Staff Absence Policy

Henry David Learning

Woodfield School

Agreed by the Proprietor: **August 2024**

Review date: **August 2025**

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Legal framework

This policy has due regard to all relevant legislation and guidance including, but not limited to, the following:

- Employment Rights Act 1996
- The Working Time Regulations 1998
- Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999
- The Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE)
- Equality Act 2010
- The Employment Rights (Employment Particulars and Paid Annual Leave) (Amendment) Regulations 2018
- The Statutory Parental Bereavement Leave (General) Regulations 2020 (Jack's Law)
- ACAS (2010) 'Code of practice on time off for trade union duties and activities including guidance on time off for union learning representatives'
- Cabinet Office (2023) 'Report trade union facility time data'
- Department for Work and Pensions (2022) 'The fit note: guidance for patients and employees'

2. Statement of intent

Henry David Learning is committed to maintaining the health, safety and welfare of its staff. We seek to provide a positive and healthy working environment, and recognise the value of our employees' work-life balance. Regular attendance at work is an integral part of each employee's contract of employment; however, we recognise that employees will, on occasion, have genuine and acceptable reasons to be absent from work. On those occasions, we will aim to support an employee during the period of absence, with the aim of assisting their return to work at the earliest opportunity.

This policy outlines provisions to minimise staff absence levels across the school, the school's duties regarding staff leave of absence, and the provisions for staff to follow when requesting leave, as well as information on how we support employees who are unable to attend work due to ill health. This policy also aims to provide a fair and consistent framework for managing attendance and informs all employees of their responsibilities regarding attendance at work.

In accordance with our obligations under the Equality Act 2010, we will make all reasonable efforts to allow employees with a disability that affects their attendance at work to continue their employment.

3. Roles and responsibilities

The Proprietary body will be responsible for:

- Reviewing this policy and ensuring it is adhered to across the school.
- Ensuring that this policy is implemented fairly, consistently and in line with the board's equality duties.
- Signing off any special leave requested by the Principal, e.g. bereavement leave.

The Principal will be responsible for:

- Implementing this policy in line with their statutory duties.
- Informing all employees of attendance management procedures, including the conditions of the sick pay scheme.
- Recording all sickness absence upon notification.
- Monitoring and reviewing sickness absence across the school.
- Deciding if a stage one absence hearing with an employee is appropriate when their sickness absence level has reached a trigger point.
- Maintaining reasonable contact with employees during a period of absence.
- Meeting with employees on their return to work, regardless of the duration of the absence.
- Implementing a special leave reporting structure for staff and reporting any requests to the governing board.
- Delegating responsibilities to line managers

Line managers will be responsible for:

- Implementing this policy in line with their statutory duties.
- Ensuring employees are supported throughout their period of leave and being a point of contact for any queries or problems they may have.

Staff will be responsible for:

- Attending work when fit to do so.
- Complying with the school's notification of sickness absence procedures.
- Maintaining reasonable contact with the school and meeting with the school when required during periods of absence of four weeks or longer ("long-term sickness absence").
- If requested to do so by the school, attending occupational health (and potentially other medical) appointments.
- Requesting special leave as soon as possible.
- Arranging leave for a convenient time, i.e. not in conflict with other relevant staff leave.
- Adhering to this policy at all times.

4. Time keeping

All staff are required to attend punctually for work in accordance with the hours defined in their Contract of Employment.
Staff are not permitted to leave work before contracted their finishing time without permission from the Principal
In the event of a member of staff requiring time away from work during their normal working day then he/she must seek authorisation form the Principal in advance via email.

Staff arriving late for work will have their wages/salary reduced accordingly, at the discretion of the Principal. Continued lateness may result in disciplinary action and persistent lateness will be considered to be breach of the Rules and Conditions of Employment.

5. Leave of absence

The school will comply with any statutory regulations regarding allowance of time off for employees. The school recognises that there may be times when employees will need to take additional time away from work and will comply with this in line with their statutory duties.

Staff seeking to take leave of absence will be required to gain approval from the Principal in advance, where possible, and using the form in Appendix 1. It is at the discretion of the Principal to grant leave – any refusal will be reasonable and justified. Staff are able to appeal to the proprietary body if their request for leave has been rejected.

The procedures outlined in this policy will be reviewed annually by the proprietary body to ensure they remain unbiased and fair for all staff.

The following are examples of leave of absence which may be requested (this is not an exhaustive list):

- Bereavement leave
- Time off to care for dependants[1]
- Urgent domestic reasons
- Jury service and/or witness summons
- Other public duties
- Personal health and welfare
- Examination and revision leave
- Religious observance
- Service in non-regular armed forces or volunteer reserve services

Retrospective leave may be requested in exceptional circumstances, e.g. a family emergency.

Maternity leave, paternity leave, adoption leave, parental leave and parental bereavement leave will be arranged in line with the Employment Rights Act 1996 and the school's Maternity, Paternity, Adoption, Parental and Parental Bereavement Leave Policy.

If a member of staff takes leave without permission from the school, the leave will be considered unauthorised unpaid leave and may result in disciplinary action, including dismissal.

Medical Appointments during the school day
If staff have an urgent medical appointment during the school day they must provide evidence of this appointment. All staff are reminded to book routine appointments outside of working hours, where this is not the case, staff may not be paid.

6. Sickness absence

All staff are required to follow the reporting procedure set out below:

If a member of staff takes ill or is injured whilst at work, they should report this to the Principal.
If a member of staff cannot attend work because they are ill or injured, they should telephone the school at 8.00am, and email the Principal as early as possible.

[1] All staff are expected to make plans with other family members as far as possible for the second day of emergency childcare matters

The following information should be provided;

- The nature of the illness or injury
- The expected length of absence from work
- Any outstanding or urgent work that requires attention, including information in relation to pupil work that's needs covering.

All staff should confirm with the school their intended return date to work following recovery from illness.
Contacting by Text/What App messages **is not** acceptable and will be noted as unauthorised absence.

The Leadership Team should ensure that:

- Any sickness absence that is notified to them is recorded and reported to HR
- Arrangements are made where necessary, to cover work and to inform colleagues (while maintaining confidentiality)

Staff should expect to be contacted during their absence by the Principal or line manager who will want to enquire after their health and be advised, if possible, as to the expected return date.

7. Evidence of incapacity

For sickness absence of up to seven calendar days staff must complete a self-certification. The form may be downloaded from: https://www.gov.uk/government/publications/statutory-sick-pay-employees-statement-ofsickness-sc2

For absence of more than a week staff must obtain a certificate from their doctor (a 'Statement of Fitness for Work') stating that they are not fit for work and the reason(s) why. This should be forwarded to HR as soon as possible: HR@henrydavidlearning.co.uk

If an absence continues, further medical certificates must be provided to cover the whole period of absence.
If a doctor provides a certificate stating that a member of staff "may be fit for work" they should inform the Principal and HR immediately. The Principal/ HR will discuss with you any additional measures that may be needed to facilitate a successful return to work, taking account of any medical advice from the doctor. If appropriate measures cannot be taken, the member of staff will remain on sick leave, and a date will be set to review the situation.

Where a member of staff is absent immediately prior to a school closure period, they will continue to be deemed as being absent for the purposes of recording sickness and statutory and/or contractual sick pay during the closure period, unless they provide a self-certification form or fit note indicating they are fit to return to work.

Unauthorised absence
Cases of unauthorised absence may 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 a member of staff does not report for work and has not telephoned the school or emailed the Principal to explain the reason for their absence, their line manager/the Principal or HR will try to contact them, by telephone or in writing, if necessary.

This should not be treated as a substitute for reporting sickness absence.

Keeping in contact during sickness absence
If a member of staff is absent on sick leave, they should expect to be contacted from time to time by the Principal or HR in order to discuss their wellbeing, expected length of continued absence from

work and any work that requires attention. Such contact is intended to provide reassurance and will be kept to a reasonable minimum.
If a member of staff has any concerns while absent on sick leave, whether about the reason for the absence or their ability to return to work, they should feel free to contact the Principal or HR, at any time.

8. Return-to-work

On return from sick leave, a return-to-work meeting will be arranged with the Principal or HR. A return-to-work meeting enables the school and HR to confirm the details of absence. It also gives the member of staff the opportunity to raise any concerns or questions they may have, and to bring any relevant matters to attention.
Where a doctor has provided a certificate stating that a member of staff "may be fit for work" the school will usually hold a return-to-work meeting to discuss any additional measures that may be needed to facilitate the return to work, taking account of the doctor's advice.

Sickness absence meetings procedure
This procedure may be applied whenever it is considered necessary, including, for example, if a member of staff:

- Has been absent due to illness on a number of occasions exceeding the review points
- Has discussed matters at a return-to-work meeting that require investigation; and/or
- Has been absent for more than four weeks.

9. Definitions and absence review points

Short-term sickness absence - any absence that lasts between a half and 20 days (four working weeks)
Long term sickness absence – any absence that lasts for a continuous period of longer than 20 days (four working weeks)

Short-term absence
Sickness absence will be reviewed if any of the following apply:

- 3 occasions in a rolling 6-month period
- 4 occasions in a rolling 12-month period
- 12 days in a rolling 12 months

Long-term absence

- The review point for long-term absence is considered to be 4 weeks, although, the circumstances of each absence will be carefully considered. Contact will be maintained during the absence and a referral to occupational health may be made at any point. The aim of support will be to assist a return to work wherever possible.
- The policy may still be applied where the employee persistently falls just below the trigger points and where the absence is perceived to be a problem. The absence triggers will be pro rata for part time employees
- Monthly sickness trends will be monitored by the Principal and HR.
- Where the employee's overall attendance is significantly worse than those of comparable employees a development plan for improvement will be actioned by the Principal.

Employees who accrue numerous uncertificated sick days will be subject to Woodfield School Disciplinary Procedure.

10. Monitoring and review
This policy will be reviewed on an annual basis by the proprietary body and Principal. Any changes to this policy will be communicated to all staff and relevant stakeholders.

Henry David Learning Staff Absence Request

Absence Information

Employee Name: _____

School: _____

Principal/line manager: _____

Type of Absence Requested:

☐ Medical appointment ☐ Childcare issues ☐ Bereavement ☐ Time Off Without Pay

☐ Interview ☐ Jury Duty ☐ Maternity/Paternity ☐ Other

Dates of Absence: From: _____ To: _____

Reason for Absence:

_____

_____

_____

You must submit requests for absences, other than sick leave, two days prior to the first day you will be absent.

Please attach evidence of medical appointments/interviews etc.

_____

Employee Signature Date

Principal's Approval

	☐	Approved with pay		☐	Approved without pay
	☐	Rejected			

_____

Principal's Signature Date

Comments

_____

_____

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