

# THE MANOR POLICY DOCUMENT

[25<sup>th</sup> May 2010]



## POLICY AND PROCEDURE FOR THE MANAGEMENT OF SICKNESS ABSENCE RESPONSIBLE COMMITTEE: PERSONNEL

### 1. Purpose of the Policy and Procedure

- 1.1 The Governing Body, as a caring employer, recognises its responsibility for the health, safety and welfare of its staff in conjunction with other policies of the college. This policy places emphasis on proactive support for staff in the event of ill health. The college wishes to be both sympathetic and consistent in its management of absence and recognises that, within a consistent framework, each case must be treated individually.
- 1.2 It is the responsibility of management to monitor and control absence and to respond effectively to actual and potential problems. The college has standards for attendance of staff as it does for students. It is the responsibility of the principal, heads of department and all levels of Management to ensure these standards are achieved and to raise awareness of the effect of sickness absence levels on the quality and continuity of teaching and learning and other aspects of the effectiveness of the work of the college.
- 1.3 In addition managers have a clear obligation placed on them to identify and address problems in the work environment and/or job factors that may be contributing to staff absence.
- 1.4 The procedure sets out the steps which the principal and line managers will normally follow when staff sickness absence occurs
- 1.5 The college will monitor and record staff sickness absence, including identifying areas where the work of the college, in particular the continuity of teaching and learning, is being affected by absence levels.
- 1.6 This Policy and Procedure takes account of the guidance set out in DfES Circular 4/99 Physical and Mental Fitness to Teach of Teachers and of Entrants to Initial Teacher Training.

### 2. Management Responsibilities

#### 2.1 *Return to Work Discussion*

When an employee returns to work following (*e.g. a three day/any*) period of sickness absence, the principal/line manager will normally meet with the employee. The purpose of this meeting is to determine the reason for the absence and the nature of it and, where appropriate, offer assistance and support.

#### 2.2 *Sickness Absence Interviews*

Sickness absence interviews will be arranged with employees whose absence record falls into any of the following categories:

- a total of 7 working days absence within 1 term or
- 10 working days within 3 terms: or
- any period of unauthorised absence; or
- unacceptable patterns of absence

## 2. Management Responsibilities (Cont/d)

### 2.3 *Monitoring Period Following Sickness Absence Interview*

After conducting a sickness absence interview the line manager will review or monitor the employee's attendance for a further period, usually two terms. Further interviews may take place during the monitoring period if there is more sickness absence.

At the end of the review/monitoring period, if attendance is satisfactory, no further action is normally necessary. If no improvement, or only some improvement, has been made then further advice/help may be offered and the monitoring period will be extended.

The principal/line manager will assess the employee's absence record and its effects on the work of the college, and attempt to establish reasons for the absences; identify underlying trends and seek to offer any assistance to the employee (e.g. Occupational Health Services), with a view to supporting the employee and improving the employee's attendance record.

During the monitoring period the principal/line manager may require that any period of absence is covered by a medical certificate.

Where the principal/line manager is of the view that there may be grounds to give a formal warning then the matter will be progressed by the principal in accordance with the college's conduct or capability procedure, as appropriate.

### 2.4 *Action during employee's sickness absence*

The line manager will arrange to talk with or visit any absent colleague within 5 working days of the first day of absence to discuss the absence and to consider support and assistance if the absence is likely to continue.

## 3. Employees' Responsibilities

### 3.1. *Notification of Sickness Absence*

3.1.1 An employee in a college who is prevented by illness from reporting for duty shall notify the Principal's PA before 8.00 a.m. on the FIRST DAY OF ABSENCE.

3.1.2 A doctor's certificate must be provided from the EIGHTH day of absence (including Saturdays and Sundays) and at appropriate intervals, according to Conditions of Service, for the purposes of claiming DSS benefit and sickness allowance under sickness pay conditions of service.

3.1.3 In cases where the doctor's first statement covers a period exceeding fourteen days or where more than one statement is necessary the employee must, before returning to work, obtain a final statement as to fitness to resume duties.

3.1.4 Absence on account of sickness on the day before or day following a public or extra-statutory holiday must be supported by a self certificate.

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### **3. Employees' Responsibilities (Cont/d)**

#### 3.2 Self Certification

All employees must complete a self-certification form detailing the reason for absence for any period of sickness absence up to seven days and for the first seven days of any longer absence unless covered by medical certificate. The self-certification form must be completed immediately on return to duty.

#### 3.3 Medical Examination during Period of Absence

An employee shall, if required at any time, submit to a medical examination by a registered medical practitioner nominated by the college/LA, subject to the provisions of the Access to Medical Reports Act 1988 where applicable. In the event of a difference in medical opinion as to the employee's fitness for work, the matter shall, at the request of the college/LA or of the employee, be submitted to an independent medical referee chosen jointly by the college/LA and the employee.

### **4. Reimbursement of Cost of Doctors' Statements.**

Where the college require a doctor's statement from an employee, the employer shall on provision of a receipt, reimburse the employee if a charge is made for the statement.

### **5. Illness or Injury Arising from Work**

5.1 Any accident arising out of or in the course of employment with the college must be reported and recorded in accordance with the procedures laid down by the employer. The accident will be subject to investigation and report by an employee authorised for the purpose by the college/LA;

5.2 Where an employee seeks medical advice about an illness which is suspected or alleged to result from the nature of his or her employment the employee must report relevant information to the Principal at the first opportunity;

5.3 In the case of the first, and any subsequent absence, due to industrial disease or accident an employee shall submit, at any time during such absence, if so required by the employer to a medical examination by a registered medical practitioner nominated by the employer. In the event that the employer's doctor is not satisfied that the absence is due to an industrial disease or accident the employee shall have right of appeal to an independent medical referee chosen jointly by the college/LA and the employee;

### **6. False Information**

6.1. The provision of any false information could result in disciplinary action being taken, including the possibility of dismissal

## Policy and Procedure for the Management of Sickness Absence

### 1. Return To Work Discussion

- 1.1 When an employee returns to work following (*e.g. a three day/any*) period of sickness absence, the principal/line manager will normally meet with the employee. The purpose of this meeting is to determine the reason for the absence and the nature of it and, where appropriate, offer assistance and support.

### 2. Preparing to Consult the Employee in a Sickness Absence Interview

The Principal/Line Manager should:

- Consider the college's statistical data on levels and types of sickness absence for all staff.
- Sickness absence interviews will be arranged with employees whose absence record falls into any of the following categories:
  - a total of 7 working days absence within 1 term or
  - 10 working days within 3 terms: or
  - any period of unauthorised absence; or
  - unacceptable patterns of absence
- Identify the nature of the absence.
- Consider the employee's age and length of service at the college.
- Consider the job description and the implications of the absences to the work of the college and to the work group i.e. the more serious the implications, the more quickly an improvement will be needed.

### 3. Consulting the Employee in a Sickness Absence Interview

- 3.1 Advise the employee in writing of the reason for conducting the sickness absence interview e.g. concern for continuity of teaching and learning for students, concern for the health of the employee, failure to comply with the Absence Reporting Procedures, unauthorised absences etc.
- 3.2 In sickness absence interviews principal/line managers should attempt to obtain as much information from the employee as possible with regard to their health and any other relevant issues which may be impacting on the attendance level. This could problems at home, health concerns regarding another member of the family, caring difficulties, financial difficulties, relationships at home, relationships at work, problems in dealing with work, etc. Offer where appropriate any forms of assistance which would improve the employees attendance record and/or facilitate a quicker return to work. A note of the meeting detailing any action which has been agreed and/or offered should be kept and a copy provided for the employee.
- 3.3 Line managers should consider sympathetically requests to be accompanied at Sickness Absence Interviews by a friend.
- 3.4 It is important that, where applicable, the employee is made fully aware that the level of absence must be reduced because of the effect that the level of absence is having on the organisation e.g. the percentage of lessons lost by a class because of sickness absence.

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It is important that the employee is given a reasonable amount of time in which to improve his/her attendance record. This might be two terms. But what is reasonable will vary from case to case particularly in relation to the importance of the job, in relation to the functioning of the college and the reason for the absence.

### 3. Consulting the Employee in a Sickness Absence Interview (Cont/d)

- 3.5 It is important that the college investigates carefully any suggestion that the employee makes that the workload or working conditions are contributing to the absence record. Any reasonable adjustments that can be made should be made. Advice should be sought if there is a possibility that an employee has a disability.
- 3.6 Where the employee recognises that there is little prospect of improvement s/he may be willing to consider a less arduous post or a move to part time. Employees should never be badgered into such decisions. If the employee volunteers, having had the opportunity to take advice, then the college should not unreasonably refuse to offer the alternative employment, if it is available.
- 3.7 A written record should be kept of each interview, and a copy provided for the employee (and friend if appropriate).**
- 3.8 Where the principal/line manager is of the view that there may be grounds to give a formal warning then the matter must be progressed by the principal in accordance with the college's conduct or capability procedure, as appropriate.

### 4. Action during employees sickness absence

- 4.1 The line manager will arrange to talk with or visit any absent colleague within 5 working days of the first day of absence to discuss the absence and to arrange support and assistance if the absence is likely to continue.
- 4.2 At regular intervals throughout the sickness absence the principal/line manager or other designated person will consult regularly on a personal basis with the employee and consider the employee's opinion on his/her condition. If the absent employee is unable to attend for interview at the place of work or some other convenient place, it may be appropriate to ask whether he/she can be visited at home or in hospital. If the employee is too sick to be interviewed, or wishes not to be interviewed for other reasons, the situation can, with his/her agreement, be discussed with a third party, e.g. his/her trade union representative, a close relative or friend.
- 4.3 Professional personnel advice should be sought before the course of action at 4.2 is taken and particular care should be taken to avoid placing stress on the individual, particularly where the absence is through mental or stress related illness.
- 4.4 Where the employee's medical adviser advises that it would be beneficial for the member of staff to return to work on a "therapeutic basis" i.e. technically remaining on sick leave but attending work, normally part time, under the direct supervision of another member of staff and without job responsibility then this will be considered. Under these circumstances the employee will be asked to give consent to

examination by the college's nominated medical practitioner to ensure that this is an appropriate course of action for the college to take.

## 5. Categories of Sickness Absence

### 5.1 *Persistent Short Term Absences Caused by Unconnected Illnesses*

Where the employee appears to suffer a series of unconnected ailments, s/he should be asked to consent to a medical examination by the college/LA medical adviser in order to establish whether the employee is likely to be able to improve the record of attendance. If it is established that improvement is professional personnel advice should be sought.

### 5.2 *Long Term Sickness or Persistent Short-Term Absences Due to a Single Cause or Related Causes*

These categories refer to employees whose ill-health is connected with an underlying complaint which causes long-term or intermittent absences.

Consideration should be given as to whether the employee is suffering from a disability under the terms of the Disability Discrimination Act, since to dismiss by reason of the disability in circumstances where a reasonable adjustment would have prevented the dismissal may be unlawful.

The Governors are not obliged to create an alternative job, but must ensure that a thorough search is made to find a job suitable for an employee who would otherwise be unable to continue.

It may be reasonable to modify a particular job to make it suitable for such an employee. In considering alternative work, the advice of the college's Medical Adviser should be taken into account.

### 5.3 *Absences Falsely Claimed as Sickness*

If it is believed that an employee is taking time off sick and is fit for work then the Principal should investigate the matter, normally when the employee returns to work.

The reason for the doubt should be tactfully explained to the employee and s/he should be invited to offer an explanation. If the explanation is not accepted then the matter should be regarded as misconduct and dealt with under the college's disciplinary procedures.