Sickness Absence Policy



The Stour Federation

1. TERMS OF REFERENCE

1.1. For all employees employed by the Trust Board of The Stour Federation.

1.2. Definitions:

"Headteacher" also refers to any other title used to identify the Headteacher, where appropriate, or other senior manager delegated to deal with the matter by the Headteacher.

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

2. INTRODUCTION

2.1. The Trust Board recognises its responsibility for the health, safety and welfare of its employees. This Sickness Absence Policy sets out procedures for reporting sickness absence and for the management of sickness absence in a fair and consistent way. This policy places emphasis on proactive support for employees in the event of ill health difficulties and/or where their symptoms are impacting upon work. This policy does not form part of any employee's contract of employment and it may be amended at any time. Procedures set out in this policy, including any time limits, may be varied as appropriate in any case.

2.2. It is the responsibility of management to monitor sickness absence and to respond effectively to actual and potential problems. The Trust Board has standards for attendance for employees as it does for pupils. It is the responsibility of the Headteacher and all levels of management to ensure these standards are achieved and to raise awareness of the effect of sickness absence levels on the quality and continuity of teaching and learning and other aspects of the effectiveness of the work of the Trust Board. In addition, managers have a clear obligation placed on them to identify and address problems in the work environment and/or job factors that may be contributing to employee absence.

2.3. Sickness absence can vary from short intermittent periods of ill-health to a continuous period of long-term absence and have a number of different causes (for example, injuries, recurring conditions, or a serious illness requiring lengthy treatment). Long-term absence is normally defined as any continuous period of sickness exceeding 28 calendar days.

2.4 The Trust Board is committed to creating an environment where employees are able to raise concerns about their health and any impact upon work, and to ask for support and appropriate adjustments. Should managers notice a change in an employee's behaviour/ability whilst in the workplace then they should discuss this with the employee to see if there is a health condition they are not aware of and whether any support needs to be provided.

2.5. The Headteacher is responsible for monitoring the implementation of the procedure to ensure that the procedure is communicated to employees and that it is applied consistently. Levels of sickness absence will be monitored and will record the average number of working days lost due to sickness per full time equivalent employee and identify areas where the work of the school, in particular the continuity of teaching and

learning, is being affected by absence levels. This will include a breakdown of total absence into long-term absence (normally more than 28 days) and short-term absence and reasons for absence. The information [and an equality analysis by protected characteristic (where declared)] will be reported to governors on an anonymised basis. The procedure sets out the steps which the Headteacher and line managers will normally follow when employee's sickness absence occurs.

2.6 The Trust Board will review this policy annually (or sooner if required) in light of absence trends, equality findings and legislative changes, and will consider whether additional health-and-wellbeing initiatives are warranted.

2.7 Where absence is directly related to an employee's disability, the school may, at its discretion, authorise *Disability Leave* rather than sickness absence. Disability Leave covers pre-agreed time off for treatment, rehabilitation or adjustments and does not trigger the sickness-absence stages set out in this procedure. Arrangements will be reviewed regularly to ensure they remain reasonable and effective.

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

2.9 In normal circumstances, the following will apply:

Activity	Managers Authorised (add job titles)
Return-to-Work discussions	Headteacher
Informal Sickness-Absence Meetings	Headteacher
Stage 1 Meetings	Headteacher
Stage 2 Meetings	Headteacher (or Governors' Committee if Headteacher chaired Stage 1)
Appeal against Stage 1 outcome	Different Senior Manager to original decision-maker

3. ENTITLEMENT TO SICK PAY

3.1 Statutory Sick Pay (SSP)

3.1.1 From 6 April 2026, SSP is administered in accordance with the Employment RIgths Act 2025 and associated regulations.

3.1.2 Under the statutory scheme:

- SSP is payable from the first qualifying day of sickness absence. The previous three unpaid "waiting days" no longer apply.
- All employees are eligible for SP regardless of their level of earnings, subject to meeting the statutory conditions of entitlement. The Lower Earnings Limit no longer applies.
- SSP is paid at the lower of:
    - The statutory flat weekly rate (as set annually by the Government): or
    - 80% of the employee's normal or average weekly earnings, calculated in accordance with statutory rules.

3.1.3 SSP is payable for up to the maximum statutory entitlement period and is subject to the prevailing legislation and government guidance in force at the time of absence.

3.1.4 Where the School provides contractual or occupational sick pay, SSP is incorporated within that payment and is not paid in addition to contractual sick pay, unless expressly stated otherwise. Contractual sick pay will therefore be offset by any SSP due for the same period.

3.1.5 The School reserves the right to adjust the administration of SSP to reflect future legislative changes. Employees will be notified where any such changes materially affect their entitlement.

3.2 Support Staff

3.2.1 Subject to the provisions of the scheme a member of staff who is absent from duty owing to illness shall be entitled to receive, in any twelve month period, contractual sick pay, as follows provided that the employee complies with the School's absence notification requirements and produces self-certificates and/or doctors statements as required:

During first year of service	One month's full pay and, after completing four calendar months' service, two months' half pay.
During second year of service	Two month's full pay, two months' half pay.
During third year of service	Four months' full pay, four months' half pay.
During fourth and fifth years of service	Five months' full pay, five months' half pay.
After five years' service	Six months' full pay and six months' half pay.

3.2.2 Full details of the contractual sick pay scheme, and Statutory Sick Pay where entitled, are set out in the national agreements referred to under the General Conditions above.

3.3 Teaching Staff

3.3.1 Subject to the provisions of the Conditions of Service for School Teachers for England and Wales (The Burgundy Book), as amended from time to time, a teacher absent from duty owing to their illness (which term is deemed to include injury or other disability) shall be entitled to receive in any period of one year sick pay in accordance with the following scale.

During first year of service	25 working days full pay and, after completing four calendar months' service, 50 working days half pay.
During second year of service	50 working days full pay, and 50 working days half pay.
During third year of service	75 working days full pay, and 75 working days half pay.
During fourth and successive years of service	100 working days full pay, and 100 working days half pay.

3.3.2 Working days' refers to the 195 days on which a teacher is required to work in accordance with the School Teachers' Pay and Conditions Document.

4. EMPLOYEES' RESPONSIBILITIES

4.1 Employees must attend work when fit to do so.

4.2 Employees must follow The Stour Federation sickness absence procedures:

4.2.1 An employee who is prevented by illness or injury from reporting for duty shall personally notify the nominated person at their home school as soon as possible by telephone as early as possible on the first day of absence. The following details should be provided:

a. The nature of the employee's illness/injury.
b. The expected length of absence from work.
c. Current contact details.
d. Any outstanding or urgent work that requires attention.

4.3 If an employee does not report for work, and has not explained the reason for absence, then the employee should expect to be contacted by telephone, email, letter or text during the period of absence by the employee's line manager, who will want to enquire after the employee's health and be advised, if possible, as to the employee's expected return date. This must not be treated as a substitute for reporting sickness absence. Absence that has not been notified in accordance with the sickness absence reporting procedure will be treated as unauthorised absence.

4.4 All contact during sickness absence will be conducted in a supportive and non-intrusive manner. Contact will not be used to discourage legitimate absence, and reasonable account will be taken of the employee's health condition.

4.5 All employees must complete a self-certification form detailing the reason for absence for any period of sickness absence up to seven calendar days. The self-certification form can be obtained from the school office and must be completed immediately on return to duty and returned to the school office.

4.6 A medical certificate (a 'Statement of Fitness for Work' hereinafter called a 'Fit Note') must be provided from the eighth day of absence (including Saturdays and Sundays, Bank Holidays and other school closure periods). This should be provided to the line manager as soon as possible and, if absence continues further, Fit Notes should be provided to cover the whole period of absence. Failure to do so may result in non-payment of sick pay (where applicable) and/or disciplinary action if appropriate.

4.7 Employees must continue to submit Fit Notes during school closure periods.

4.8 The school may take a copy of the Fit Note for their records and return the original copy to the employee.

4.9 An employee shall, if required at any time, attend an Occupational Health (OH) or other medical appointment/examination by a registered medical practitioner nominated by the school.

4.10 Employees should inform their line manager if they are experiencing any difficulties in the workplace due to a health condition so that this can be discussed and support identified and as well as any other action points e.g. a referral to Occupational Health.

Early notification will help line managers to determine the most appropriate course of action to support an employee's individual needs.

4.11 There may be some instances where the employee may be reluctant to discuss this with their line manager because of the nature of their condition. Where employees who do not wish to discuss the issue with their direct line manager, they may find it helpful to have an initial discussion with a trusted colleague or another manager, mental health first aider or trade union representative if there is one in the workplace. This discussion should support in identifying an appropriate senior manager with whom sufficient information can be shared to enable the employee to be supported, risks and any absences to be managed and reasonable adjustments to be put in place if required.

4.12 It is recognised that employees may need support and adjustments at work before the menopause (known as the perimenopause) as well as during and after the menopause and they are encouraged to raise this as outlined in 4.9. It is understood that the menopause and perimenopause is an individual experience. Therefore, the age an employee experiences symptoms can vary significantly as well the type of symptoms, severity of symptoms as well as the adjustments required. (please see our Menopause Policy for further information.

5. REIMBURSEMENT OF COST OF DOCTORS' STATEMENTS

5.1 Where the Headteacher requires a medical certificate ('Fit Note') from an employee, the employer shall, on provision of a receipt, reimburse the employee if a charge is made for the Fit Note.

6. ILLNESS OR INJURY ARISING FROM WORK

6.1 Any accident arising out of, or in the course of, employment with the school must be reported and recorded in accordance with the required procedures. The accident may be subject to investigation and reported by an employee authorised for this purpose by the school.

6.2 Where an employee seeks medical advice about an illness which is suspected or alleged to result from the nature of his or her employment, the employee must report relevant information to the Headteacher or Senior Manager at the first opportunity.

6.3 In the case of the first, and any subsequent, absence due to industrial disease or accident an employee shall agree, at any time during such absence, if so required by the employer, to a medical examination by a registered medical practitioner nominated by the school.

7. GENERAL RETURN TO WORK ARRANGEMENTS

7.1 Phased returns

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

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

Regular check-ins will be conducted throughout the phased return period to review arrangements and support.

7.2 If the employee returns to work with a Fit Note which states 'may be fit for work', the employee should notify their manager immediately. The advice on the note will be discussed together with any additional measures that may be needed to facilitate the employee's return to work, taking into account the doctor's advice. Consideration will be given as to how the advice impacts the employee, the job, the workplace, service delivery, pupils and colleagues. The doctor's comments, any of the return to work tick boxes and any other action that could facilitate a return to work will be considered with due regard to the Equality Act 2010. Options may include:

- Phased return to work;
- Altered hours;
- Amended duties;
- Consideration of redeployment;
- Workplace adaptations;
- Other reasonable adjustments.

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

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

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

7.6 Employees may at any time initiate a confidential self-referral to the School's Occupational Health (OH) provider if they believe a medical, psychological, or musculoskeletal condition is affecting (or may soon affect) their attendance or ability to perform their role. The OH service will:

- Assess fitness for work and advise on support measures or adjustments.
- Provide the employee with a copy of the report before it is shared with management.
- Send management advice only (not clinical detail) to the relevant manager and HR, subject to the employee's written consent.

The cost of an agreed self-referral will be met by the School. Contact details and the referral form are available from the Headteacher.

7.7 Consistent with the Equality Act 2010, employees who have—or believe they may have—a disability may request reasonable adjustments at any point, particularly when:

- Their health condition or its impact changes;
- Their job role, duties, or working environment changes; or
- They are returning from sickness absence and adjustments are needed to facilitate a safe, sustained return.

Requests may be made to the schoo, who will:

- Acknowledge the request within five working days;
- Seek further information (including OH or GP advice) where necessary;
- Consult with the employee on potential adjustments—e.g. equipment, working-time changes, phased return, or temporary redeployment;
- Confirm agreed adjustments in writing, including a review date (normally within eight weeks); and
- Record the adjustment plan in a confidential "wellbeing passport" so that it moves with the employee if their role or manager changes.]

8. PROBATIONARY PERIODS FOR SUPPORT STAFF

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

8.2 There is a separate Probation Policy for teachers.

9. UNAUTHORISED ABSENCE/FALSE INFORMATION

9.1 Unauthorised absence will be dealt with under the Disciplinary Procedure and could result in disciplinary action which may include dismissal.

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

10. ATTENDANCE AT MEETINGS

10.1 The employee must take all reasonable steps to attend meetings. Failure to do so without good reason may be treated as misconduct. Employees will not be entitled to attend informal meetings under this policy with a trade union representative or workplace colleague. At all formal meetings employees may be accompanied by a Companion (see Terms of Reference). If the employee (and/or their companion) is unable to attend at the time specified the employee should immediately inform their line manager who will normally seek to agree an alternative time. Meetings will not normally be postponed beyond five working days. Depending on the circumstances, if an employee indicates that they are too unwell to attend a formal or informal meeting they will be given the option to:

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

10.2 If an employee fails to communicate their wishes with regard to the above, the meeting may take place in their absence with the outcome communicated to them in writing. Meetings will not, in normal circumstances, be postponed beyond five days unless there is medical evidence that the employee is not medically fit to take part by any of the means described in clause 10.1 and, even if this is the case, the employer reserves the right to proceed with any necessary steps required to manage the specific case including holding meetings notwithstanding, as appropriate.

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

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

11. INFORMAL PROCEDURE

11.1 Return to Work Discussion

The line manager will normally have a discussion with the employee as practicable—ideally within 48 hours—after any period of sickness absence, even where the absence is brief and below the formal trigger thresholds. The purpose of this discussion is to:

- Welcome the employee back and check on their wellbeing.
- Understand, in confidence, the reason for the absence (without pressuring for medical detail) and confirm that the correct reporting steps were followed.
- Identify any work-related or personal factors that might affect future attendance or performance.
- Explore early support or reasonable adjustments (for example, flexible duties, equipment, phased hours or an Occupational-Health referral), even if formal thresholds have not yet been reached. This proactive approach helps prevent issues from escalating.
- Clarify the employee's current fitness to undertake normal duties, any temporary restrictions, and agree a review date if needed.
- Provide the employee with a safe space to raise questions or concerns.

11.2 Informal Sickness Absence Meetings

Informal sickness absence meetings may be arranged with employees whenever it is considered necessary including, for example, if the employee has had:

- **A total of 7 working days absence within 1 term.**
- **10 working days within 3 terms.**
- **3 occasions of absence within 1 term; or**
- **Unacceptable patterns of absence.**

Where absence is related to a disability, the School will actively consider whether reasonable adjustments, modified trigger points, disability leave, or alternative support mechanisms are appropriate, informed by Occupational Health advice. Certain conditions are recognised as a disability such as cancer, HIV, MS and Occupational Health can advise if other conditions are likely to be covered e.g. migraines, menopause.

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

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

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

The line manager will, in normal circumstances, use the Sickness Absence Meeting Proforma at Appendix A as the agenda for the meeting and will record salient points. The employee will be given a completed signed copy after the meeting.

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

11.3 Monitoring Period following Informal Sickness Absence Meeting

After conducting a sickness absence meeting, the line manager will review or monitor the employee's attendance for a further period, normally this will be for a period of not less than four working weeks and no longer than 14 working weeks. Further informal meetings may take place during the monitoring period if there are further instances of sickness absence. A formal meeting may be convened at any point during the monitoring period should the level of sickness absence reach the agreed trigger threshold, regardless of whether the period has concluded.

The line manager will:

- Assess the employee's absence record and its impact;
- Attempt to establish reasons for any on-going absence/s;
- Offer any assistance to the employee (e.g. Occupational Health, Employee Assistance/Counselling);
- Consider what, if any, measures might improve the employee's health and/or attendance with a view to supporting the employee and improving the employee's attendance record.

During the monitoring period the Headteacher/line manager may require that any period of absence is covered by a medical certificate (Fit Note). If the employee has a fit note which states 'may be fit for work', the process in 6.2 will also be followed. If the suggested support cannot be reasonably accommodated in order to facilitate the

employee's return to work, a decision may be made to move to the formal part of the procedure.

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

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

12. FORMAL PROCEDURE

12.1 Stages in the Process

There are two stages in the formal process. The type of case (i.e. short or long-term absence) will determine the need to move either through the stages (short-term absence), or, in some circumstances, directly to Stage 2 (long-term absence). The procedure can end at any point in the process if there is sustained improvement. If further unacceptable periods of absence arise within 12 months of a Stage 1 meeting being held, the procedure may resume at Stage 2.

12.2 Preparation for Stage 1 Formal Meeting

An appropriate manager will arrange a formal meeting with the employee and give them notice of 5 working days, in writing, of:

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

12.3 Stage 1 Meeting

At the Stage 1 meeting the appropriate manager will explain the purpose of the meeting. The following points are by way of guidance only:

- Discuss the reasons, including any underlying causes for the employee's absence;
- Explain how the employee's attendance has been assessed as unacceptable and the effect on teaching and learning, service delivery and colleagues;
- Review the results of the informal procedure, including any measures taken to support the employee so far. Include any reasonable adjustments if appropriate, any work related issues and consider the content of any medical reports and advice received;
- Discuss the likelihood of further absences, if absent on a number of occasions or how long the absence is likely to last, if absent on long-term sickness absence;

- Seek agreement from the employee for a referral to Occupational Health if this is required and/or appropriate in the circumstances;
- Consider the employee's ability to return to/remain in their job in view both of their capabilities and the school needs and any adjustments that can reasonably be made, if appropriate, to their job to enable them to do so;
- Consider possible redeployment opportunities and whether any adjustments can reasonably be made, if appropriate, to assist in redeploying the employee;
- Where the employee is able to return from long-term sick leave, whether to their job or a redeployed job if possible and/or appropriate, agreeing a return to work programme;
- Give the employee and/or any Companion the opportunity to explain any mitigating circumstances;
- If appropriate, inform the employee that they may wish to consult their pension scheme provider with regard to ill health benefits;
- Discuss the way forward and determine an action plan that clearly identifies:
    - the improvements necessary to achieve satisfactory levels of attendance;
    - the timescale for improvement;
    - how attendance will be measured/monitored;
    - any additional support/training to be provided; and
    - the review period, (normally between four and fourteen working weeks).

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

- Confirm the action plan in writing; and
- Advise the employee that if they fail to achieve the improvements in the review period then, unless the circumstances otherwise require, a Stage 2 meeting will be arranged where dismissal will be considered;
- Confirm the employee's right to ask that another Senior Manager or Governor/s (as appropriate) review/s the decision at an appeal meeting. Any appeal should be made in writing to the employee's line manager within 5 days of the date on which the decision was sent to the employee.

12.4 Stage 1 Review Period

The appropriate manager will ensure that during the review period the employee's attendance is closely and objectively monitored. Normally, if practicably possible, weekly supervision meetings (during directed time in the case of teachers) will be held between the employee and the appropriate manager to ensure:

- Effective monitoring;
- Appropriate support is given to the employee;
- Positive feedback is given where possible; and
- If further periods of non-attendance are identified, the reasons are discussed.

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

12.5 Stage 1 Review Period Evaluation

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

The decision to take no further action will be confirmed by the appropriate manager in writing, normally within 5 working days of the end of the review period. This letter will

also confirm that the improved attendance must be sustained consistently during the next 12 months and explain that if there are further unacceptable periods of absence the Sickness Absence Procedure may be invoked at Stage 2. A copy of this letter will be kept on the employee's personnel file for 12 months.

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

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

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

12.6 Preparation for a Stage 2 Meeting

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

- The reason for the meeting, outlining the outstanding concerns about the employee's level of attendance due to ill-health;
- The time, date and location of the meeting;
- Who will be conducting the meeting and who else will be present;
- Any documents to be referred to, which may include, as appropriate, previous action plans, notes of the monitoring process, copies of reports received from Occupational Health or other medical specialists;
- The employee's right to be accompanied by a companion as above, to call other parties and to refer to any documents they wish, copies of which should be sent to the appropriate manager at least 2 days in advance of the meeting; and
- The possible consequences of the meeting, i.e. that it may result in the employee's dismissal, if appropriate.

12.7 Stage 2 Meeting

At the meeting the Headteacher may (with advice from an HR Adviser where necessary) and by way of guidance only:

- Explain the purpose of the Stage 2 meeting
- Ask the appropriate manager to outline:
    - The ways in which the employee has been assessed as not meeting the expected levels of attendance due to ill-health;
    - The process so far under the sickness absence procedure;
    - Any opportunities for return or redeployment that have been identified and where identified, the outcome of discussions with the employee.
- Review, as appropriate:
    - Levels of attendance expected;
    - Notes of the formal Sickness Absence meetings, records of home visits or other meetings plus any other information relating to the informal action taken;
    - The previous monitoring of attendance and steps taken under any appropriate action plans;
    - Relevant and timely medical advice received from Occupational Health or other medical specialists; and
    - Measures taken by management to support the employee, e.g. reasonable adjustments if applicable.

- Discuss with the employee and their companion whether the employee has been assessed as achieving the required improvements in attendance;
- Review the effect of the unsatisfactory level of attendance on teaching and learning, service delivery and work colleagues;
- Explore, as appropriate, the potential for the employee to achieve a sustained improvement in attendance;
- Give the employee and/or their companion the opportunity to answer the points made and to give an explanation or put forward any mitigating circumstances.

In circumstances where the Headteacher has assumed the role of the appropriate manager at an earlier stage or does not have delegated power of dismissal, a Governor/Committee of Governors will assume the role of the Headteacher as set out above.

12.8 Stage 2 Decision

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

- To take no further action under the procedure;
- To set a further/final review period to allow for additional monitoring and/or additional management support. A further Formal Stage 2 meeting may be held at the end of this review period. If attendance is not satisfactory by that time then the employee may be dismissed; If, at the end of this review period, the employee's level of attendance has improved to acceptable standards, no further action will be taken under this procedure, unless an acceptable level of attendance is not sustained during the next 12 months. If there are further unacceptable periods of absence the Sickness Absence Procedure may be invoked at Stage 2. A copy of the letter outlining this will be kept on the employee's personnel file for 12 months.
- To dismiss the employee for lack of capability due to ill-health, ensuring that alternative work options have already been explored or will be explored during the employee's notice period, that there is no prospect of their return within a reasonable timeframe, or that they will be able to achieve or sustain their attendance.

12.9 Dismissal

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

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

- That they have been dismissed;
- The grounds for dismissal and the reasons;
- The required contractual or statutory notice due (or payment in lieu of notice where applicable) and the date the dismissal will be effective;
- The employee's right of appeal against the dismissal to an Appeal Committee of the Trust Board.

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

10.10 Appeals

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

The Appeal Committee of the Trust Board has the authority to:

- Uphold the appeal (i.e. to reinstate the employee);and/or
- Issue a lesser level of management action, e.g. to:
    - Drop the formal process;
    - Refer to a lower stage in the formal process; and/or
    - Reduce standards of attendance or targets set in the action plan; or
- Dismiss the appeal, i.e. the decision to dismiss remains in force.

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

Appendix A: Informal Sickness Absence Meeting Record

This is the management record of a meeting held under paragraph 10 of the Sickness Absence Policy and Procedure. It is strictly confidential. It will be held on the employee's personnel file until such time as the employee's attendance is wholly satisfactory and for 12 months thereafter. The record may be accessed and referred to by those with authority to manage the informal and formal stages of the Sickness Absence Policy and Procedure. A Sickness Absence meeting is not part of the formal procedure and there is no entitlement for the employee to be accompanied or represented. The meeting will be held in private.

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

Details of Meeting

Key Points Discussed
Welcome and update, if necessary, on work events and changes
Reasons for Absence
Underlying medical condition?
The value of your contribution
The impact of absence on teaching and learning, service delivery and colleagues. How your work has been covered in your absence.
Are you fully recovered and able to resume full duties? Yes ☐ No ☐ If **no,** Manager should consider/ review: Confirmation of what strategies the employee is actioning to reduce absence? If seeking information from Occupational Health (OH) would be beneficial at this stage. Temporary adjustments to support sustained return to work and can reasonably be accommodated?

Action Plan

The objective is that attendance will be satisfactory to the employer. Is there anything we can do to improve your attendance, e.g., OH referral, counselling, a review of risk assessment, temporary or permanent reasonable adjustments to the workplace, working practices or working hours or training?
Is your absence in any way related to work?
Are you doing all you can to improve your attendance?
e.g., Act on medical advice, lifestyle choices, attention to work life balance, non-medical support e.g. counselling.
Fit note required for any period of absence during the monitoring period?
(see paras 3 and 10.3) Yes ☐ No ☐
Employee made aware of support available?
e.g., wellbeing contact, nature and frequency of keeping in touch communication established (for ongoing long term absence), employee assistance programme Yes ☐ No ☐

Review

Attendance will be reviewed in:			
4 working weeks ☐ 8 working weeks ☐ 12 working weeks ☐ other ☐ Date of review: Click here to enter a date. Please note that further absence during this period may, depending on the circumstances, mean that the review is held under Stage 1 of the formal procedure if appropriate. A timeline and expectations should be set and clearly communicated.			
Copy of Sickness Absence Policy and Procedure has been provided and process explained.			
Yes ☐ Date: Click here to enter a date. No ☐ (must be provided and explained prior to a formal meeting)			
Signature of Manager		Date	
Signature of Employee		Date	