



# Absence Management Policy

Policy in effect from: September 2023

Review Date: September 2026



## 1. Introduction

When people are away from work, we miss the valuable contribution that they make to our success. We also recognise that keeping people at work or getting them back quickly if they do go off sick or are absent from work, is a key factor in protecting their longer-term health and wellbeing.

For these reasons we are committed to reducing absence and to improving the health, wellbeing and attendance of our employees. This policy sets out how we intend to do this in a fair, consistent and proactive way.

**This policy should be read in conjunction with the Guidance Notes which are referred to throughout the policy.**

## 2. Scope of Policy

This policy applies to all Trust employees working at the school, except those not directly employed by the Trust and providing services to the Trust as a contractor e.g. catering and cleaning staff. It does not apply to casual workers.

## 3. Policy Commitments

We are committed to:

- Supporting you to maintain high levels of attendance and helping you to successfully return to work as quickly as possible if you are sick or have an absence.
- Actively monitoring absence levels and initiating action for improvement
- Managing absence fairly, consistently and in line with ACAS best practice guidance and employment legislation, including the Equality Act 2010
- Ensuring that in all cases, your confidentiality is respected when dealing with personal medical information.
- Treating you reasonably and fairly, taking into account your individual circumstances as well as the needs of the business.

This policy recognises that:

- Attendance at work is an implied term of your contract of employment.
- References to “your manager” in this policy should be taken to mean the Executive Leader/CEO in respect of the Head of School’s absence.
- You have the right to be accompanied at each formal stage of the process by a Trade Union representative or a work colleague.
- Failing to follow the requirements of this policy without reasonable justification or abusing the policy may result in absence being treated as unauthorised and occupational sick pay being withheld. In some circumstances it may also result in disciplinary action being taken.
- Where a decision is made to withhold sick pay, you will be notified of this in advance and advised of the reason for the decision.

#### 4. Absence Reporting

If you are unable to attend work due to sickness or other reason, you must personally telephone your manager (or an agreed individual specified by your manager) by 8am each day.

Emails or text messages are not an acceptable method of reporting absence. Asking someone else to make contact on your behalf is only acceptable in exceptional circumstances (such as hospitalisation).

If you are unable to speak to your manager, your manager will call you back as soon as possible.

You will be asked to provide the reason for your absence, how long you expect to be off work, a contact telephone number, and details of any work of which you are aware which may need to be re-allocated or any meetings which may need to be rescheduled in your absence.

You must telephone your manager (or an agreed individual specified by your manager) every day that you remain off sick for the first five days of absence (unless your absence is covered by a Fit Note or unless an alternative contact arrangement is agreed with your manager), to keep them informed of your progress and your likely return to work date. After five days, your manager will discuss and set out the future regularity of contact with you.

#### 5. Absence Recording

Any absence up to seven calendar days will require a self-certification form to be completed on your return to work.

Any absence which extends beyond seven calendar days must be covered by a signed Statement of Fitness for Work (Fit Note) from your GP. You must give this to your manager immediately on your return to work, or, if your absence is continuing, as soon as you obtain it from your GP. **Backdated Fit Notes will not be accepted.**

In *exceptional circumstances* you may be required to provide a Fit Note before the eighth day of absence (for example: if the manager has reason to believe that the employee was not legitimately sick or if there is an identifiable pattern of regular absence).

Failure to submit the appropriate forms in a timely manner may have an impact on your receiving the appropriate pay.

#### 6. Fit Notes

On receipt of a 'Fit Note' your manager (or agreed individual specified by your manager) should:

- Check whether your doctor has assessed that you are not fit for work, or may be fit for work
- Check how long your Fit Note applies for, and whether you are expected to be fit for work when your Fit Note expires.
- If you may be fit for work, discuss your fit note with you and see if any changes can be agreed to help you come back to work while it lasts, for example a phased return to work, flexible working, amended duties, workplace adaptations. Advice from Occupational Health may be sought.
- If you are not fit for work, use the Fit Note as evidence for sick pay purposes.
- The original Fit Note will be returned to you.
- Once you are well, you may return to work at anytime, even if it is before your Fit Note expires without the need to go back to your Doctor. If this is the case, your manager (or agreed individual specified by your manager) will meet with you either before your return to work or on the day of your return to manage your return to work with you.

## 7. Sick Pay

Where you have complied with the above reporting and recording procedures, sick pay will be paid as follows:

### Teachers

Length of Service	Full Pay entitlement	½ Pay entitlement
First year of service	25 working days	50 working days after completing 4 calendar months service
Second year of service	50 working days	50 working days
Third year of service	75 working days	75 working days
Forth & subsequent years	100 working days	100 working days

### Support Staff

Length of Service	Full Pay entitlement	½ Pay entitlement
0 -4 Months	1 month	0 days
4 -12 Months	1 month	2 months
12 - 24 Months	2 months	2 months
24 - 36 Months	4 months	4 months
36 - 60 Months	5 months	5 months

Length of Service	Full Pay entitlement	½ Pay entitlement
60 Months +	6 months	6 months

Sick pay may be extended beyond the above entitlement in *exceptional circumstances*, such as terminal illness, with the agreement of the Trust Board.

Where there is medical evidence that you are no longer able to fulfil the requirements of your role and all other options have been explored including reasonable adjustments and redeployment within the Trust, the Trust may end your employment before the expiry of your contractual sick pay and before you have reached the final stage of the absence procedure.

## 8. Returning to Work

Your manager will conduct a return-to-work meeting with you after every period of absence, regardless of its length or the reason for it. This will take place on your first day back at work or as soon as is reasonably practicable thereafter (and no later than 3 days after returning).

The nature of the return-to-work meeting will vary in accordance with the reasons for your absence and your previous absence history. The discussion will take place in private and as a general rule the discussion will cover the following points:

- Welcome you back to work and check how you are feeling
- The reason for your absence
- The impact of your absence on the team/children/School (if appropriate)
- Your absence record and implications of any future absence (if relevant)
- Any adjustments / alterations / support necessary to settle you back into work
- Any key changes that have taken place during your absence

An agreed record of the Return-to-Work meeting will be kept by your manager. A copy of the Return-to-Work meeting will also be sent to you for your records.

A phased return to work or a temporary adjustment to duties may be agreed after an extended period of absence where your GP or specialist supports this and/or Occupational Health advises it as appropriate to the individual circumstances. Your manager must review your GP / Occupational Health advice and decide whether the phased return can be accommodated within the needs of the Trust.

A phased return to work will be paid up to a maximum of 2 weeks. An agreed phased return to work which extends beyond 2 weeks will be covered by unpaid leave.

In exceptional circumstances, following discussion with the Head of School and/or Executive Leader/CEO to ensure a consistent approach, a manager may agree to extend pay during the return to work beyond 2 weeks.

## **9. Managing Absence**

Individual and Trust absence levels will be monitored by the Chief Operations Officer.

Where absence levels meet the agreed triggers, the formal absence management process will start. Although a manager may raise concerns regarding your attendance with you at any stage.

The absence triggers for management action are as follows:

⇒ 3 separate occurrences or absences totalling 7 working days in a rolling 12-month period

**and/or**

⇒ One calendar month of continuous absence in a rolling 12-month period

**and/or**

⇒ An identifiable and potentially unacceptable pattern of absence.

When you hit the absence triggers, you will be managed through a 3-stage process. The 3 stages are progressive; however the Trust Board reserves the right to enter the formal procedure at any stage as required by the circumstances.

The Trust Board also reserves the right to accelerate progress through the 3 stages when circumstances demand.

### **Stage 1 meeting**

As soon as you hit an absence trigger, your manager will arrange a Stage 1 meeting with you.

You will be invited to the meeting in writing with reasonable notice (around 5 working days). A copy of the Absence Management Policy will be provided.

The meeting will normally take place at your place of work or in the case of on-going absence, at your home (with prior agreement) or another mutually agreeable venue.

You have the right to be accompanied at this meeting by a trade union representative or a work colleague.

The purpose of this meeting is to:

- Establish the current situation regarding your health/reasons for absence
- Offer appropriate support that will help improve your health, wellbeing and attendance or facilitate a return to work.
- Agree an Action Plan and targets which will assist in improving your attendance or achieving a return to work, and an appropriate review period.

The nature of the meeting will be constructive and is likely to vary, depending on the reasons for absence. During the discussion, managers need to act sensitively and with due consideration for the reason for the absence.

Where the reason for absence may be disability related, managers must be aware of their legal obligation to:

- Ensure that the employee is not disadvantaged because of his/her disability
- Make reasonable adjustments to enable the employee to continue to work,

An Action Plan will be mutually agreed which includes agreed attendance targets or a target return to work date, and an agreed review period.

A referral to Occupational Health may be made depending on the nature of the absence.

Details of the Stage 1 meeting will be recorded and followed up in writing via a letter following the meeting. A copy of the agreed Action Plan will also be sent to you.

At the end of the agreed review period, your manager will review your attendance with you against your agreed action plan. Your manager will communicate the decision to you and follow it up in writing. The decision may be to either:

- End the Sickness Absence Management process
- Set a further review period under stage 1 of the policy
- Move to Stage 2 if your absence has continued for a further 8 weeks, and/or you have failed to reach the attendance targets set at stage 1
- In exceptional circumstances your manager does not have to wait until the end of the review period to progress to Stage 2.

## Stage 2 meeting

At stage 2, a meeting will be held with you, your manager and, where appropriate, a representative from HR.

You will be invited to the meeting in writing with reasonable notice (around 5 working days). A copy of the Absence Management Policy will be provided.

The meeting will normally take place at your place of work or in the case of on-going absence, at your home (with prior agreement) or another mutually agreeable venue.

You have the right to be accompanied at this meeting by a trade union representative or a work colleague.

The purpose of the stage 2 meeting is to

- Establish the current situation regarding your health
- Review your action plan during Stage 1
- Explore further support that is available that will help improve your health, wellbeing and attendance or facilitate a return to work.
- Agree an Action Plan and targets which will assist in improving your attendance or achieving a return to work, and an appropriate review period.

As in stage 1, the nature of the meeting will be constructive and is likely to vary, depending on the reasons for absence.

At stage 2, a referral to Occupational Health will always be made to request medical advice regarding your absence.

Details of the Stage 2 meeting will be recorded by your manager and followed up in writing via a letter following the meeting. This letter will indicate that one of the potential outcomes of moving to stage 3 is your dismissal from post on the grounds of capability. A copy of the agreed Action Plan will also be sent to you.

At the end of the agreed review period, your manager will review your attendance with you against your agreed action plan. Your manager will communicate the decision to you and follow it up in writing.

The decision may be to either:

- End the Sickness Absence Management process
- Set a further review period under stage 2 of the policy
- Move to Stage 3 if your absence has continued for a further 8 weeks and/or you have failed to reach the attendance targets set at stage 2.



In exceptional circumstances your manager does not have to wait until the end of the review period to progress to Stage 3.

### Stage 3 Meeting

At stage 3, a meeting will take place which will be chaired by the Head of School (or Executive Leader in respect of the Head of School's absence) supported by a HR representative.

You will be invited to the meeting in writing with reasonable notice (approximately 10 working days). A pack of information detailing your case to date and a copy of the Absence Management Policy will be provided.

The meeting will normally take place at your place of work or in the case of on-going absence, at your home (with prior agreement) or another mutually agreeable venue.

You have the right to be accompanied this meeting by a Trade Union representative or a work colleague.

The purpose of the Stage 3 meeting is to decide on your future employment, on the basis of all of the available information including medical evidence and the impact of your absence on the Trust.

The Head of School (or Executive Leader in respect of the Head of School's absence) will review your case to date, including:

- Your attendance levels and reasons for absence(s)
- The impact on the school
- The process that has been followed
- The options that have been explored and taken up including support such as reasonable adjustments / redeployment.
- All of the medical advice received to date
- Any other relevant information put forward during the meeting.

The Head of School (or Executive Leader in respect of the Head of School's absence) will decide on an appropriate outcome which may be:

- To agree a further review period
- To allow more time for recovery
- To request further medical information
- To re-consider redeployment within the school and/or other reasonable adjustments,

- Or, if all other avenues have been explored and it is reasonable in the circumstances, to terminate your employment on the grounds of capability due to ill health.

The decision will be communicated as appropriate and confirmed in writing within five working days of the meeting.

If the decision is made to dismiss you, you will be issued with notice of the termination of your contract in accordance with your notice period and you will be informed of your right of appeal.

Further guidance on Dismissals can be found in Guidance Note GN1 – Dismissal & Appeal Procedure.

## **10. Appeals**

Appeals against the decision to dismiss must be submitted in writing to the Chair of Trustees within ten working days of receipt of the written decision, stating the grounds of the appeal and the resolution sought.

An Appeal Hearing will be heard by members of the Trust Board, with support from HR.

You have the right to be accompanied at this meeting by a Trade Union representative or a work colleague.

The decision of the Appeal panel will be notified within five working days of the hearing. This decision is final and may not be the subject of any further appeal or grievance.

Further guidance on Dismissals can be found in Guidance Note GN1 – Dismissal & Appeal Procedure.

## **11. Occupational Health**

At any stage of the absence management process, you may be required to attend an Occupational Health assessment.

Occupational Health may request your permission to seek a medical report from your GP/Specialist, in order to provide a more informed assessment.

You are entitled to view and discuss the contents of your manager's referral, and you will be provided with a copy of the Occupational Health report.

Refusing to agree to medical referral may result in sick pay being withheld and decisions regarding your future employment being made without the benefit of medical opinion.

## **12. Medical Suspension**

Under the Education (Teachers Qualifications and health Standards (England) Regulations 1999), the secretary of State has power to direct on medical grounds that Teachers can:

- be suspended
- have their employment terminated
- be made subject to conditions

For all staff employed within the Trust, if your manager has reason to believe that you may have become medically unfit to work, your manager may, in consultation with HR and Occupational Health, medically suspend you from work.

Where there may be risk to pupils / students and / or other member of staff, the school should take whatever action necessary.

Where suspension is considered necessary, it must be undertaken in the interests of the school and of the pupils or students in their care.

*Suspension must be on full pay.*

It is the responsibility of the school / employing authority to decide, after obtaining medical advice, whether an employee is fit to resume their duties.

## **13. Ill Health Retirement**

Requests for ill health retirement for Local Government Pension Scheme members will be assessed by an approved independent doctor qualified in occupational medicine, appointed by the Pension Fund Administrators.

Teachers considering ill health will have to make an application to Teachers Pensions. The appropriate Ill health retirement form and medical form will need to be completed and evidence of ill health provided. Further information is available on the Teacher's Pensions Website.

Guidance on the Ill Health Retirement procedure can be found in Guidance Note GN2 – Ill Health Retirement

## **14. Support**

The following are examples of the range of support measures that may be discussed with you at any stage during the absence management process:

- Occupational Health referral
- Reasonable adjustments to your role or work location may be suggested by your GP and/or Occupational Health. Your manager will review the advice and may agree to assist you in your return to work and/or to help improve your attendance. Examples may include workplace modifications, reallocation of duties, reduced hours, relocation, changing work patterns etc.
- Provision of equipment, aids or adaptations.
- Provision of additional training or a buddy / mentor.
- Stress Risk assessment, Workstation / DSE assessment.
- Redeployment within the school to a suitable alternative role on a temporary or permanent basis may be considered in circumstances where Occupational Health suggests this and where reasonable adjustments to your current role have been explored.
- Occupational Health provides a range of support, including the confidential Counselling Service.
- You are advised to seek support and advice from your own GP or Specialist.
- Advice and support for employees is also available from trade union representatives. Managers may seek advice and support from HR.
- In the case of terminal or serious illness, managers should seek appropriate advice from HR and Occupational Health to ensure that this is handled carefully and sensitively and employees are given the support they need.

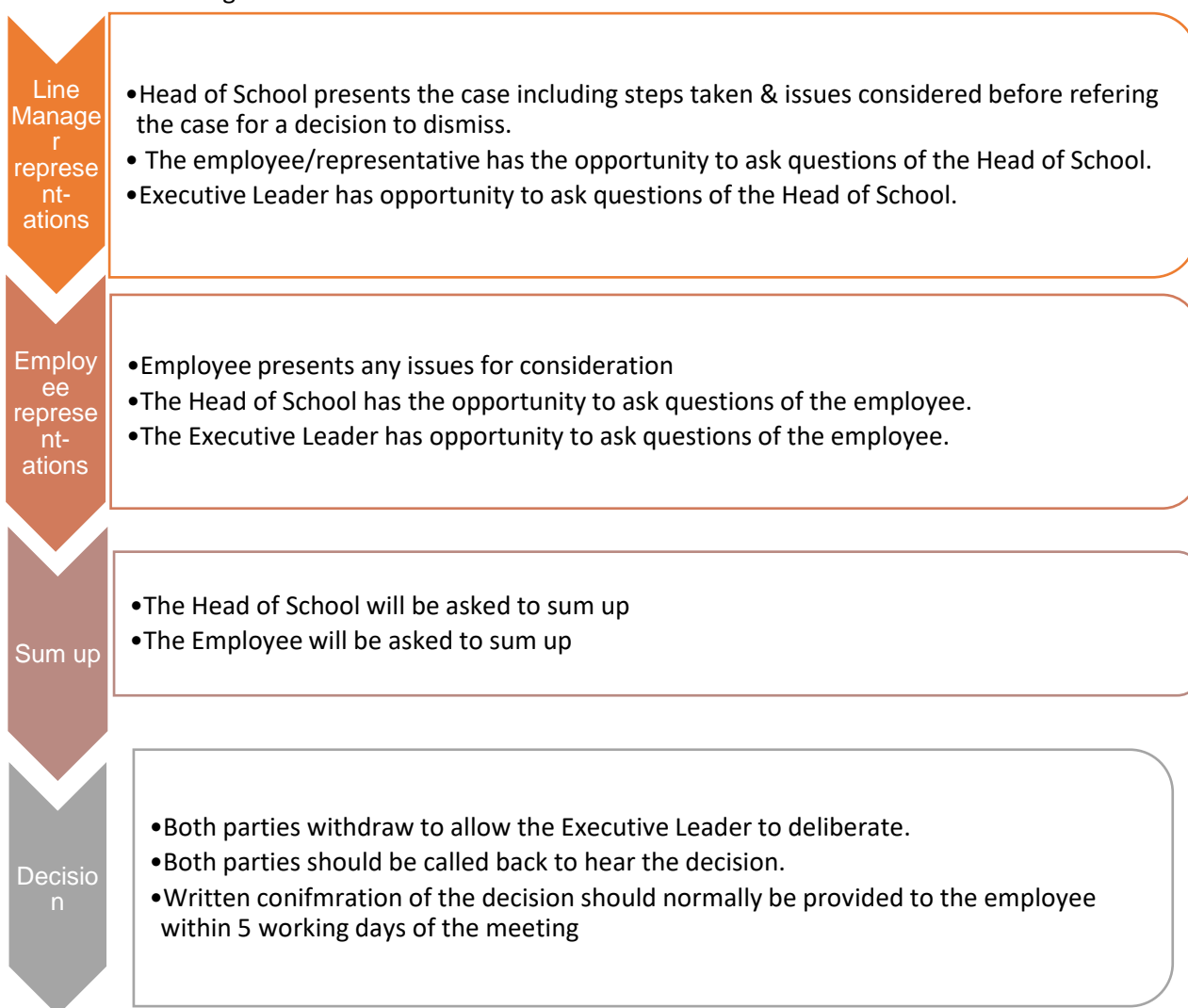
## Dismissals

The Staffing Regulations 2003 provide for Head of Schools to take the initial decision to dismiss. As we are a Trust, the Executive Leader / CEO will ultimately make this decision following recommendation to dismiss from the Head of School.

### Making the decision

The employee and / or representative will be entitled to attend any meeting of the Head of School or Executive Leader/CEO at which the employees' dismissal will be considered. The employee may also send representations in writing.

The format for the meeting should follow:



### The Decision

The decision should be given in person following suitable deliberations in private.

Written confirmation of the decision, with reasons, should be provided to the employee *within 5 working days* of the meeting.

Where the decision is taken to dismiss, the letter must advise of the employee's right of appeal.

If the employee does not attend the meeting and is not represented, the decision may be taken on the basis of the evidence available at the time. The employee should receive written confirmation of any such decision *within 5 working days* of the meeting.

### Issuing notice of dismissal

☒ **Foundation, Trust and Voluntary Aided Schools** are the employers of their own staff and make their own arrangements for giving formal notice of dismissal and informing the LA.

☒ **Academies** are the employers of their own staff and make their own arrangements for giving formal notice of dismissal.

The notice letter will confirm the last day of employment.

### Notice Periods

#### ***Sickness Absence & Capability Procedures***

requires that written notice is given which will be the longer of statutory or contractual notice entitlements

Notice entitlement must be paid on full pay, less any statutory benefits payable.

**Disciplinary Procedures** require that dismissal for gross misconduct will be summary - that is without notice or payment in lieu of notice.

### Appeals

The employee has the right to appeal to the Trust Board who will form an Appeal Committee.

#### **Lodging an appeal**

The employee must write to the Chair of Trustees *within 10 working days* of receipt of the letter.

#### **Timescales for Appeal Hearings**

The Chair of Trustees must arrange for a meeting of the Appeals Committee to be held as soon as possible, normally within 10 working days of the date the appeal was lodged.

In accordance with the constitution of the Appeals Committee *three Board Members* should be present.

### **Format of the Appeal Hearing**

The format of the appeal hearing should mirror the format of the meeting at which the initial decision to dismiss was made.

Unfortunately, there are occasions where an employee has an on-going medical condition which means that they are no longer able to carry out their role. In these cases, Ill Health Retirement may be considered.

Ill Health Retirement (IHR) applies only to those employees with qualifying service in a recognised Pension Scheme.

This guidance note summarises in general terms the three different schemes which are currently recognised within the School.



**SHROPSHIRE COUNTY**  
PENSION FUND

### Local Government Pension Scheme

If an employee has been a member of the LGPS for at least 2 years (or has transferred in pension rights from another Scheme), he/she may be eligible to retire on the grounds of ill health. In order to qualify for Ill Health Retirement benefits under the 2014 Scheme, the following criteria must be met:

- *the member's employment must be terminated by the employer on the grounds of ill health or infirmity of mind or body.*
- *at the date of termination the member must be under their Normal Pension Age in the 2014 Scheme.*
- *at the date of termination the member must have met the 2 year qualifying service criteria for entitlement to a benefit.*
- *the member must, as a result of ill health or infirmity of mind or body, be permanently incapable of discharging efficiently the duties of the employment the member was engaged in.*
- *the member, as a result of ill health or infirmity of mind or body, must not be immediately capable of*

### The Ill Health Retirement procedure

If, during the absence management process, Occupational Health advise that an employee is unlikely to return to work or that they can only return to work in circumstances that we cannot reasonably meet (having considered all reasonable adjustments), Ill Health Retirement may be considered.



It is the Trust who makes the decision to terminate the employee's contract on the grounds of ill health in accordance with the Sickness Absence Policy. However, a separate decision is made in relation to the release of ill health benefits, which cannot be awarded without having first obtained a certificate from an Independent Registered Medical Practitioner qualified in occupational health medicine (IRMP), supported by GP and specialist reports. Please contact your People Services Advisor for more information on the procedure for Ill Health Retirement.

### **Retirement benefits**

Enhancements applied to the employee's IHR benefit are dependent on their degree of incapacity, in general terms, as follows:

#### **Tier 1**

*If the employee is unlikely to be capable of undertaking gainful employment before their Normal Pension Age, ill health benefits are based on the membership they would have had if they had stayed in the Scheme until Normal Pension Age under the 2014 Scheme*

#### **Tier 2**

*If the employee is unlikely to be capable of undertaking gainful employment within 3 years of leaving, but likely to be able to undertake gainful employment before Normal Pension Age then ill health benefits are based on their membership built up to leaving plus 25% of their prospective membership from leaving to Normal Pension Age under the 2014 Scheme.*

#### **Tier 3**

*If the employee is likely to be capable of undertaking gainful employment within 3 years of leaving, or before Normal Pension Age (if earlier, ill health benefits are based on membership at leaving. Payment of these benefits will stop after 3 years, or earlier if the member is in gainful employment or becomes capable of getting such employment.*

If a manager or employee wishes to find out whether IHR may be possible, advice should always be sought from People Services and Occupational Health in the first instance.

Further information on Ill Health Retirement can also be found on [Shropshire County Pension Fund Website](#)



## **Teacher's Pension Scheme**

In some cases, teachers who are ill may have to stop working before their retirement age. Where this is the case and all other methods of support through occupational health and the school have been unsuccessful, the teacher may decide to apply for Ill health Retirement.

In order to apply, an application form must be completed and detailed medical evidence provided. This will be considered by Medical Advisors appointed by the Secretary of State and the final decision will be made by Teachers' Pensions.

### **Levels of Ill Health Benefits:**

There are 2 different levels of ill health benefit that can be awarded.

#### **a) Accrued Benefits**

If a teacher is assessed as being permanently unable to teach but can-do other work up to his/her normal pension age, he/she may eligible for accrued benefits, which are based on his/her accrued reckonable service (service is not enhanced).

#### **(b) Total Incapacity Benefits (TIB)**

If a teacher is assessed as being both totally unable to teach or take up any type of gainful employment, he/she may be eligible for enhanced (or Total Incapacity) benefits.

This is in addition to the benefits based on their accrued reckonable service (service is enhanced).

More information on Ill Health Retirement can be found on the Teacher's Pension Website.