



## SICKNESS ABSENCE POLICY

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**Guidance Documents (available in separate Sickness Absence Management Guidance Document)**

**Guidance Document 1-** Issues to Consider

**Guidance Document 2-** Frequently Asked Questions

**Guidance Document 3-** Procedure and Principles

**Guidance Document 4-** Sickness Absence Notification & De-brief Form (Schools)

# **SICKNESS ABSENCE MANAGEMENT POLICY**

## **1 INTRODUCTION**

**This policy was consulted on and agreed for use with all trade unions and teacher associations with the exception that the NASUWT, NUT and ATL were unable to agree with the changes to the sickness absence indicators.**

Good attendance by all employees is essential to the effective and efficient operation of academies/schools and the provision of education services. Effective sickness absence management is fundamental in the planning and provision of a quality service and to maintaining a healthy workforce and high morale amongst all employees. In order to achieve this it is important for staff Head teachers, managers, trade unions and professional associations to work together to provide support to employees as appropriate.

Attached are Guidance documents, which must be read in conjunction with the application of the policy and procedure. These notes provide further clarity on the context in which the policy and procedure has been developed and agreed.

## **2 SCOPE OF POLICY**

This policy applies to all teaching and support staff employed in schools.

This policy also applies to Head teachers and in these instances, the Chair of the Governing Body shall initially raise the matter with the HR Advisory Service.

This policy does not apply to agency staff or contractors; any issues of sickness absence relating to them should be referred to the agency or contractor.

***NOTE:** Unless specified otherwise in this policy, the term “Head teacher” is used generally to include a senior member of staff or other nominated individual with responsibility for managing staff absence. Where it is the sickness of the Head teacher the Chair will be responsible for managing this process.*

## **3 POLICY STATEMENT**

The Sickness Absence Management policy has been developed to provide a fair, consistent and supportive framework for the effective management of sickness absence. It also provides a structured procedure for dealing with cases where an employee’s sickness absence is cause for serious concern.

Employers have a duty of care to all employees and expect employees to attend work on a regular basis. This policy aims to provide a framework to achieve good attendance through supportive, firm, fair and consistent management. The policy is designed to balance the needs of the school with the needs of the employees who are ill with those employees who remain at work.

## **4 PRINCIPLES**

The principles behind the development of the policy are to develop a working environment and management style that:

- Values and encourages good attendance.
- Supports and respects the dignity of employees who are ill.

- Recognises and respects confidentiality in dealing with medical information and sickness absence.
- Treats employees in a fair, sensitive and consistent manner, recognising the individual circumstances.
- Make staff aware of the sickness absence policy on induction and ensure that attendance is considered against this policy as part of the probationary assessment and thereafter on an ongoing basis.
- Maintains accurate sickness absence records to identify absence issues at an early stage using this information and other appropriate information (e.g. medical reports) to objectively manage sickness absence.
- Is collaborative and open in approach with employees who are absent through sickness, ensuring early, regular contact and consultation about possible solutions to sickness absence.
- Ensures that appropriate medical advice is sought, when necessary, and acted upon.
- Distinguish between sickness incapacity and issues of conduct, addressing each separately on its own merit, through the appropriate procedure.
- Support Equal Opportunities for employees, by ensuring that staff are not unfairly discriminated against through the application of this policy.
- Enable the school to sustain a high quality of education provision.

## **5. ROLES AND RESPONSIBILITIES**

### **The Governing Body**

- (i) To ensure that the Policy and Procedure (including the Sickness Notification Procedure) is communicated to all staff and implemented at the school.
- (ii) To hear cases and any appeals arising from the implementation of the Policy and Procedure
- (iii) To ensure that the Head teacher/ Appropriate and suitably briefed member of staff carries out his/ her responsibilities in accordance with the Policy and Procedure.

### **The Head teacher**

The day to day management of sickness absence is the responsibility of the Head teacher but specialist advice from HR or Occupational Health Services may be called upon at any stage as appropriate.

The Head teacher may delegate responsibility for dealing with the initial stages of the procedure to appropriate senior designated and suitably trained member(s) of staff. This delegation will depend upon the reporting arrangements within schools and the specific circumstances of the individual absence issue.

The Head teacher has a crucial role in the successful management of sickness absence and a number of specific responsibilities to ensure compliance with the policy. These are:-

- (i) To know and understand the levels of attendance amongst employees. To ensure that sickness absence levels are recorded, monitored and information kept on the duration, frequency and reasons for sickness absence.
- (ii) To treat employees fairly and consistently in applying the Procedure, to adopt a consistent approach, which is seen to be fair to all employees. To take into account the individual's circumstances when reviewing sickness absence and deciding on what action to take.
- (iii) To take an interest in the health of employees and encourage good attendance and where health

problems are identified by either an employee or the Head teacher / Chair, to put in place support mechanisms that allow and encourage good attendance.

- (iv) To be alert and responsive to organisational difficulties. There may be organisational issues that are contributing to levels of sickness absence including working practices, the working environment, working relationships and organisational stress (including reference to the requirements of the Risk Assessment for Management of Stress – Schools). Head teachers need to demonstrate that they are addressing these issues where they have been identified as contributory factors.
- (v) To involve representatives in the process at the earliest possible opportunity. The support and involvement of representatives is an important component of managing sickness absence. Head teacher must give the opportunity for them to be involved at the appropriate stage of the procedure. This will reassure employees and increase their trust and confidence in the process.
- (vi) To ensure communication and understanding of the Sickness Notification Procedures. Head teacher shall ensure that all staff are informed of the sickness Notification Procedure and appreciate how it operates and why.
- (vii) To ensure appropriate contact with the employee is established and maintained.
- (viii) To ensure understanding of the role of Occupational Health. The WES HR Advisory Service will provide support and guidance for Occupational Health Referrals

### **The Employee**

- (i) To attend work when fit to do so.
- (ii) To comply with the Absence Management Policy, the Sickness Notification Procedure (Appendix 1) and to submit medical certificates to his/ her manager/ school at the appropriate times.
- (iii) To keep his/her School informed of the situation when absent from work including progress or changes in his/ her medical condition.
- (iv) To attend meetings with the Head teacher, HR and Occupational Health as required and to discuss sickness and health issues, as is reasonable and appropriate.
- (v) To provide a sickness notification as required, and staff should be aware that failure to do so may result in deduction of pay.

### **Occupational Health**

- (i) It is the responsibility of qualified medical practitioners and/or occupational health to make medical judgments regarding an employee's health and medical condition (not the school, or HR).
- (ii) The Council provides an occupational health service for the use of all schools who subscribe to the WES HR Advisory Service. Part of this service includes advice to Head teachers and employees in connection with the working environment, which may include specialist medical support, medical assessments and general support to assist an employee's effective return to work. This may on occasions involve "on-site" assessments.
- (iii) A counseling service can be made available. Schools should contact the WES HR Advisory Service in the first instance.

### **Human Resources\_(HR)**

- (i) To provide advice, guidance and support on issues of absence including the application of best practice, policies, training, networking, disability and redeployment. To act as technical advisers as required under the Procedure.
- (ii) To support schools in the management of sickness absence.

## **6 SICKNESS NOTIFICATION AND REPORTING PROCEDURE**

### **Sickness Notification**

A copy of the Sickness Notification and Reporting Procedure is attached (Appendix 1)

Each school shall adopt a clear Sickness Notification Procedure, which must be communicated to each member of staff. It is recommended that the Head teacher/ Appropriate and suitably trained senior member of staff issue all new employees, as part of their induction, a copy of the Sickness Notification Procedure.

Failure to comply with the Sickness Absence Notification Procedure may affect pay and can lead to disciplinary action. Appendices 2 and 3 provide details of the Sick Pay Schemes.

### **Sickness Recording**

To ensure effective sickness absence management there is a need to monitor and review the levels and reasons for absence in a regular, sustained and consistent way. All work areas/ schools must have arrangements in place to accurately record and monitor sickness absence. A copy of the Certificate of Sickness Absence Notification & Return to Work Form is attached in Guidance Notes 4 and 5. The sickness periods should be recorded on the Schools E-Absence system (or alternative systems used in other schools).

For sick pay purposes, sickness absence is reported in full days. In situations where an employee arrives for work but is unwell and unable to remain at work, this absence does not need to be reported for payroll purposes. However absences of this nature should continue to be recorded and monitored for absence management purposes against policy indicator points.

Employees who attend work then subsequently have to leave due to sickness absence during the course of the day should be treated as follows:

- If the employee has worked less than 50% of their expected contracted hours for that day, the absence should be recorded as a half-day's sickness absence.
- If the employee has worked 50% or more of their expected contracted hours for that day, the absence should not be recorded as sickness absence.

## **7. RETURN TO WORK CONTACT/ MEETING (informal meeting between the Head teacher/line manager and employee)**

Return to work contact should be made with each employee after every period of sickness absence. The Head teacher/ appropriate/suitably briefed member of staff must do this as soon as possible on the first day of return in order to, (where this is impractical the meeting should take place within 3 days):

- a) Confirm the reason for the absence (for recording purposes);
- b) Ensure that the employee feels fit and well enough to return;
- c) Update the employee on any work related issues;
- d) Discuss any advice offered on the employees 'Fit Note' or support that may be needed (see Guidance document Q&A 10);

e) Highlight if a sickness indicator has been reached.

This provides an informal opportunity to discuss the absence and any issues arising, to explore if there are any underlying causes and to identify any areas where support may be needed. The return to work interview form should be completed during this meeting including identifying exactly why the employee had been absent (with appropriate absence reasons)

These discussions do not constitute the formal part of the Procedure but are part of the basic supervisory relationship. As such, a trade union representative would not normally need to be in attendance. Following an employee returning to work after a prolonged absence it may be beneficial to have regular sickness review meetings which are not “formal action”. These meetings would give the opportunity to keep the employee’s health management under review.

### **Application of the Policy**

At each stage of the policy there must be clear communication and understanding of what agreed actions/improvements are required by the employee to enable progress through or exit from the process.

## **8. ARRANGEMENTS TO MONITOR AND MANAGE SICKNESS ABSENCE**

### **Sickness Absence Indicators**

#### **Short Term Absence**

Sickness absence levels for individuals are monitored on a twelve month rolling period. The indicator point at which the Head teacher or appropriate and suitably briefed member of staff are required to consider the employee’s sickness absence is where an employee has accumulated:

- 3 or more episodes of sickness absence in a rolling 6 month period
- 5 or more episodes of sickness absence in a rolling 12 month period
- 10 days or more (covering 1 episode or several episodes of sickness absence) in a rolling 12 month period
- Where there is a cause for concern regarding an employee’s health or there is a particular pattern of absence that has not yet reached one of the indicator points above (for example Monday and/or Friday absence). In this instance guidance should be sought from the HR Advisory Service.

Only working days are counted in the rolling period that is defined as the 6 or 12 months prior to the first day of absence in any absence.

#### **Long Term Absence**

- A continuous period of four weeks absence.

Along with support from the HR Advisory Service, advice on addressing long term absence can be found in the Sickness Absence Management Guidance document.

If an indicator point is reached it will require the situation to be considered to determine what action, if any is appropriate. The fact that an indicator point is reached does not in itself, indicate that an employee’s attendance is unacceptable or that any formal action will be taken. It is necessary to consider a range of options and make appropriate decisions with discretion and sensitivity.

## **9. RIGHTS OF REPRESENTATION**

Employees should be reminded of the right to be accompanied by a recognised trade union representative (or a person approved by the trade union) or a work colleague nominated by the employee in writing, during each stage of the procedure. In particularly sensitive and personal sickness absence cases, the Head teacher may exercise discretion in allowing the employee to be supported at meetings by parties not covered by the description in this paragraph e.g. family members. Copies of all model letters to support this policy can be found in the Policy Guidance document.

### **Setting up and Re-organising Meetings**

Where possible, the school should allow the employee's trade union representative or work colleague (companion) to have an involvement in the setting of the date and time of a hearing. If the companion cannot attend on a proposed date, the employee can suggest an alternative time and date so long as it is reasonable and it is not more than five working days after the original date.

#### **10. STAGE 1 - (First formal meeting with the Head teacher/line manager and the employee and option for a trade union representative or work colleague)**

- Following 5 working days written notice (or by agreement with the employee) a Stage 1 Meeting should be arranged when an individual's absence has reached one of the indicator points (please refer to page 8), or
- a particular pattern of absence is identified which is a cause for concern, or
- an individual's health appears to be a concern, although none of the indicator points have been reached (advice should be sought from HR in this circumstance).
- **A Stage 1 meeting will not occur where an employee's absence is long term and ongoing and there is no realistic prospect of a return to work in the foreseeable future i.e. certain long term absences will start at Stage 2 or the policy.**

The meeting should be carried out by the Head teacher/ Appropriate and suitably briefed member of staff.

The purpose of the meeting will be to:-

- Discuss and explore the reasons for absence or health concerns.
- Explain concern about the current level of sickness.
- To identify support and assistance and look at ways to resolve any problems that may improve attendance or encourage a sustained return to work.

The range of issues under discussion will vary depending upon individual circumstances and whether the issue is one of frequent short-term absence or long term absence. (Further information relating to the issues needing to be discussed at this meeting can be found in the Policy Guidance Document)

At the conclusion of the meeting, the employee and line manager will develop a joint action plan, confirmed in writing within 5 working days, which may include:

- No further action to be taken
- Identifying and implementation of further support and assistance (e.g. alternative work arrangements)
- Arrangements for further monitoring and review meetings
- Agreed targets for improvement

- Agreed arrangements for a phased return to work
- Referral to Occupational Health – the detail of this referral will be discussed with the employee and/or their representative
- Referral to Stage 2 of the procedure
- Consideration of issues under the relevant staff Policy or Procedure e.g. Capability, Disciplinary, Grievance and/or Health & Safety related policies.

Where applicable, a discussion with the employee, giving consideration of their options, may be appropriate to be considered e.g. seeking ill health early retirement alongside this process, whether alternative employment would assist in addressing the matter, reasonable adjustments. This should be repeated should the process proceed to stage 2.

In accordance with the joint action plan further review meetings may continue at Stage 1. Employees must be informed of the circumstances in which a referral to Stage 2 will be made.

#### **11. STAGE 2 - (Formal review meeting with the Head teacher/line manager and employee and option for a trade union representative or work colleague)**

Following 5 working days written notice (or by agreement with the employee), a Stage 2 Meeting should take place conducted by the Head teacher/ Appropriate and suitably briefed member of staff:

- when following actions agreed at Stage 1 an employee has not shown sufficient or sustained improvement in their attendance or
- ill health continues to give cause for concern or
- where an employee's absence is ongoing and there is no realistic prospect of a return to work in the foreseeable future i.e. certain long term absences will start at Stage 2 or the policy. It might be appropriate for a consideration of the options available to the employee to be explored as outlined in stage 1.

The WES HR Advisory Service must be consulted for advice before undertaking this stage. It should only be in exceptional circumstances that an employee is referred to Stage 2 without having first obtained advice from Occupational Health. The relevant issues should be discussed and explored and areas of possible support reviewed.

At the conclusion of the meeting the employee should be informed and have confirmed in writing, within 5 working days, either that:

- Short term absence - their level of absence remains unsatisfactory, a level of improvement is required and targets agreed. That failure to meet agreed level of improvement will result in the employee being referred to Stage 3 which may result in their dismissal or
- Long term absence - their ongoing absence continues to give cause for concern, when a further review within Stage 2 will take place and that failure to return to work within a reasonable timeframe the employee will be referred to Stage 3 which may result in their dismissal

Please refer to the Policy Guidance Notes and FAQs for further information relating to the procedure for managing short term and long term absences.

## 12. STAGE 3 – (Formal Hearing with a panel of three Governors and employees’ right to be accompanied by a trade union representative or work colleague)

Following 5 working days written notice a **Stage 3 Meeting should take place:**

- When an employee has not met the required level of improvement in attendance as specified at Stage 2 (or attendance has deteriorated following initial improvement)
- Or, where the review date agreed at Stage 2 has been reached and where there is no realistic prospect of a return to work in the foreseeable future.

A stage 3 meeting is a meeting to determine the possible termination of employment contract of an employee. This will normally be conducted by a panel of three governors, and who will be advised by WES HR Advisory Service.

If no satisfactory reason can be established for the employee’s failure to improve their level of attendance they will be informed that their employment is terminated (with appropriate notice) on grounds of their unacceptable attendance record.

In respect of ongoing long-term absence where there is no realistic prospect of a return to work within an acceptable timeframe or no suitable alternative employment opportunities, the employee’s employment will be terminated (with appropriate notice) on the grounds of medical incapability. Prior to making this decision the possibility of ill health retirement should be reviewed.

The decision must be confirmed in writing within 5 working days and the employee informed that they have the right of appeal against this decision. Any appeal should be made in writing, within ten working days of receipt of the written notification of the outcome of the Stage 3 meeting.

Once this notification has been undertaken, where the decision is that termination of the contract of employment is the appropriate outcome, the Governing Body or Head teacher must write to the WES HR Schools Advisory Team to notify them of the decision to dismiss (**only for Community and Voluntary Controlled schools where Warwickshire County Council is the employer**). The Local Authority will then service notice of termination of the employees contract in writing within 14 calendar days of such notification, in accordance with the School Staffing (England) Regulations 2009 (Section 20).

## 13. APPEALS

Where employees are dissatisfied with the outcome of the Stage 3 meeting they can appeal against the decision within ten working days of receiving written notification of the decision, using the form in Appendix 4. The employee’s appeal must clearly state their grounds for appealing.

An employee may choose to appeal, for example, because:

- They believe the outcome or action is unreasonable, and why
- New information comes to light
- They believe the absence management process was procedurally flawed

Appeals should be sent to:

The Chairperson of the School Governing Body.

## The Appeal Hearing

The purpose of the hearing will be to hear the grounds for appeal and review the original decision and establish its fairness. The appeal hearing is not intended to be a 're-run' of the original hearing, unless the person hearing the appeal believes there is some exceptional justification for doing so.

## The Panel

The appeal will be heard by a panel consisting of three Governors, none of whom will have been previously involved in the case. The panel shall be assisted by a HR representative, who has not previously been involved in the case, to act as technical advisor to the panel.

Where possible, all appeal hearings should be convened within fifteen working days of receiving notification from the employee. Where this is not possible the employee will be kept informed of future timescales. The employee will be notified in writing giving at least five working days notice of the date, time and venue for the appeal hearing. They will be informed of their right to be accompanied by a recognised teacher association, trade union representative (or a person approved by the trade union) or a nominated work colleague. The employee must be informed of the decision within five working days of the appeal hearing.

# 14. APPENDICES

## Appendix 1

### Sickness Reporting Procedure

<b>1<sup>st</sup> Day Of Absence</b>	<p>The employee must notify their Head teacher of their absence at the earliest possible opportunity or in accordance with the schools' notification procedure.</p> <p>The employee must give the nature (that is a description of the symptoms that mean they are unable to attend work because of their sickness) and anticipated duration of their absence.</p> <p>Unless there is a good reason (i.e. current state of health), which is explained to the line manager, employees must always endeavour to report their sickness absence themselves. <b>Acceptable methods of notification should be outlined in the schools notification procedure.</b></p> <p>If the Head teacher is not available, the employee must leave a message to the effect that they are sick and leave contact details for the manager to return the call, if appropriate.</p> <p>The Head teacher must ensure, if appropriate, that they return the call as soon as possible. If the Head teacher is unavailable contact should be made by a deputy or more senior employee.</p> <p>The Head teacher will make a record of the telephone conversation on the Certificate of Sickness Absence Notification Form. The absence should be recorded on the Schools E Absence Management system (or alternative reporting system).</p>
<b>4<sup>th</sup> Calendar Day</b>	<p>If the employee has not returned to work they must make further contact with their Head teacher in order to discuss the nature of the absence and the expected date of return. This information should be recorded by the Head teacher.</p>
<b>8<sup>th</sup> Calendar Day</b>	<p>The employee must an update on their health in line with the schools notification procedure. The employee must obtain a fit note from their doctor, and this must be retained confidentially and securely at the School.</p> <p>If the employee continues to be absent, further and consecutive fit notes will be required at the appropriate intervals (provided before the expiry of the current fit note), and must cover the entire period of absence. Failure to provide certificates may result in a loss of pay and potential disciplinary action for unauthorised leave.</p>
<b>Absence Longer Than 8 Days</b>	<p>Every working week or as agreed with the Head teacher / Chair, the employee must maintain contact and report on their health and indicate when they expect to return to work. In cases of serious illness different arrangements that are sensitive to the condition will need to be agreed.</p>



## Appendix 2

### SUPPORT STAFF IN SCHOOLS – Sick Pay Entitlement

1. These arrangements are intended to supplement Statutory Sick Pay and Employment & Support Allowance so as to maintain normal pay during defined periods of absence on account of sickness, disease, accident or assault. The Support Staff entitlements and requirements below relate to the Green Book (NJC Terms and Conditions.)
2. Absence in respect of normal sickness is entirely separate from absence through industrial disease, accident or assault arising out of, or in the course of, employment with the council (school). Periods of absence in respect of one shall not be set off against the other for the purpose of calculating entitlements under the scheme, although the entitlements to both are calculated as shown below.
3. Employees are entitled to receive sick pay for the following periods:

During 1 <sup>st</sup> year of service:	1 month's full pay and (after completing 4 months' service) 2 months' half pay
During 2 <sup>nd</sup> year of service:	2 months' full pay and 2 months' half pay
During 3 <sup>rd</sup> year of service:	4 months' full pay and 4 months' half pay
During 4 <sup>th</sup> and 5 <sup>th</sup> 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
4. Schools may, at their absolute discretion, extend the period of half sick pay, where an employee is suffering from a critical or terminal illness, subject to appropriate medical advice and review.
5. The period during which sick pay shall be paid, and the rate of sick pay, in respect of any period of absence shall be calculated by deducting from the employee's entitlement on the first day the aggregate of periods of paid absence during the twelve months immediately preceding the first day of absence.
6. In the case of full pay periods, sick pay will be an amount which, when added to Statutory Sick Pay and Employment & Support Allowance receivable, will secure the equivalent of normal pay.
7. In the case of half pay periods, sick pay will be an amount equal to half-normal earnings, plus an amount equivalent to Statutory Sick Pay and Employment & Support Allowance receivable, so long as the total sum does not exceed normal pay.
8. Normal pay includes all earnings that would be paid during a period of normal working, but excluding any payments not made on a regular basis.

## Appendix 3

### Conditions of Service for Teachers in England and Wales (as covered in the Burgundy Book)

#### PAYMENT DURING SICK LEAVE

- a) Subject to the provisions of the Occupational Sick Pay Scheme entitlement to pay during sick leave in any one year will be in accordance with the following scale of continuous service:-

**During the first year of service** - Full pay for 25 working days and, after completing four calendar months' service, half pay for 50 working days.

**During the second year of service** - Full pay for 50 working days and half pay for 50 working days

**During the third year of service** - Full pay for 75 working days and half pay for 75 working days

**During the fourth year of service** - Full pay for 100 working days and half pay for 100 working days

In exceptional cases the Authority may, at its discretion, extend periods of sick leave.

Appointment and entry to the Sickness Payment Scheme are conditional upon a satisfactory medical report. The council reserves the right to terminate the employment of any employee who is subsequently found to have withheld or otherwise distorted any information, the disclosure or correct statement of which, might have resulted in medical clearance not being given.

- b) You must follow the procedure below to qualify for sickness payment:

**Day One** - Ensure that an authorised person (at school) is notified of sickness absence by telephone or other means.

**Day Four** - Inform the authorised person (at school) of the continued absence and the likely date of return to work.

**After 7 Days** - See doctor and obtain a medical certificate no later than the 8th day of illness (employees are entitled to a free Doctor's Statement for absences which last more than 7 days). Further certificates should be obtained on the expiry of the previous note(s) until you are fit to resume work. This applies to employees at schools even when your absences continue or you become fit during school holidays.

For the purpose of this scheme, "working days" means teaching and non-teaching days within "directed time", as specified under paragraph 40 of the School Teachers' Pay and Conditions Document.

Sick pay shall include, where appropriate, Statutory Sick Pay and shall not exceed the full (ordinary) pay of the teacher under the contract of employment.

#### Sick Pay Arrangements applicable to both Teachers and School Support Staff

1. The Social Security benefits to be taken into account for the calculation of sick pay are those to which an employee is entitled on the basis that the employee has satisfied, so far as is possible:
  - a. the conditions for the reporting of sickness, as required by the school

- b. the claiming of benefits
  - c. the obligation to declare any entitlement to benefits and any subsequent changes in circumstances affecting such entitlement.
2. An employee who is prevented from attending work because of contact with an 'infectious disease' shall be entitled to receive normal pay. The period of absence on this account shall not be reckoned against the employee's sick pay entitlements.
  3. If an employee abuses the sickness scheme, or is absent on account of sickness due, or attributable to, deliberate conduct prejudicial to recovery or 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, sick pay may be suspended. The Governing Body shall advise the employee of the grounds for suspension and the employee shall have a right of appeal to the Governing Body. If the Governing Body decides that the grounds were justified, then the employee shall forfeit the right to any further payment in respect of that period of absence. Repeated abuse of the sickness scheme should be dealt with under the disciplinary procedure.
  4. An employee shall not be entitled to claim sick pay under the scheme unless:
    - a. notification is made immediately to the person identified for this purpose by the Governing Body
    - b. further notification is made, as required by the Governing Body
    - c. a fit note is submitted to the council not later than the eighth calendar day of absence
    - d. subsequent 'fit notes' are submitted as necessary
    - e. on return to work, the employee signs a statement detailing the reasons for absence for all absences up to and including seven days.
  5. An employee shall, if required by the Governing Body at any time, submit to a medical examination by a medical practitioner nominated by the Governing Body, subject to the provisions of the Access to Medical Reports Act 1988, where applicable. The Governing Body will meet any costs associated with the examination. Where it is necessary to obtain a second medical opinion, it should be provided by an independent medical referee.
  6. Where, for the purpose of qualifying for sick pay under the scheme, the Governing Body requires a 'fit note' from an employee. The employee will be responsible for obtaining this and covering any costs applied. Where an employee is receiving sick pay under the scheme, sick pay should continue if a public or extra statutory holiday falls during such sickness absence. No substitute public or extra statutory holiday should be given.

**Appendix 4**

Warwickshire County Council  
**Appeal against a Stage 3 Meeting Decision**

I wish to submit an appeal against dismissal/action taken.

**PERSONAL DETAILS**

Your Name:	
Your Job Title:	
Your Contact Address:	
Your Contact Telephone No:	
Union/ Representative (if known)	

**DETAILS OF ACTION TAKEN**

Type of Action taken: (e.g. dismissal etc.)	
Name of Head teacher/ Chair taking decision	
Date of receipt of written decision	

**GROUND OFS OF APPEAL.** Please provide further detail for your grounds of appeal (continue on another sheet if necessary)

--

Your Signature \_\_\_\_\_ Print Name: \_\_\_\_\_

Date of Signature \_\_\_\_\_

**NOTE:** If you are appealing against dismissal please send this form to the Chair of Governors within 10 working days of receipt of the dismissal letter.

## **Appendix 5**

### **Leave of Absence for Medical Appointments**

The following is an extract from the Leave of Absence Policy: Attendance at a medical or dental appointment for self or a dependant provided that every effort has been made to arrange the appointment outside of school hours will automatically be paid.