



Sickness Absence Policy

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Policy statement

1. This Sickness Absence Policy sets out our procedures for reporting sickness absence and for the management of sickness absence in a fair and consistent way.
2. The Trust wishes to provide a supportive environment for those members of staff affected by ill-health and identify and attempt to resolve any underlying causes of absence. The ultimate aim is to continue to encourage and develop a positive culture towards attendance at work.
3. Employee absence does, however, have a direct impact on pupil's learning and an Academy's overall performance. This includes replacement cost whilst the employee is absent; disruption to work in the area as well as increased workload for colleagues; all of which can lead to increase tensions, anxieties, pressure and low morale.
4. This policy aims to ensure that sickness absence is handled promptly, sensitively, fairly, confidentially and consistently.
5. Within the framework of this policy, Headteachers and Managers will have an important role to play in monitoring the wellbeing of their staff and influencing employee behaviour and performance.
6. 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).
7. We wish to ensure that the reasons for sickness absence are understood in each case and investigated where necessary. In addition, where needed and reasonably practicable, measures will be taken to assist those who have been absent by reason of sickness to return to work.
8. This policy does not form part of any employee's contract of employment and it may be amended at any time. We may also vary the procedures set out in this policy, including any timescales, as appropriate in any case.

Who is covered by the policy?

9. This policy covers all employees of the Knowledge Schools Trust (the "Trust") regardless of length of service and of which school they work in. It does not apply to agency workers or self-employed contractors.

Roles and Responsibilities

10. Managing absence is primarily the Headteacher's responsibility, although this may be delegated to a senior member of staff. Within the MAT central team the responsibility falls on the most immediate Line Manager and for the

purposes of this policy the term Headteacher is interchangeable with MAT Line Manager. Many managers may not find it easy to discuss employees' personal problems and feel reluctant to address the issue. However, the problem is unlikely to go away. The management of attendance at work is as much the manager's responsibility as any other aspect of performance. The process will include both a positive concern for the wellbeing of the individual, and an awareness of the needs of the Trust.

11. The role of the Headteacher is to manage the attendance of the staff within their School. This can be achieved by:
 - a. Making sure everyone knows who to inform if they are off sick, especially the importance of reporting sickness on or before the first day of absence as far as possible and what they need to do if the absence continues.
 - b. Reporting all sickness absences, noting the number of absences and the working time lost in each occurrence.
 - c. Working with the Trust HR Adviser, monitoring and regularly reviewing sickness absence, considering whether overall absence levels, or the numbers of absence are high.
 - d. Keeping in touch when staff are away. This can be carried out by the Headteacher or other suitable senior member of staff who should agree a date and how contact will be made with the employee.
 - e. Keeping absent staff up to date with changes at the Trust. For example, sending minutes of staff meetings, newsletters, and copies of letters to staff, as appropriate, considering the well-being of the employee,
 - f. Ensuring that Return to Work discussions are completed after every period of sickness absence. These should ideally be completed by the employee's Line Manager and should include welcoming and updating the member of staff about what is happening in the School/Trust and talk over any concerns. In the cases of prolonged absence, a more structured return to work may be required.
 - g. Paying particular attention to absence which may be work-related, for example due to stress, and working with the employee's Line Manager and the Trust HR Adviser to support the employee, with the ultimate aim of a successful return to work.
 - h. Always treat sickness absence sensitively, fairly, confidentially (as far as practicable) and consistently.
 - i. Taking steps to intervene more closely if someone has a pattern of short-term absences which triggers concerns and / or has a frequent or long-term absence that throws doubt on the prospect of their return to work.

- j. Treating unauthorised absence as a matter of conduct and, if necessary, deal with it under the Trust disciplinary procedures.
 - k. Keeping in touch with employees should be supportive and positive.
- 12. It is important that employees familiarise themselves with and comply with their School's reporting procedures and are aware of the Trust's policy on the management of sickness absence. Employees are required to comply with the following as far as reasonably practical:
 - a. Attend work when fit to do so.
 - b. Ensure medical advice and treatment, where appropriate, is received as quickly as possible in order to facilitate a return to work.
 - c. Provide the School with completed self-certification forms or fit notes from doctors as required.
 - d. Keep their Headteacher/Line Manager informed of any significant developments.
- 13. It is the responsibility of the employee to notify their Headteacher or nominated representative if they are unable to attend work when expected by 7am.

In exceptional circumstances where the employee is unable to do this personally, a relative or friend may do this on behalf of the employee, informing Headteacher as early as possible and at least one hour before the usual start time. The reason for absence should be given and, where possible, an indication of the likely length of the absence.

Sickness Absence Definitions

- 14. There are two main types of sickness absence:
 - **Long Term Absence:** Any period of absence from work because of ill-health lasting more than 4 weeks in total, will be deemed to be long-term sickness. The management process should be started as soon as there is a reasonable expectation that the employee will be off for a period of four weeks or more. Headteachers / Managers have the right to make reasonable contact with the employee - consulting and obtaining medical evidence are what the law requires managers to do.
 - **Frequent Short-Term Absence:** Patterns of absence due to minor illnesses that are usually not connected. Such patterns could vary from a relatively large number of single days of absence, to fewer occasions of absence involving a loss of up to a week or more. This type of absence needs to be explored under the terms of the processes set out in this procedure. Frequent absence through sickness may indicate general ill-health that requires a medical investigation to find the underlying cause. It is essential

that frequent short-term absence is dealt with promptly, fairly, confidentially and consistently.

Disability-related absence

15. The Trust have an obligation under the Equality Act 2010 to make reasonable adjustments for staff who are disabled within the meaning of that Act, where the reasonable adjustment would remove or reduce a disadvantage the member of staff faces. In discussion with the staff member, the Trust will consider all reasonable adjustments and provide these where possible.
16. Employees who believe they have a disability or medical condition that affects their ability to do their work should inform their Line Manager, so that the School is able to consider appropriate reasonable adjustments and support.
17. Where staff need time off work to attend medical appointments related to their disability or medical condition that affects their work (e.g. treatment, rehabilitation and/or check-ups), the School will normally allow paid time off for 5 appointments a year (pro rata for part-time staff) as a reasonable adjustment. This is not guaranteed and, as such, staff should speak to their Line Manager about their needs.

Elective surgery

18. If a staff member is undergoing elective surgery, they should discuss their need for time off and recovery with their Headteacher, who may:
 - Authorise it as sickness absence if the surgery is medically necessary. The staff member is expected to provide evidence to support this. In this case, the staff member may be entitled to School sick pay and/or SSP.
 - Grant or refuse the absence as special leave. If special leave is granted, it is normally unpaid.

Pregnancy-related absence

19. Pregnant staff members may need to take time off to attend medical appointments and/or due to pregnancy-related illness, and the Trust will support this. We will not count pregnancy-related sickness absence when reviewing staff's attendance record.

However, if the Trust has concerns about the reasons or lengths of absence, it reserves the right to formally investigate the nature and cause of the absence.

For information on parental leave entitlements, please see our Family Policy.

Absence related to gender reassignment

20. Staff members who are due to undergo, or are in the process of undergoing, gender reassignment should discuss with their Headteacher their needs for time off. The Trust will accommodate those needs as far as these are reasonably practicable.

Medical and dental appointments

21. Where possible, staff should book routine medical and dental appointments outside of working hours. If this is not possible (e.g. for hospital or specialist appointments) staff should:
- Where possible, book appointments for early in the morning, lunch time or end of the day so it causes minimal disruption to the working day
 - Speak to their Line Manager, who may agree to time off. Employees may need to provide proof of the appointment

Please see the Special Leave Policy for more details.

Sickness absence reporting procedure

22. If the employee is taken ill or injured while at work they should report to their Line Manager (or if they are the Headteacher, the Chair of the Trust Board, or their nominated representative), to be given permission if necessary to leave work.
23. If the employee cannot attend work because they are ill or injured, they must notify their Line Manager or the appropriate member of the school's senior leadership team before 7am in order that cover can be arranged. It is not acceptable to text or phone a colleague to pass on information. The following details should be provided:
- a. the nature of the employee's illness or injury;
 - b. the expected length of the employee's absence from work;
 - c. contact details; and
 - d. any outstanding or urgent work that requires attention, including details for any lessons which need to be covered. Cover work should be emailed to the relevant member of the senior leadership team, or where appropriate sent to the Department Head, Subject Leader or designated department person to distribute to teachers covering the lesson. Details of cover duties and clubs, and any scheduled meetings with parents or external agencies should be highlighted so that appropriate arrangements can be put in place.

24. The Headteacher or a designated staff member must ensure that the sickness absence is recorded in the MIS system. The Headteacher, or if the Headteacher is absent, a senior member of staff must ensure that arrangements are made, where necessary, to cover work and to inform colleagues (while maintaining confidentiality).
25. Employees should expect to be contacted during any ill health absence by a senior member of staff who will want to enquire after their health and be advised, if possible, as to their expected return date.

Certifying Absence /Evidence of incapacity

26. In order to qualify for sick pay, employees must provide appropriate evidence of sickness or injury. Failure to notify sickness or to produce the required certification may result in the suspension of sick pay until the correct procedure is followed.
27. Upon returning to school, if the absence is due to sickness or injury and lasts for seven calendar days or less, a self-certification form (which is automatically emailed from the HR portal) must be completed and a return-to-work meeting with the employee's Line Manager should take place before any duties resume. If the employee does not receive this form for any reason from the HR portal, they need to contact HR-ks-t.org so that this can be issued.
28. A 'Fit Note' (also known as a Statement of Fitness for Work) must be provided for absences which last longer than seven calendar days. This should be sent to the Headteacher / Line Manager as soon as it is obtained, and in any event by no later than the eighth calendar day of illness. This Fit Note will need to be from the employee's doctor and should state that they are not fit for work and the reason(s) why. Employees must ensure that the Fit Note covers the period of absence from the eighth calendar day onwards. If the period of absence continues, further Fit Notes must be provided to cover the whole period of absence. Please note that if the employee's illness falls on the last day of term, or the day preceding a half term, they must still obtain a medical statement confirming that they are not fit for work from a medical practitioner if the employee's absence lasts longer than 7 calendar days.
29. If the employee's doctor provides a certificate stating that they "may be fit for work" they should inform their Line Manager (or if they are the Headteacher, the Chair of the Trust Board, or nominated representative) immediately. We will discuss with the employee any additional measures that may be needed to facilitate the employee's return to work, taking account of their doctor's advice. This may take place at a return-to-work meeting. If appropriate measures cannot be taken, they will remain on sick leave and we will set a date to review the situation.
30. Where we are concerned about the reason for absence, or frequent short-term absence, we may require a medical certificate for each absence, regardless of duration.

Unauthorised absence

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

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

If an employee does not report for work and they have not telephoned the school to explain the reason for their absence, the school will try to contact the employee. This should not be treated as a substitute for reporting sickness absence.

Sick pay

32. The employee should refer to their contract for details of the sick pay to which they are entitled.

33. Where an employee works part-time, their sick pay entitlement will be pro-rata in accordance with their working pattern.

34. If a period of sickness absence is or appears to be occasioned by actionable negligence, nuisance, or breach of any statutory duty on the part of a third party, in respect of which damages are or may be recoverable, the employee must immediately notify the school of that fact and of any claim, compromise, settlement or judgment made or awarded in connection with it and all relevant particulars that we may reasonably require. If we require the employee to do so, they must cooperate in any related legal proceedings and refund to us that part of any damages or compensation they recover that relates to lost earnings for the period of sickness absence as we may reasonably determine, less any costs the employee incurred in connection with the recovery of such damages or compensation, provided that the amount to be refunded to us shall not exceed the total amount we paid to the employee in respect of the period of sickness absence.

Keeping in contact during sickness absence

35. If an employee is absent on sick leave, they should expect to be contacted from time to time by the School in order to discuss their wellbeing, expected length of continued absence from work and any of their work that requires attention. Such contact is intended to provide reassurance and will be kept to a reasonable minimum.

36. If an employee has any concerns while absent on sick leave, whether about the reason for their absence or their ability to return to work, they should feel free to contact the School at any time.

Medical examinations

37. We may, at any time in operating this policy, ask an employee to consent to a medical examination a doctor nominated by us at our expense.
38. The employee will be asked to agree that any report produced in connection with any such examination may be disclosed to us and that we may discuss the contents of the report with our advisers and the relevant doctor.

Return-to-work meeting

39. A Return-to-Work discussion should be conducted upon the return to work from a period of sickness absence. It is the responsibility of the employee's Line Manager to arrange this meeting, and it is the responsibility of the employee to attend the meeting and engage fully in the discussion.
40. This discussion should be conducted on the day the employee returns to work, or as soon as it is practically possible after the employee returns to work, using the Trust's approved Return to Work Form. A return-to-work meeting enables us to confirm the details of an employee's absence. It also gives employees the opportunity to raise any concerns or questions they may have, and to bring any relevant matters to our attention.
41. Any such meetings should be held during work time. The majority of discussions will be very quick a straightforward, being essentially an acknowledgement of the person's illness and a welcome back to work.
42. The return-to-work discussion is all about supporting employees and helping them to resolve any problems. It is likely to be the most effective single technique for identifying contributory factors and reducing absence. It lets the employee know that they were missed, which is often enough to deter employees with non- genuine reasons for their absence. The meeting should not be used to raise matters which are not absence related.
43. Where an employee's doctor has provided a certificate stating that they "may be fit for work" we will usually hold a return-to-work interview to discuss any additional measures that may be needed to facilitate their return to work, taking account of their doctor's advice.

Return-to-work from long-term sickness absence

44. We are committed to helping members of staff return to work from long-term sickness absence. As part of our sickness absence meetings procedure, we will, where appropriate and possible, support an employee's return to work by:
 - a. obtaining medical advice, which may include occupational health reports as well as GP/consultant reports;
 - b. making reasonable adjustments to the workplace, working practices and working hours;

- c. considering redeployment; and/or
 - d. agreeing a return to work programme with everyone affected.
45. If an employee is unable to return to work in the longer term, we will consider whether they are entitled to any benefits under their contract and/or any insurance schemes which may apply to them.

Referral to Occupational Health or another Medical Practitioner

46. Prompt action or discuss can often prevent a problem from becoming serious. It is essential where ill-health is, or may be, a problem, that Managers make reasonable enquiries to establish the medical position.
47. The prime concern of an Occupational Health (OH) Service is to help the employee remain in employment and to advise how this may best be done. It should not be seen as the place to go only when the situation becomes desperate.
48. An OH report will be provided, subject to the consent of the employee, in order to assist Headteachers/ Managers managing an employee's absence and attendance at work.
49. Referrals to OH will be handled by the Trust HR Adviser. Where a Headteacher / Manager feels that a referral to OH would be helpful and / or necessary, they should speak to the HR Adviser in the first instance. The Headteacher / Manager should then discuss the matter with the employee to advise them of the referral and explain why a medical opinion is being obtained. The HR Adviser will then work with the Headteacher / Manager and the employee to complete the OH referral form and formally obtain the employee's consent for the referral.
50. As part of the OH Referral Process, consent is required from the employee to enable the OH Provider to receive a medical report from the employee's GP and / or specialist (if necessary). A medical report will only be requested where this is deemed necessary by the OH Provider, following initial consultation.
51. It is likely to be in the employee's best interest to provide consent, particularly in cases of permanent or ongoing health issues and prolonged or frequent absence that may result in dismissal. Should the employee withhold this consent and a thorough medical investigation cannot be undertaken, then action will be taken by the Headteacher, HR Provider and OH Provider in accordance with the information at its disposal. During any informal or formal review meeting, employees must be made aware of this.
52. The initial OH referral could lead to a variety of outcomes which will depend on the nature and duration of the employee's condition and demands of the job.

Sickness absence meetings procedure

53. Early involvement by managers can play an important part in reducing sickness absence. Appropriate action must be taken where there are ongoing concerns about the level of an individual's absence. In determining what action to take, the facts of each individual case must be considered, and the Trust HR Adviser can provide support in managing absence appropriately.
54. Any concerns regarding absence levels should be raised in the return-to-work discussion in the first instance, or during contact meetings with the employee if the absence is long term.
55. Where problems continue, the Trust may commence this formal procedure if it considers it necessary, including, for example, if the employee has:
 - a. been absent due to illness on a number of occasions;
 - b. discussed matters at a return-to-work interview that require investigation; and/or
 - c. been absent for more than 7 days in any 12-month period.
 - d. unacceptable patterns of absence (e.g.: regular Friday and /or Monday absences; repeated absences linked to holidays)

This is not an exhaustive list.

56. Unless it is impractical to do so, we will give employee 5 days' written notice of the date, time and place of a sickness absence meeting. We will put any concerns about the employee's sickness absence and the basis for those concerns in writing or otherwise advise why the meeting is being called. If this information is not provided at the same time as the notice of a sickness absence meeting, a reasonable opportunity for the employee to consider this information before the meeting will be provided.
57. The meeting will be conducted by the employee's Line Manager or the Headteacher (or if the employee is the Headteacher, the CEO or Chair of the Trust Board or nominated representative). The employee may bring a companion (a work colleague or Trade Union Representative) with them to the meeting (see Right to be Accompanied, below).
58. There is a reasonable management expectation that an employee absent owing to sickness, or whose absence levels are cause for concern, should be available to attend meetings to discuss the absence.
59. If the employee is on long term sickness absence, meetings should be held at a mutually convenient time and consideration should be made for the meeting to be held away from the school site.
60. The employee should take all reasonable steps to attend a meeting so that the absence can be discussed, with the ultimate aim of a successful return to work, or reduced levels of sickness absence. If the employee is unable to attend through circumstances outside their control and which were unforeseeable at the time the meeting was arranged the school should arrange another meeting. If the employee or their companion is unable to

attend at the time specified the employee should immediately inform their Line Manager or the Headteacher (or, if they are the Headteacher, the CEO or nominated representative) who will seek to agree an alternative time. A decision may be taken in the employee's absence if they are unable to attend the re-arranged meeting without good reason.

61. A meeting may be adjourned if the employee's Line Manager or the Headteacher (or, if they are the Headteacher, the Chair of the Trust Board, or nominated representative) is awaiting receipt of information, needs to gather any further information or consider 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.
62. Confirmation of any decision made at a meeting, the reasons for it, and of the right of appeal will be given to with employee in writing within 5 days of a sickness absence meeting (unless this time scale is not reasonably practicable, in which case it will be provided as soon as is reasonably practicable).
63. If, at any time, the employee's Line Manager or the Headteacher (or, if they are the Headteacher, the Chair of the Trust Board, or nominated representative) considers that the employee has taken or is taking sickness absence when they are not unwell, they may refer matters to be dealt with under our Disciplinary Procedure.

Right to be accompanied

64. Employees may bring a companion to any meeting or appeal meeting under the sickness absence meeting procedure.
65. An employee's companion may be either a trade union representative (either a paid official of the relevant union or someone certified by the union as having experience or training in acting as a companion) or a fellow employee. Their identity must be confirmed to the person conducting the meeting, in good time before it takes place.
66. 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.
67. If an employee's chosen companion is unavailable at the time proposed for the meeting, they may suggest a reasonable alternative time which is no more than 5 working days after the date first proposed. Where it is practicable to do so the meeting will then be held at the proposed alternative time, although we may need to postpone further if for example not all witnesses are available at the time proposed.
68. We may at our discretion, permit a companion who is not an employee or union representative (for example, a family member) where this will help overcome particular difficulties caused by a disability, or difficulty understanding English.

69. 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.

Sickness absence meetings

70. There are three formal review meetings: the first sickness absence meeting, the second sickness absence meeting, and the final sickness absence meeting.

71. Each formal review meeting will usually take place between 1 and 3 months after the previous one, depending on circumstances. The Line Manager will inform the employee of each meeting, in writing, at least 5 working days in advance. The employee has a right to be accompanied to any formal meeting under this procedure by a trade union representative or colleague.

72. Where the employee's attendance improves to an acceptable level and for a sustained period of time e.g. 2 months, formal monitoring will cease. However, if the employee's absence levels become a cause for concern again within 6 months of the end of formal monitoring the formal review procedure will be triggered again. The formal procedure will take into account the last stage of the sickness absence meeting procedure and continue from that point (i.e. if on stage 1, the employee will move to stage 2).

Stage 1: first sickness absence meeting

73. 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 employee's health and/or attendance.
- f. Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting(s) under the sickness absence procedure. Include a warning that the employee is at risk of dismissal if the absence continues at a level to trigger Stages 2 and 3.

74. The meeting should be a two-way discussion in order to highlight the level of attendance and explore the reasons for and possible remedies to the situation.

75. A target for improvement should be agreed and the period determined over which the improvement will be monitored (suggested review period is 1 to 3 months, depending on the situation). It may also be appropriate to consider interim review meetings to track progress towards any targets set.
76. Where an employee is on long-term sickness absence, determining how long the absence is likely to last.
77. Where the employee has been absent on a number of occasions, determining the likelihood of further absences.
78. Considering whether medical advice is required.
79. Considering what, if any, measures might improve the employee's health and/or attendance.
80. Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting under the sickness absence procedure.
81. A date for a formal review meeting should be fixed (if the absence continues to be a problem or levels increase further, this review date may be brought forward).
82. The person chairing the meeting should ensure that notes are taken which include details of agreements reached.

Stage 2: further sickness absence meetings

83. If the employee has achieved the agreed target during the Stage 1 review period, no further formal action will be necessary, and this will be confirmed in writing to the employee. However, should the employee fail to achieve the targets agreed at Stage 1 or should an employee's absence reach a concerning level within 6 months of their being informed that formal monitoring under Stage 1 has ceased, the process will be continued or reinstated (as applicable) at this Stage 2.
84. Depending on the matters discussed at Stage 1 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.
85. The purposes of further meeting(s) may include:
 - a. Discussing the reasons for and impact of the employee's ongoing absence(s).
 - b. Where the employee on long-term sickness absence, discussing how long their absence is likely to last
 - c. Where the employee 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 employee's ability to return to/remain in their job in view both of their capabilities and our business needs and any adjustments that can reasonably be made to the employee's job to enable them 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, including early retirement options.
- 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 we have already taken. Include a warning that the employee is at risk of dismissal if the absence continues at a level to trigger Stage 3.
- j.

86. The meeting should be supportive and aim to resolve the situation. It will seek to identify the reasons for the absence and the measures that can be taken to improve attendance, such as variations to working arrangements. A target for improvement should be agreed and the period determined over which the improvement will be monitored. Suggested review period is between 1 to 3 months, depending on the situation.

87. A date for a formal review meeting should be fixed (if the absence continues to be a problem or levels increase further, this review date may be brought forward). It may also be appropriate to consider interim review meetings to track progress towards any targets set.

88. Guidance may be sought at this stage from Occupational Health if not previously sought.

The person chairing the meeting should ensure that notes are taken which include details of agreements reached.

Stage 3: final sickness absence meeting

89. If the employee has achieved the agreed targets during the Stage 2 review period, no further formal action will be necessary and this will be confirmed in writing to the employee. However, should the employee fail to achieve the targets agreed at Stage 2 or should the employee's absence reach a concerning level within 6 months of their being informed that formal

monitoring under Stage 2 has ceased, the process will be continued or reinstated (as applicable) at this Stage 3.

90. Where the employee has been warned that they are at risk of dismissal, we may invite them to a meeting under Stage 3 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.

91. 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 2 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. 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, including early retirement options.
- f. To consider the possible termination of the employee's employment.

If a decision is taken to terminate the employee's employment termination will normally be with full notice or payment in lieu of notice.

Appeals

92. An employee may appeal against the outcome of any stage of this procedure and they may bring a companion to any appeal meeting (see 'Right to be accompanied').

93. An appeal should be made in writing, stating the full grounds of appeal, to the Headteacher (or, if the employee is the Headteacher, the Chair of the Trust Board) within 5 days of the date on which the decision was sent to the employee. In those circumstances where the Headteacher has conducted the stage of the process against which the employee is appealing their appeal should be addressed to Chair of Governors).

94. Unless it is not reasonably 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.

95. The employee will be provided with written details of any new information which comes to light before an appeal meeting. They will be given a reasonable opportunity to consider this information before the meeting.
96. Depending on the grounds of appeal, an appeal meeting may be a complete rehearing of the matter or a review of the original decision.
97. Following an appeal, the original decision may be confirmed, revoked, or replaced with a different decision. The final decision will be confirmed in writing, if possible within 5 days of the appeal meeting. There will be no further right of appeal.
98. The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if an appeal against dismissal is successful, the decision to dismiss will be revoked with no loss of continuity or pay.

Ill-Health Retirement

99. Instances of ill-health retirement can arise either by direct application from an individual employee or through investigation into absence problems. Ill-health retirement is only applicable if medical opinion confirms the individual as permanently unfit and all other options have been exhausted. The processes involved will depend on whether the employment of the individual concerned is subject to the Local Government Pension Scheme (LGPS) or to the Teachers' Pension Scheme (TPS). At the point of application for ill-health retirement, any capability procedures invoked will be temporarily suspended for an agreed period, with the right reserved by the Headteacher to reinstate the procedures should the application be unsuccessful.

Ill-Health Retirement – Teaching Staff

100. The Teachers' Pension's Ill-Health Retirement Guide provides the relevant information when a teacher considers applying for ill-health retirement with the TPS.
101. If a teacher's application for early retirement on the grounds of ill-health is not successful, then other options including dismissal on the grounds of incapability through ill health will be considered and the procedure set out in this policy will be followed.

Ill-Health Retirement – Non-Teaching Staff (LGPS)

102. Information on Ill-Health Retirement within the Local Government Pension Scheme can be found on their website.
103. If an employee wishes to be considered for ill-health retirement the Headteacher should refer the individual to the Schools' OH Provider.
104. If the employee is a member of the Local Government Pension Scheme and ill health retirement is recommended by the Occupational Health Physician, the

School must decide whether to accept the recommendation for the ill-health pension to be paid; and to end employment on the grounds of ill health.

105. A Final Sickness Absence Meeting will then be conducted with the advice of the Trust HR Adviser at which the recommendation for Ill Health Retirement from the LGPS and dismissal can be considered.
106. The member of support staff will have a right of appeal to the Governing Body against the decision to dismiss and a separate right to appeal against the pension decision. If they wish to appeal against the pension decision, they must do so using the Pensions Internal Disputes Resolution Procedure.
107. If early retirement on the grounds of ill health is not recommended, then other options including dismissal on the grounds of incapability through ill health will be considered and the procedure set out in this policy will be followed.

Early career teachers (ECTs) serving induction

108. Where an ECT has been absent for 30 days or more (or pro rata equivalent for part-time ECTs), per year of their induction, their induction period will be extended by the aggregate total number of days absent. If the ECT is unable to serve the extension in our School, they will need to complete 1 or more terms in a new school or institution.



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