

# Sickness Absence and Wellbeing Management Policy

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| Date First Published          | June 2016 |
| Version                       | 6         |
| Last updated by (s)-2 ob ET C |           |

# 1. Scope

- 1.1. This policy relates to all schools and settings across Nexus MAT and supersedes any local policies and procedures that have been in use prior to the academy conversion. Where required, an individual Nexus MAT academy – in agreement with the Chief Executive Officer - may publish a supplementary policy guidance document or procedure in line with this policy, to ensure that any idiosyncrasies associated with that specific school are covered in their local policy library.

# 2. General

- 2.1. Absence from work, as a result of ill health or wellbeing, is likely to be a natural event throughout the career of any employee. Illness has a debilitating effect on the individual, which has an impact on life both at home and at work. This procedure is designed to help people managers and colleagues understand the steps in the process and to outline the way in which the Trust would like absence from work to be managed sensitively.
- 2.2. Health and Safety legislation regarding work, places a duty on an employee not to act in a manner that could put themselves or others at risk and also on employers to ensure the work processes, systems and environment do not put employees at risk. The Trust's Sickness Absence Procedure is designed to provide some degree of protection for both parties in this regard by following a prescribed procedure and by completing the appropriate documentation. This process will help to provide essential evidence about the nature of factors which may be affecting the employees' attendance.
- 2.3. This document and appended Notes of Guidance for Line Managers are designed to outline the management and monitoring process that will apply should employees experience ill health or poor wellbeing while in employment.
- 2.4. The policy and procedure established by the Trust requires that reasons for absence will be established and that employees will be seen on return to duty to ensure they are fit to be at work and that this takes place on the day of return.





Health Research Foundation that initial verbal contact should be made within the first two weeks of absence to see if any early assistance might be appropriate and thereafter at least once every two weeks in order for managers to enquire about their well-being.

- 3.2.3.2.** Early assistance could entail referral for counselling or advice about seeking physiotherapy or other specialist appointments in liaison with their G.P. Employees with long unbroken spells of serious illness should be referred, at management discretion, for discussion with a member of the Trust's HR Team but no later than 4 weeks after going absent. In liaison with the Line Manager medical advice will be sought where appropriate. Where individuals are incapable of attending a meeting with their Line Manager, a member of the Trust HR Team is available to accompany them on a visit to the employee, either at home or other agreed location if necessary, to ascertain details of the individual's condition.
- 3.2.3.3.** Employees may be referred for an initial medical assessment after 6 to 10 weeks' continuous absence dependent upon the nature of the illness, prognosis for recovery and the need to identify any possible adjustments or modifications to the job, which might allow an early return to work. In other cases, such a referral might be needed when a decision is to be taken on continued employment or after illness to ensure a return to work will not put the employee at risk.
- 3.2.3.4.** In cases where the employee is diagnosed as being permanently unfit for work of a particular kind, reasonable adjustments and/or suitable alternative employment options will be explored before any arrangements are made for applying for retirement on the grounds of ill health. In those cases, where the employee is unable to return to work in the foreseeable future, similar consideration will be given, but ultimately there may be a requirement to take a decision regarding continued employment.
- 3.2.3.5.** In all cases there is a need to balance the employee's likely future health picture and anticipated recovery period against the employer's need for the job to be done.
- 3.2.3.6.** Given the nature of some illnesses, apparently unrelated sickness absence may, at any time, be diagnosed as attributable to





## 4. Reporting absence

### 4.1. Telephone Contact

- 4.1.1. Arrangements should be communicated to employees, normally on appointment and as part of the induction process, which outline the steps an employee is required to take to inform the ir workplace if they are unable to attend for work. Employees should familiarise themselves with the document “What To Do When You Are Ill”. (Appendix G)
- 4.1.2. The employee makes first contact with work by telephone, verbal contact should be made rather than sending a text message or e-mail, ideally before the time they normally start work, or as soon as practicably possible so that contingency plans can be put in place to cover for the absence. Generally, a specific contact name is provided who should be contacted by a designated time. If the manager is not the person taking the message, then it should be made clear that the manager may attempt to speak to the employee as soon as practicable to check on their wellbeing.
- 4.1.3. Telephone messages need to record certain important details to facilitate school/work planning such as identifying the employee, where they work, their job title, illness and anticipated length of absence. Regular telephone calls should be made by the employee to update their manager on their progress and if employees are unable to return on the anticipated date, a further telephone call should be made to notify the Line Manager of the revised return to work date.
- 4.1.4. The Designated Administrator should ensure that the sickness absence details are recorded on the required systems in school/centrally and ensure this is kept up to date .

## 5. Records

- 5.1. Employees need to be aware that a record will be maintained throughout their employment detailing the days absent and reasons for absence from work due to ill health. These records are necessary to calculate entitlements to occupational sick pay and to help Line Managers identify at an early stage any underlying patterns or causes of sickness absence.



- 5.2. Line Managers should identify, by the process of regular and systematic review of their employee's absence, if absence levels are high or patterns/incidences of absences are evident.

## 6. Documentation

- 6.1. Employees are required to complete a Self-Certification Form (Appendix A ) for every occasion of absence covering up to the first seven days of any absence. Medical certificates issued by a G.P. or Hospital must be submitted for absences continuing after seven days.
- 6.2. The management team are required to record reasons for absence and to maintain sufficient evidence of the content of discussions to satisfy their duty of care. Where there are specific sensitivities, a record may be overseen by the Headteacher/CEO/HR Manager only. A Return to Work Interview Form is required to be completed which records the brief details anticipated at the short "Return to Work Interview".
- 6.3. Following formal sickness interviews, a letter should be sent to the employee outlining the content of the discussion and any recommendations or expectations for the future. A copy should also be made and filed on the individual's personal file.
- 6.4. The Trust has template letter content for use during periods of sickness absence. Whilst these are provided as guidance this does not mean they



7.6. Where the sickness absence trigger points have been breached line manager action needs to be taken.

## 8. Interviews

### 8.1. Return to Work Interviews by Line Managers, Supervisors, etc.

8.1.1. These notes should be read in conjunction with the Notes of Guidance for Line Managers and Supervisors in Appendix D to this document.

8.1.2. Line Managers should meet each employee immediately on their return to work, or as soon as possible after any period of absence (but no later than 24 hours after return) . This meeting will ensure Line Managers know and record exactly the reasons for absence and that on returning to work the employee is able to resume the duties and responsibilities of their employment. Employees may request for a manager of the same sex from their department rather than their immediate manager if of the opposite sex, if they feel uncomfortable discussing sensitive issues.

8.1.3. In undertaking their responsibilities in relation to the latest absence , Line Managers have an opportunity to review the employee's overall record. Line Managers should initially welcome the employee back to work and record the necessary details on the prescribed documentation. The brief discussion should satisfy the duty of care to ensure the employee is fit to return to either the full duties of their job or the agreed duties as detailed on the Fit Note from their GP. In the vast majority of cases it is anticipated this interview should be all that is required.

8.1.4. Dependent upon the length of the absence or frequency of previous spells of absence, it might be appropriate to help employees recognise, at the brief return to work interview, the impact their level or frequency of absence has had on the service and their colleagues. There is also an expectation at this Return to Work interview, if the employee's record demonstrates that the sickness triggers have been met, that colleagues(a)2 hed.



improve during the 6 months, the outcome letter will be disregarded after this period of time.

- 8.2.4. Following the First formal review, if the employee is absent from work for a further 5 days or 2 occasions within the 6 months' review period a further formal meeting must be held. This meeting should consider all the circumstances and representations from the employee. If the circumstances are accepted, then a further review period should be applied within which absence will be monitored.
- 8.2.5. If there is the possibility of an underlying medical problem, ask sympathetically, for as much information as is available, bearing in mind issues about confidentiality. In these circumstances, employees should be advised that a member of the Trust's HR Team is available for advice/assistance. In cases not referred at this stage, the detail of discussions with the Line Manager should be summarised in a letter to the employee and copied for file. Under the normal review process, if more absence is recorded then advice should be sought from the Trust's HR Team.
- 8.2.6. Information provided at Return to Work interviews or later Formal Interviews may indicate issues that could require the assistance of outside agencies. In these cases, advice should be sought from the Trust's HR Team who may direct employees to Occupational Health, external support providers or counselling services where appropriate.
- 8.2.7. An underlying medical condition, which appears to be having a significant and long-term effect upon an employee's ability to perform normal day to day activities, should warrant more detailed analysis. This could take the form of a referral for Occupational Health advice or consideration of reasonable adjustments or redeployment

Warning within the formal Sickness Absence Procedure that remains in effect for a period of 9 months from the date of issue. Should the individual's absence improve during the 9 months, the warning will be disregarded after this period of time.

8.2.9. Following a formal written warning if the employee is absent from work for a further 5 days or 2 occasions within the 9 months review period a further formal meeting must be held. This meeting should consider all the circumstances and representations from the employee. If the circumstances are accepted then a further review period should be applied within which absence will be monitored.

8.2.10. When a Written Warning has been issued then employees should be informed of their right to appeal against this level of warning.

### 8.3. Second Formal Attendance Review Interview (Stage 2)

8.3.1. A second meeting is held if there has been a failure to meet the attendance target set at the first formal meeting. A further attendance target and formal review period is set. This would most commonly be for a period of 9 months with a similar target as the first stage meeting.

8.3.2. Opportunity should once again be given for the employee to be accompanied by a Trade Union representative or work colleague.

8.3.3. In cases where absence is persisting, a likely date of return needs to be established. This may be obtained by either contacting the individual's G.P. (with the employee's consent) or after liaison with the Trust's HR Team, when the employee will be required to attend a medical assessment with the Occupational Health service.

8.3.4. Where permission to write to their G.P. is not given, decisions on a







9.3. The Trust aims to create, promote and maintain a workplace environment that supports the health and wellbeing of all staff through workplace practices, and encourage staff to take responsibility for their own health and wellbeing.



## 9.4 Wellbeing Resources

9.4.1 The Trust utilise the Nexus Portal to distribute useful resources and information linked to health, wellbeing and happiness

9.4.2 We recognise that whilst employees can be supported within the Trust, advice from external professionals may need to be sought. Alongside

# Appendix A: Summary of absence review process



This form should be completed and returned to the school officer where there has been short -term illness of up to 7 calendar days. Any absence over 7 calendar days will require a Medical Certificate.

| About you   |  |
|---|--|
| Name:   |  |
| Job Title:  |  |
| School:   |  |
| About your illness  |  |
| Please give brief details about the nature of your illness. Stating "unwell" or "sickness" is not sufficient. |  |
| Have you consulted your Doctor about your illness?  |  |
| Please provide the name and address of your Doctor  |  |

# Appendix A: Summary of absence review process



All employees of Nexus MAT not in receipt of TUPE following conversion

|  |  |
|--|--|
| <p>First Formal Attendance Review Interview (Stage 1)</p>  | <p>A short term absence review trigger point is defined where a staff members record shows:</p> <ul style="list-style-type: none"> <li>• 3 occasions or 2 working weeks in a 3 month period (or school term, whichever comes first)</li> <li>• 4 occasions or 3 working weeks in a 6 month period</li> <li>• 5 occasions or more in a 12 month period</li> <li>• A continuous absence over 20 working days</li> </ul>                    |
| <p>Second Formal Attendance Review Interview (Stage 2)</p> | <p>Following the First formal review, if the employee is absent from work for a further 5 days or 2 occasions within the 6 months review period a second formal meeting must be held.</p> <p>Following a formal written warning if the employee is absent from work for a further 5 days or 2 occasions within the 9 months review period a third formal meeting must be held.</p> <p>OH referral must be made no later than Stage 2</p> |
| <p>Third Formal Attendance Review Interview (Stage 3)</p>  | <p>Those employees, whose absence records do not show the necessary sustained improvement, and there has been a failure to meet the attendance target set at the second formal meeting and a failure to improve their attendance over a sustained period of time. A potential outcome of this meeting is dismissal on the ground of unsatisfactory attendance.</p>   |

DONCASTER METROPOLITAN BOROUGH COUNCIL

# Appendix A: Summary of absence review process



## ROTHERHAM METROPOLITAN BOROUGH COUNCIL

|  |  |
|--|--|
| <p>First Formal Attendance Review Interview (Stage 1)</p>  | <p>A short term absence review trigger point is defined where a staff members record shows:</p> <ul style="list-style-type: none"><li>• 3 occasions or 2 working weeks in a 3 month period (or school term, whichever comes first)</li><li>• 4 occasions or 3 working weeks in a 6 month period</li><li>• 5 occasions or more in a 12 month period</li><li>• A continuous absence over 20 working days</li></ul> |
| <p>Second Formal Attendance Review Interview (Stage 2)</p> | <p>Following the First formal review, if the employee is absent from work for a further 5 days or 2 occasions within the 6 months review period a second formal meeting must be held.</p> <p>Following a formal written warning if the employee is absent from work for a further 5 days or 2 occasions within the 9 months review period a third formal meeting must be held.</p>                               |

# Appendix B: Return to work interview form



| Employee Details                               |      |      |
|--|------|------|
| Name:  |      |      |
| Job Title:                                     |      |      |
| School:  |      |      |
| Absence Details                                |      |      |
| What day & date did your employee resume work? | Day: | Date |
| Self - Certification Check                     |      |      |

# Appendix B: Return to work interview form



|  |
|--|
|  |
|--|

Manager comments/concerns raised including recommendations for future actions/referrals:

|  |
|--|
|  |
|--|

### Line Manager Authorisation/Sign off

Manager's Signature:

Print Name:

Position:

Date:

If you are not the immediate line manager of the employee, please sign here and ensure that this form is also signed by the employee's line manager.

Signature:

Print Name:

Please ensure that a copy of this form is included on the personal file of the employee.



## Introduction

Management responsibilities primarily consist of ensuring employees are fit to be at work and are not put at risk from work practices, equipment or the work environment. In order to discharge these responsibilities a number of steps are required to ensure both the employee and the employer have confidence that issues of sickness absence are managed properly.

Listed below are the anticipated steps you will need to ensure are in place to discharge your responsibilities under the Sickness Absence Procedures:

### Telephone contact

Arrangements should be communicated to employees, normally on appointment and as part of the induction process, which outline the steps an employee is required to take to inform the service if they are unable to attend for work.

The employee makes first contact with work by telephone, verbal contact should be made rather than sending a text message or e-mail, ideally before the time they normally start work, or as soon as practicably possible so that contingency plans can be put in place to cover for the absence. Generally a specific contact name is provided who should be contacted by a designated time. In most cases, this should be the school office. If the manager is not the person by whom the contact should be made, the manager should be contacted by telephone.



proceedings or come back to the employee later that day after seeking telephone advice.

The review at this initial stage to consider an appropriate way forward should take into account matters such as:-

- the length of the various absences and periods of good health in between;
- the likelihood of the current level of absence recurring or some other illness arising;
- the impact on those who work with the employee and the overall effect on the school and its children and young people;
- the likelihood of suitable alternative employment being available or acceptable.

Line Managers or Supervisors should NOT be issuing official cautions at brief Return to Work interviews.

You should, however, be able to judge the circumstances applicable to an individual and deal with them reasonably in this first brief review of sickness absence. It would be appropriate to point out to an employee, where their record is giving cause for concern that further absence could result in a formal review with yourself or a more senior officer in the Trust. In some cases, especially where long term conditions or frequent related absences are recorded, it may be necessary to refer employees for a medical opinion from the Occupational Health service. Employees should be reminded of this requirement at an appropriate return to work interview so that the referral, when this is made, does not worry the employee unnecessarily.

Where an employee has had previous absence it would be appropriate for Line Managers to make early intervention in the management of the sickness absence. Employees who have further time off for a pre-existing condition or where previous warnings for sickness absence have been issued, should be kept under close review.

### Referrals

In certain circumstances the frequency, length or reasons for absence will require the case being dealt with under the formal procedure. This could be with the Headteacher/Senior Manager as a formal interview and may, if considered appropriate, include an officer of the Trust's HR Team to advise on a suitable approach to the circumstances of the case. One such response may be to request the employee to attend a referral to Occupational Health if a professional medical opinion is felt necessary. The Headteacher/Senior Manager should prepare information about the job and absence record to accompany the letter arranging the



Headteachers/Senior Managers are unsure of the appropriate steps then advice on possible courses of action should always be sought from the Trust's HR Team.

As deemed appropriate throughout the period of absence it may be necessary to require an employee to attend a meeting to discuss their long term absence from work. This meeting would normally be at a work location but in certain circumstances, dependant on the nature of the medical condition, or views of the employee and their representative, this could be held at the employee's home or a neutral location.

The meeting is an opportunity to re-establish face to face communications with an absent employee and to determine an appropriate way forward. There is a Sickness Interview Form to assist Senior Managers through formal reviews.

The detail of the discussion should include the following: -

- An indication of the likely medical prognosis;
- A formal record of the status of the absence;
- Detail of medication being prescribed;
- Explain next steps e.g;
  - Continue recuperation,
  - Set date for review,
  - Consideration of reasonable adjustments/modifications,
  - Potential for formal visits or phased return to work,
  - Arrange medical.

Following the meeting a letter confirming the discussions held should be sent to the employee.

### Rehabilitation to work

It is important for Senior Managers to consider taking positive steps to re-integrate employees back into work at the earliest available opportunity. This could include consideration of a return to work in a supernumerary capacity to perform some work within their setting prior to returning to their job.



## Appendix C: Guidance notes



In more fundamental restrictions to normal day to day activities the modification or adjustment may become permanent. Advice on these matters should always be sought from the Trust's HR Team. The Trust seeks to make balanced judgements in these circumstances and therefore the advice of Human Resources will endeavour to promote a consistency of approach and identify access to potential providers of support.

Alternatively, consideration may be given to researching redeployment options into suitable alternative employment in the same or other service.

### Redeployment

Redeployment to other work is to be considered a serious potential opportunity to be assessed by Headteachers/Senior Managers and the Chief Executive Officer (who has oversight of all academies/settings within the MAT). Such considerations need to have due regard to available posts matched against the skills, qualifications, and capabilities of the redeployed e 12.6 (e)3ive Of (ns)3 t thento he(a. (t)/TT2 16 f (m83r)7 (a)2 (t)10g





Government or Teachers' Pension Scheme can still establish a retrospective entitlement to their pension benefits .

Employees who are not members of the Local Government or Teachers' Pension Scheme should be issued with notice to terminate their employment, as they will not be eligible to any pension benefits on permanent or frequent ill health that prevents them from performing the duties of their job. They should be made aware that they could be eligible to receive one or more of the range of state benefits.

Employees should be notified that they do have the right to appeal against this decision within 7 days of the date they receive the letter.

## Access to Medical Reports Act 1988- Explanatory Note for Employees

This note sets out your statutory rights under the access to Medical Reports Act 1988 and explains the procedure for applying these rights.

Nexus Multi Academy Trust cannot apply for a medical report from a doctor who has been responsible for your physical or mental health care without your consent. Furthermore, the consent form asks, in accordance with the Act, whether you wish to see the report before it is sent to the Trust.

The Trust (via the employing school/academy, unless centrally employed) will inform your doctor of the fact that they wish to access your medical report and will notify you of the date that the application for the medical report is actually made.

You then have twenty-





- To ensure that conditions in the workplace do not make menopausal symptoms worse and that appropriate adjustments and support are put in place, recognising there is no 'one size fits all' solution.
- To reduce sickness absence due to menopausal symptoms and retain valued staff in the workplace.

## 2. Roles and responsibilities



## Women's Health Concern

## Appendix G: What to do when you are ill

Below is the general guidance on what to do when you are ill. Each of our schools may have a slightly different approach and you should follow your own school's guidance.

|                                      |   |
|--------------------------------------|---|
| 1 <sup>st</sup> Day/Spell of Absence | <ul style="list-style-type: none"><li>- Contact your Line Manager by telephone on the 1<sup>st</sup> day of absence with as much notice as possible.</li><li>- You must make contact BEFORE your normal start time.</li><li>- If you are unable to contact your Line Manager please leave a message on the school answer machine – please indicate your likely return to work.</li><li>- Complete the Nexus SelfCertificate on return to work and HAND IT PERSONALLY to your Line Manager</li></ul> |
| 4 <sup>th</sup> Day                  | <ul style="list-style-type: none"><li>- Ring your Line Manager again – indicate likely return</li><li>- Complete the Nexus SelfCertificate</li></ul>  |