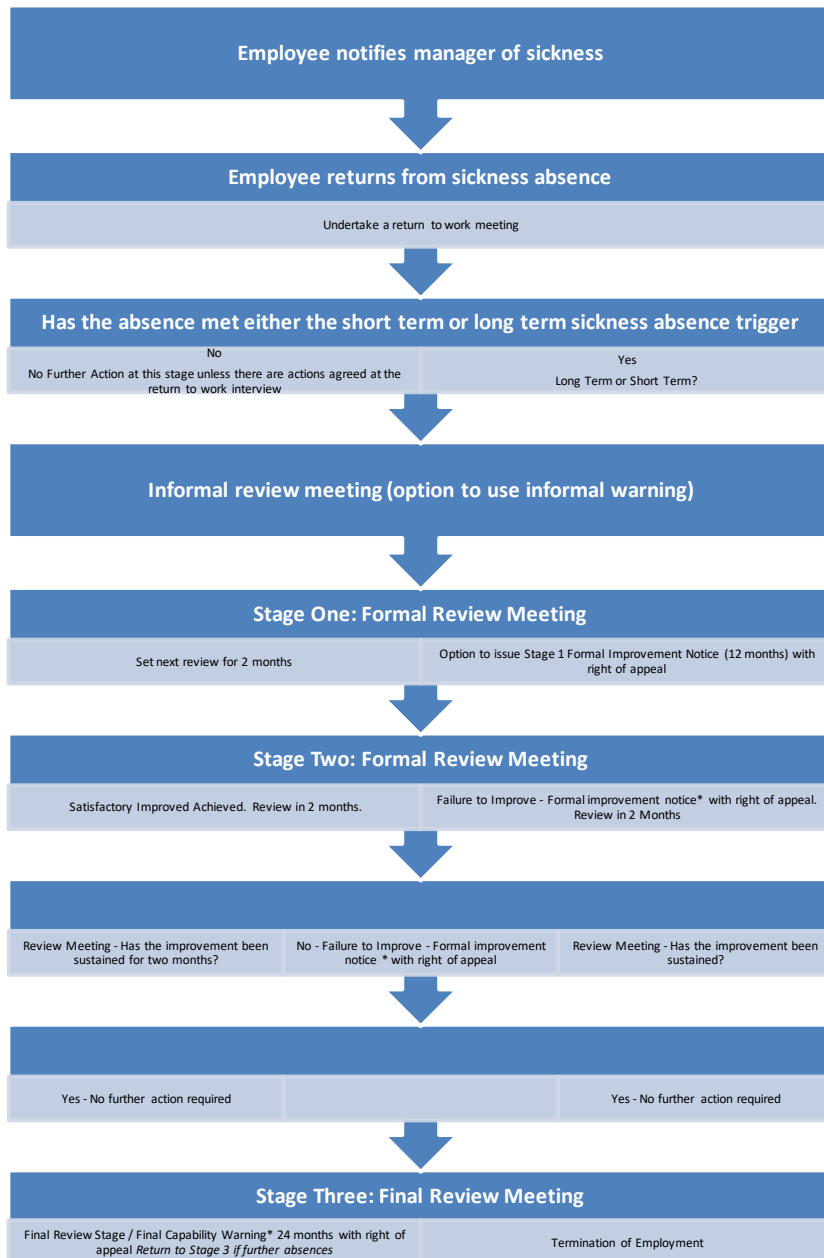
Reason	Recommendations Whether Paid/Unpaid (if granted)
Child's graduation	Unpaid
Funeral – parent, sibling or child	Paid (Compassionate leave)
Funeral – relatives	Unpaid
Funeral - friend	Unpaid
Parent attending CAFCASS meeting	Unpaid
Dentist appointment (self)	Paid (covered in sickness absence policy)
Dental appointment (child)	Unpaid
Attendance at interview/ allowed 3 interviews	Paid
Attending court – witness	Paid
Attending Court - defendant	Paid
Moving home	Unpaid
Children's sports day	Unpaid
Jury service	Paid (less deductions for juror's allowance)
Sitting Examinations (self)	Paid (if qualification is relevant to current job)
Friend's or relatives wedding	Unpaid
Hospital appointment (self)	Paid (covered in sickness absence policy)
Hospital appointment (spouse/child)	Unpaid
Child's 6 th form interview	Unpaid
Physiotherapists appointment	Paid (covered in sickness absence policy)



Breast screening appointment	Paid (covered in sickness absence policy)
Taking a spouse to hospital after he or she has had an accident	Paid (compassionate leave)
Attending planned surgery with a spouse	Unpaid
Attending probate meeting following the death of a spouse	Paid (compassionate leave)
Taking a child to a relative's house when the child's nanny is sick	Unpaid (time off for dependents)
Attending Ante-Natal appointments	Paid (covered in maternity leave policy)
Parental bereavement	Paid (statutory entitlement applies)



Flowchart for Managing Short Term Sickness Absence



Flowchart for Managing Long Term Sickness Absence

