

# STAFF ABSENCE POLICY

Person responsible:	Business Manager
Date approved by governing body:	March 2023
Review cycle:	Every 2 years
Date of policy review:	March 2025

## **ABSENCE POLICY**

**To be read in conjunction with:**

**Staff Handbook**

**Disciplinary Policy**

**Guidance for safer working practice for those working with children and young people in education settings**

**Staff Behaviour and Conduct Policy**

### **POLICY STATEMENT**

St Rose's benefits from a dedicated staff team working collaboratively to help our students to progress. Disruption to the normal routine for our students creates particular difficulties and this Policy has been written to safeguard our students' best interests. The Policy has been modelled on the ACAS guidelines and has been written in consultation with Governors and Senior Management.

In addition to the above, we are committed to improving the health, well-being, and attendance of all employees. We value the contribution our employees make to our success, so when any employee is unable to be at work for any reason, we miss that contribution.

This absence policy explains:

- what we expect from managers and employees when handling absence
- how we will work to reduce levels of absence

We welcome the involvement of all employees in implementing this policy.

### **KEY PRINCIPLES**

St Rose's absence policy is based on the following principles:

1. As a responsible employer we undertake to provide payments to employees who are unable to attend work due to sickness.  
*(Appendix 1 St Rose's Sick Pay Scheme).*
2. Regular, punctual attendance is an implied term of every employee's contract of employment – we ask each employee to take responsibility for achieving and maintaining good attendance.
3. We will support employees who have genuine grounds for absence for whatever reason. This support includes:
  - a) 'Special leave' for necessary absences not caused by sickness  
*(Appendix 2 St Rose's 'Other Absences' document)*

- b) access to mentors where necessary
  - c) consideration of return-to-work programmes in cases of long-term absence.
4. We will use an occupational health adviser or seek independent medical advice, with the consent of the employee, where appropriate to:
- a. Help identify the nature of an employee's illness
  - b. Identify and implement reasonable adjustments
  - c. Advise the employee and their line manager on the best way to improve the employee's health, well-being, and attendance.
5. St Rose's disciplinary procedures will be used if an explanation for absence is not forthcoming or is thought to be unsatisfactory. Governors also reserve the right to use disciplinary procedures for unsatisfactory explanation of frequent short-term absences.
6. We respect the confidentiality of all information relating to an employee's sickness. This policy will be implemented in line with all data protection legislation and the Access to Medical Records Act 1988.

#### **NOTIFICATION OF ABSENCE**

If an employee is going to be absent from work, they should phone the school absence number 07518 918442 between 07:15 – 07:45

They should also:

- give a clear indication of the nature of the illness/absence.
- the expected length of their absence from work, and in the event of on-going absence a Line Manager or member of the management team will maintain regular contact in a manner and frequency agreed with the employee.

Text messages should not be sent to this number. Notification of absence by text message is not acceptable.

**Messages should not be sent in with other members of staff.**

If Care staff are unwell for an early shift in the week or any weekend shift, **they should not call the absence number.** They should call the nurse mobile – 07716 362953.

If the employee does not contact St Rose's by the required time a manager will attempt to contact the employee at home.

If employees have had to leave a message on an answering machine, they should also speak to their line manager within two hours of the commencement of their shift and if they have not called, they should expect to be contacted by their line manager.

The employee will be asked if there is any information to be passed on about their current work. Teachers must notify the location of the lesson plans for the day.

An employee may not always feel able to discuss their medical or personal problems with the person taking their call and in such cases the employee will be passed on to a member of the School and College Management Team.

### **EVIDENCE OF INCAPACITY**

Employees must complete a St Rose's self-certification form for the first seven days of absence. **This is required immediately on their return to work** or in cases of absences lasting longer than seven days this document will be sent to their home address. Thereafter a doctor's certificate is required to cover every subsequent day even if this continues through any holiday period.

**If certificates are not received in a timely manner, then this may affect employee's pay. (If certificate not received by the time the payroll is being prepared the absence will be treated as unauthorised and the staff member will not be paid).**

If absence is likely to be protracted, i.e., more than two weeks continuously, there is a shared responsibility for St Rose's and the employee to maintain contact at agreed intervals. The frequency will vary from case to case based on the medical condition, and the manager and employee should agree at the outset what the frequency of contact will be, and who should instigate the contact. This is to ensure both parties understand their obligations.

### **UNAUTHORISED ABSENCE**

Cases of unauthorised absence will be dealt with under the Disciplinary Procedure.

Absence that has not been notified according to the sickness absence reporting procedure will be treated as unauthorised absence.

### **MEDICAL EXAMINATIONS**

St Rose's may, at any time in operating this policy, require an employee to consent to a medical examination by an Occupational Health Practitioner and/or a doctor nominated by St Rose's (at the expense of St Rose's).

The employee will be asked to agree that any report produced in connection with any such examination may be disclosed to St Rose's and that St Rose's may discuss the contents of the report with our advisers and the relevant doctor.

### **RETURN TO WORK DISCUSSIONS**

Managers will discuss absences with employees within two days of the employee's return to work to establish:

- The reason for, and cause of absence
- Whether any temporary adaptations to the contract are needed, either in content or time. These adaptations will be considered if reasonable for St Rose's working practices.
- Anything the line manager or St. Rose's can do to help.

### **INFORMAL REVIEW MEETING**

We review staff absence monthly and an informal review meeting with a member of the Leadership Team will be triggered by:

- Frequent short-term absences (more than 4 occurrences in a rolling year)
- Long term absence (longer than 2 weeks, if appropriate)

The definition for the above two categories will be assessed on a case-by-case basis, this is because some staff work only a few shifts per week whereas other staff are full time, including weekends. The school will consult with its HR consultant to ensure consistency. Long term would normally mean if the employee has had more than two weeks continual absence from work. This review will look at any further action required to improve the employee's attendance and well-being.

### **FORMAL SICKNESS/ABSENCE MEETINGS PROCEDURE**

We may apply this procedure whenever we consider it necessary, including, for example, if employees:

- have continued to have periods of absences due to illness following the Informal Sickness Review.
- have discussed matters at a return-to-work interview that require investigation; and/or
- have been absent for reasons other than illness on a number of occasions.

Unless it is impractical to do so, employees will be given 5 days' written notice of the date, time and place of a sickness/absence meeting. St Rose's will put any concerns about the employees' sickness/absence and the basis for those concerns in writing or otherwise advise why the meeting is being called. A reasonable opportunity for the employee to consider this information before a meeting will be provided.

The meeting will be conducted by the Business Manager and will normally be attended by a Human Resources Consultant. The employee may bring a companion with them to the meeting.

Employees must take all reasonable steps to attend a meeting. Failure to do so without good reason may be treated as misconduct. If the employee or their companion are unable to attend at the time specified, the employee should immediately inform the Business Manager who will seek to agree an alternative time.

A meeting may be adjourned if the Business 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.

Confirmation of any decision made at a meeting, the reasons for it, and of the right of appeal will be given to the employee in writing within 10 working days of a sickness/absence meeting (unless this time scale is not practicable, in which case it will be provided as soon as is practicable).

If, at any time, St Rose's considers that an employee has taken or is taking sickness absence when they are not unwell, they may refer matters to be dealt with under the Disciplinary Procedure. This will be decided on an individual basis taking into account numbers of day's absence, number of occasions absent and taking guidance from our HR consultants following absence meeting.

#### **RIGHT TO BE ACCOMPANIED AT MEETINGS**

Employees may bring a companion to any formal meeting or appeal meeting under this procedure.

The companion may be either a trade union representative or a colleague. Their details must be given to the manager conducting the meeting, in good time before it takes place.

Employees are allowed reasonable time off from duties without loss of pay to act as a companion. However, they are not obliged to act as a companion and may decline a request if they so wish.

St Rose's may at their discretion permit other companions (for example, a family member) where this will help overcome particular difficulties caused by a disability, or difficulty understanding English.

A companion may make representations, ask questions, and sum up the employee's position, but will not be allowed to answer questions on the employee's behalf. The employee may confer privately with their companion at any time during a meeting.

#### **STAGE 1: FIRST SICKNESS/ABSENCE MEETING**

This will follow the procedure set out above on the arrangements for and right to be accompanied at sickness absence meetings.

The purposes of a first sickness/absence meeting may include:

- (a) Discussing the reasons for absence.
- (b) Where the employee is on long-term sickness absence, determining how long the absence is likely to last.
- (c) Where the employee has been absent on a number of occasions, determining the likelihood of further absences.
- (d) Considering whether medical advice is required.
- (e) Considering what, if any, measures might improve the employees' health and/or attendance.
- (f) Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting under the sickness/absence procedure.

## **STAGE 2: FURTHER SICKNESS/ABSENCE MEETING(S)**

Depending on the matters discussed at the first stage of the sickness/absence procedure, a further meeting or meetings may be necessary. Arrangements for meetings under the second stage of the sickness/absence procedure will follow the procedure set out above on the arrangements for and right to be accompanied at sickness/absence meetings.

The purposes of further meeting(s) may include:

- (a) Discussing the reasons for and impact of the ongoing absence(s).
- (b) Where the employee is on long-term sickness absence, discussing how long the absence is likely to last.
- (c) Where the employee has been absent on a number of occasions, discussing the likelihood of further absences.
- (d) If it has not been obtained, considering whether medical advice is required. If it has been obtained, considering the advice that has been given and whether further advice is required.
- (e) Considering the employees' ability to return to/remain in their job in view both of their capabilities and St Rose's needs and any adjustments that can reasonably be made to the job to enable the employee to do so.
- (f) Considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeploying the employee.
- (g) Where the employee is able to return from long-term sick leave, whether to their job or a redeployed job, agreeing a return-to-work programme.
- (h) If it is considered that the employee is unlikely to be able to return to work from long-term absence, whether there are any benefits for which they should be considered.
- (i) Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting(s). This may, depending on steps St Rose's has already taken, include warning the employee that they are at risk of dismissal.

### **STAGE 3: FINAL SICKNESS/ABSENCE MEETING**

Where an employee has been warned that they are at risk of dismissal, St Rose's may invite the employee to a meeting under the third stage of the sickness/absence procedure. Arrangements for this meeting will follow the procedure set out above on the arrangements for and right to be accompanied at sickness/absence meetings.

The purposes of the meeting will be:

- (a) To review the meetings that have taken place and matters discussed with the employee.
- (b) Where the employee remains on long-term sickness absence, to consider whether there have been any changes since the last meeting under stage two of the procedure, either as regards their possible return to work or opportunities for return or redeployment.
- (c) To consider any further matters that the employee wishes to raise.
- (d) To consider whether there is a reasonable likelihood of the employee returning to work or achieving the desired level of attendance in a reasonable time.
- (e) To consider the possible termination of employment.

Termination will normally be with full notice or payment in lieu of notice.

### **APPEALS**

An employee may appeal against the outcome of any stage of this procedure, and they may bring a companion to an appeal meeting.

An appeal should be made in writing, stating the full grounds of appeal, to the Chair of Governors within 5 working days of the date on which the decision was given to the employee, letters will be sent by post, and we will email the letter to the employee.

Unless it is not practicable, the employee will be given written notice of an appeal meeting within one week of the meeting. In cases of dismissal the appeal will be held as soon as possible. Any new matters raised in an appeal may delay an appeal meeting if further investigation is required.

The employee will be provided with written details of any new information which comes to light before an appeal meeting. The employee will also be given a reasonable opportunity to consider this information before the meeting.

Where a decision has been made by the Principal, an appeal meeting will be conducted by a Governor or panel of Governors.

Depending on the circumstances, an appeal meeting may be a complete rehearing of the matter or a review of the original decision.

The final decision will be confirmed in writing, if possible, within one week of the appeal meeting. There will be no further right of appeal.

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.



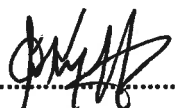
#### **ABSENCE DUE TO DISABILITY/MATERNITY**

Absences relating to the disability of an employee or to pregnancy will be kept separate from sickness absence record. However, any excessive absence will still be reviewed and discussed with the employee after consultation with the schools HR consultants.

#### **OTHER ABSENCES**

Records will also be kept separate for the granting of other urgent 'special leave' absences. These requests will be monitored.

**This Policy Statement is considered part of the Terms and Conditions of Employment for all staff at St Rose's School**

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Chair of Governors

Date: 15.3.2023

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S. Talwar

Principal

Date 15.3.2023

## **Appendix 1**

### **SICK PAY SCHEME**

#### **STATUTORY SICK PAY**

Where applicable, St Rose's will pay Statutory Sick Pay in accordance with legal requirements. Thereafter any sickness benefit received by a member of staff direct from the DWP must be notified to the Finance office.

Payments made to the Employee by the Employer under the occupational sick pay scheme will go towards discharging the Employer's liability to make payment to the Employee under the Statutory Sick Pay scheme.

#### **TEACHING STAFF**

All Teaching staff shall be paid for sickness absence according to the provisions set out in the burgundy book.

#### **ALL OTHER POSTS**

St Rose's operates a discretionary sick pay scheme, which is subject to review from time to time. All and any sick pay paid to the Employee is strictly at the discretion of the Employer, and nothing in this agreement or the discretionary scheme shall entitle the Employee to sick pay. Staff must adhere to the rules relating to the absence process to be eligible for sick pay.

#### **Length of Service**

#### **Benefits**

0-6 months	No entitlement
Over 6 months to 2 years	full pay for 15 working days
Over 2 years to 4 years	full pay for 30 working days
	half pay for 30 working days
Over 4 years to 7 years	full pay for 60 working days
	half pay for 60 working days
Over 7 years	full pay for 90 working days
	half pay for 90 working days

Where an employee is employed on a part-time basis the entitlement shall be calculated as a percentage of the full time equivalent.

'Working days' means those days which the employee is contracted to work under normal circumstances.

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.

Payment of salary may be extended beyond these periods but will be at the discretion of the Governing Body.

On expiry of occupational sick pay, statutory sick pay will be payable if applicable, subject to Government regulations.

In the case of full pay periods, sick pay will be an amount which when added to the Statutory Sick Pay and Incapacity Benefit receivable will secure the equivalent of normal pay.

In the case of half pay periods, sick pay will be an amount which when added to Statutory Sick Pay and Incapacity Benefit receivable will secure the equivalent of half normal pay unless Statutory Sick Pay and Incapacity Benefit exceed the equivalent of half normal pay.

Normal pay includes all earnings that would be paid during a period of normal working but excludes any additional payments i.e. overtime or sleep-ins.

#### **PHASED RETURN**

If a medical practitioner or Occupational Health advisor suggests that an employee may be fit to return to work on a phased return, then an employee will return to full pay for the first four weeks of the phased period. This will apply one time in a rolling 12-month period. Should the phasing last longer than four weeks, then the employee will return to their salary for the time that they are in work and will be on sick leave and sick pay for the time that they are not in work.

## **Appendix 2**

### **OTHER LEAVE**

#### **ANTENATAL**

Pregnant employees may take a reasonable amount of paid time off during working hours to attend antenatal appointments. When employees wish to take this time, they should give their Line Manager/Principal as much notice as possible of the appointment and they may be asked to provide evidence of the appointment, unless it is the first appointment.

Employees may take unpaid time off to accompany a pregnant woman to an antenatal appointment, if they are the father of the baby, the spouse, civil partner or living with the pregnant woman in an enduring relationship (and the pregnant woman is not the daughter, granddaughter, sister, or niece of the employee).

#### **MEDICAL**

Employees should try to make all medical related appointments, e.g. hospital, doctor, dentist, osteopath, chiropractor, physiotherapist outside their working hours. Where this is not possible, employees should attempt to make appointments as early as possible or as late as possible in their working day, to minimise disruption to the working day and the running of St Rose's.

Time off for medical appointments must be authorised in advance of the appointment by the Principal and evidence of appointments may be requested.

There is no contractual or statutory right to be paid for absence relating to attendance at medical appointments or indeed personal appointments. Whilst in most cases, employees will be paid for time off to attend personal medical appointments any payment of salary during attendance at medical appointments will be made at the absolute discretion of the Principal. If the amount of time off for such appointments becomes concerning, then payment may not be made, and employees may be asked to make up the time.

#### **FAMILY APPOINTMENTS**

Employees have the right to take a reasonable amount of unpaid time off work when it is necessary to deal with family **emergencies**. This time off is to allow employees to take action which is necessary because of an immediate or unexpected crisis. This right to take time off does not apply when employees need to take planned time off or to provide longer term care for a dependant.

If employees do need to take time off to accompany dependants to medical appointments, for example, then it is expected that employees take this time as annual leave (if appropriate) or take unpaid leave. If it is expected that the employee attends such appointments, these should also be made outside working hours wherever possible to avoid disruption. Time worked in lieu may be organised with line managers in order to make up hours if appropriate.

If all annual leave has been taken, unpaid leave for certain occasions and events may be granted in exceptional circumstances at the discretion of the Principal but this is dependent on individual circumstances and the needs of St Rose's.

Time off for all non-medically related personal reasons which cannot be arranged out of working hours and are agreed, will be unpaid or must be made up by working additional hours in lieu by arrangement with the Principal or Line Manager.

#### **SPECIAL LEAVE**

##### **COMPASSIONATE LEAVE**

The Principal has the discretion to grant up to 3 days paid compassionate leave in any 12 month period to employees in cases involving close family relatives, usually parents, spouse or partner or children. For those employees wishing to attend funerals of friends or other relatives, unpaid compassionate leave may be granted.

##### **JURY SERVICE**

An employee should tell the Principal as soon they have been summoned for jury service and provide a copy of the summons if requested.

Depending on the demands of St Rose's at that time, employees may be requested that they apply to be excused from or defer their jury service.

St Rose's is not required by law to pay employees while they are absent on jury service. Employees will be advised at court of the expenses and loss of earnings that they can claim. However, St Rose's will pay basic pay to employees on jury service less any amounts they can claim from the court for lost earnings for up to 10 working days. Time off beyond 10 working days may be paid at our discretion.

##### **MATERNITY, PATERNITY AND ADOPTION LEAVE**

St Rose's provides leave in line with current statutory legislation. Details of statutory and any occupational benefits are available from the Finance office. If an Employee becomes pregnant, they should inform the Principal and the Finance office as soon as possible, who will explain the notice requirements and entitlements available.

##### **MOVING HOUSE**

An allowance of one day's unpaid leave may be granted at the discretion of the Principal taking into account the needs of St Rose's.

