

Model Sickness / Absence Policy

Northgate Primary School



Approved by: Northgate Governing Body

Last reviewed on: December 2025

Next review due by: December 2026

Model Sickness Absence Policy

1. Aim of policy

The aim of this policy is to provide a framework for managing people who are absent from work through sickness.

In certain circumstances, some aspects of this policy may be applied to employees who are in work, with on-going health conditions, who are unable to perform their core duties as a result of their medical condition and where workplace adjustments are no longer sustainable.

This policy should be read in conjunction with the various guidance documents on sickness absence.

2. Scope and application

This policy applies to all employees based in schools.

Academies and Free Schools

Where this policy has been adopted by Academies and Free Schools, the terminology should be adjusted to fit the needs of the schools (for example, for The Governing Body, read The Board of Trustees).

In addition, Academies and Free Schools which have purchased the services of the West Sussex HR Professional Support Team (HRPS) can access the advisory and support services of this team. This includes attendance and advice at dismissal and appeal meetings.

Use of the word 'Headteacher'

Throughout this policy, the word Headteacher is used. In most cases in schools, the deciding person will be the Headteacher, but if this is not an appropriate term, please replace with Manager, Principal etc.

Representatives from the Local Authority

The HR Professional Support Team can provide advice to Headteachers or Governing Bodies on any disciplinary matter. The School Headteacher or Governing Body may invite them to attend meetings at any point in the procedure.

Additionally, the Director Education and Skills or their representative (usually an Advisor from HR Professional Support Team) has the right to attend all Dismissal and Dismissal Appeal meetings, in Community, Community Special, Voluntary Controlled and Maintained Nursery Schools, where they may ask questions during the meeting, and provide advice to the panel.

Headteacher sickness matters

In cases where the Headteacher is subject to the sickness absence policy, this should be initiated with advice from the HR Professional Support Team and with the involvement of the Learning Service for all WSCC maintained schools.

3. Guiding principles

The guiding principles for managing sickness absence are:

- Employees should be supported to return to work as soon as they are able to, focusing on what they are able to do, rather than not do.
- That early interventions, such as phone calls, meetings and consideration of early intervention for stress and Musculo-skeletal sickness absences, are a key aspects of successful management of sickness absence
- It is important that Headteachers and employees remain in regular contact, while an employee is absent from work.
- That any adjustments or adaptations, which are reasonable to assist the employee in returning to work, will be given thorough consideration, and implemented where possible.
- Where adjustments are no longer sustainable, employees will be given the opportunity to look for redeployment opportunities prior to any decisions about their ongoing employment being made.

4. Situations where more than one policy applies

All West Sussex County Council policies are written within a common framework: namely, an informal stage first, followed by a formal process, consisting of three further stages. This means that, in all but the most exceptional cases, all employee issues will be managed using this 3 meeting approach.

In some circumstances, a Headteacher may have a number of concerns about an employee – for example, in relation to both their capability in role and their attendance. In these circumstances, in order to avoid duplication, a Headteacher may group together the issues and deal with them through a single process, having due regard to the processes and language in both policies.

Please see guide no. 7 for further advice and, if a Headteacher thinks that they may be managing an employee under multiple procedures, they

should seek the advice of the HR Professional Support Team before proceeding.

5. Leave and sickness absence

See the model **Discretionary Leave** policy for information about taking time off for medical appointments. Unpaid leave may be granted at the Headteacher's discretion as a reasonable adjustment for an employee with a disability to enable them to attend routine appointments or adjust to new equipment or medication. For information on reasonable adjustments, please see the **Guidance on Reasonable Adjustments on SLA online**.

Relationship between leave and medical appointments

Regular medical appointments: this is dealt with in the LEAVE policy.

Employees with a disability: Employees who require time off to attend routine medical appointments to help manage their disability may be eligible to apply for paid special leave to attend these appointments. This is by agreement between the employee and their Headteacher and would be classified as a Reasonable Adjustment.

Reasonable adjustment information can be found on SLA online.

6. Reporting and monitoring

- a. Employees must contact their Manager or Headteacher on the first day of their absence, usually by telephone, to let them know that they are unwell, and to provide an expected return date. Employees should endeavour to speak to their manager or Headteacher, rather than leave messages with a colleague, although local reporting procedures will apply. The employee must keep their Headteacher or manager updated on a regular basis. Only in exceptional cases should someone other than the employee be making the call.
- b. If the absence exceeds 7 calendar days, the employee must produce a Statement of Fitness for Work from their doctor and further statements if the absence continues.
- c. Managers and / or Headteachers are responsible for reporting all periods of sickness absence using the agreed procedure.

- d. Headteacher's will be sent regular reports about sickness absence, with details of any employee in their service area meeting one of the triggers. Any triggers reached must be acted upon:

Trigger 1 – 4 absences in 4 months

Trigger 2 – 8 or more work days in the last 12 months

Trigger 3 – longer term absence of more than 21 days.

7. Return to work meetings

Following each period of sickness absence, an employee and their manager or Head teacher must have a "Return to work" conversation. This will ideally be done face to face on the day the employee returns.

The purpose of this meeting is to:

- Welcome the employee back to work.
- Find out how they are feeling and ascertain if they are well enough to return to work.
- Update the employee on any work related matters.
- Pick up on any longer term or recurring problems.

For advice and guidance, please see the **Return to work form** available to download on SLA online

8. Making adaptations and adjustments

a. Short-term adaptations

When an employee has been to see their GP during a period of absence, they may have been given a Statement of fitness for work (Fit Note) by their doctor. This may indicate that the employee is fit to return to work, subject to certain temporary adjustments.

These can be in the form of a phased return to work, changes to working hours, changes to duties or changes to the work place. The employee and the Headteacher should discuss these temporary changes. Headteachers are encouraged to accommodate these short-term changes, where possible, to enable the employee to be able to return to work.

If the school is unable to accommodate these changes, the employee remains on sick leave until they are fully recovered.

Full information about temporary changes can be found in Guide 3: Fit Notes, including links to the short-term adjustments agreement.

b. Longer term adjustments

In other situations, the employee may require longer-term adaptations to their work place or working practices. These are known as Reasonable Adjustments, and are part of a school's responsibility under the Equalities Act.

The Occupational Health service provide through the Employment Services Service Level Agreement (ESSLS) will make suggestions to the Head teacher where reasonable adjustments may be beneficial, and aid earlier return to work or earlier phased return to work.

When considering if the adjustments can be put in place, Headteachers need to ask the following:

- Will the adjustments enable the employee to carry out their role?, and
- Are they viable for the department / school?

If reasonable adjustments are put in place, the Headteacher and employee should meet regularly to review the effectiveness of the arrangements.

c. Raising matters of sickness absence with employees with a disability

If an employee with a disability has a period of sickness absence which is directly related to their disability, this should be recorded as "Disability related sickness absence".

If the Headteacher subsequently needs to review or discuss the employee's absence record, they can take into account which absence has arisen as a result of the employee's disability (and this might lead to a conversation about adjustments); and which absence is unrelated, and therefore should be reviewed using the more traditional procedures, set out in the policy.

It is important to note that the Headteacher is entitled to raise issues with an employee about all of their sickness absence, both disability related and non disability related; but that the way in which it is discussed, and the types of targets which are put in place, may be different for disability and non-disability related absences.

d. Planned absences

If an employee knows in advance that they are going to be absent, for example, if they have to undergo an operation, then they can plan and discuss their absence in advance.

The absence will be reported and monitored, and the employee and Headteacher will have regular contact, but the nature of the conversations will be different where there is already prior knowledge and an expectation of the length of the employee's absence.

9. Managing repeated absence

For step-by-step guide to the procedure, please see Guide 1 'Managing repeated absences', available on SLA online

- If a Headteacher notices a level or pattern of frequent absences, or if they are sent information that a "trigger" has been met, the Headteacher will ask the employee to attend an informal meeting to discuss their level of absence. Following this meeting, the Headteacher will issue the employee with a "Statement of Concern" setting down any agreed actions from the meeting, including possible referrals to Occupational Health, and including any improvements required by the employee.
- If repeated absence continues, the Headteacher will initiate a formal three-stage procedure, which involves a series of meetings. The employee will be set clear targets for improvement. Level one and two meetings will be followed by a review, and if there is no improvement, further targets will be set.
- In cases where the Headteacher also has issues with the employee's performance in the role, performance targets can be included in the improvement plans.
- During the formal procedure, employees will be referred to Occupational Health, to ensure that there are no underlying health problems, and to provide health care advice.
- If an employee's attendance improves and the formal proceedings are ended, and then their attendance worsens again, then the Headteacher may resume the formal procedure at the stage where it was ceased, provided that no more than 9 months have lapsed.
- In cases where an employee's pattern or level of absence remains unacceptable, the employee may be dismissed. The employee has the right to appeal against dismissal to the Board of Governors.
- At all stages in the formal procedure, the employee has the right to be accompanied, either by a workplace companion or a Trade Union representative / official, and at the final stage in the procedure (appeal against dismissal), by a legal representative.

10. Managing Longer - Term Absence

For step-by-step guide to the procedure, please see guide 2 - Managing long-term absences, available on SLA online

Line managers must initiate the following procedure for WSCC Employees after 21 days absence or when it becomes likely that the absence will last for more than 21 days. At this stage the employee must be briefed to tell their GP that they are in a process of assessment for Return To Work with their employer which will include a referral to their employer's Occupational Health provider.

The Government has introduced a service called "Fit For Work" which can be initiated by the employee's GP. This will be a General Practitioner (GP) led referral to the National Fit For Work service when the employee has been off work for 28 days.

This service is further discussed and explained in the guidance documents associated with this policy.

Long Term Sickness Absence procedure

This procedure normally commences as soon as it becomes clear that an absence will be for longer than 21 days. It takes the format of a series of three meetings at a suitable venue – either at the employee's home, the employee's work location, or some other agreed venue.

- The Headteacher and employee should be speaking regularly to ensure that the employee continues to feel part of WSCC.
- During the formal procedure, the Headteacher and the employee will meet, with a view to discussing all possible options for the employee to return to work. The employee will be referred to Occupational Health for advice and a report will be sent to the Headteacher.
- At all stages in the formal procedure, the employee has the right to be accompanied, either by a workplace companion or a Trade Union representative / official, and at the final stage in the procedure (appeal against dismissal), by a legal representative.
- If the Occupational Health report advises that the employee will be able to return to work, the Headteacher and the employee will agree a return to work plan, and will consider the means to do so, including looking at redeployment options, if recommended.
- However, in situations where there is no realistic chance of the employee returning to work, or if all other options have been explored, including redeployment and ill health retirement, the employee will be dismissed. In these circumstances, the employee will be given the right to appeal the decision to the Board of Governors.
- In addition, this procedure may apply to employees who are in work with long-term health conditions, where adjustments have been

made but which are no longer sustainable. See Guide 6 for details.

11. Staying in contact during the absence

- a. It is the responsibility of both the employee and the Headteacher to ensure that there is regular communication during any period of sickness absence. It is important that the Headteacher knows how the employee is, and when they are likely to return; and it is important that the employee does not feel out of touch with work while they are recovering.
- b. In some circumstances (for example, in cases where the employee is suffering from a stress related condition) it can be difficult for the employee and the Headteacher to speak. In these situations, it is helpful to appoint someone to act as a contact point between the two.
- c. It is important that contact is kept at a regular pace and that long periods of "silence" do not elapse. Again, both the Headteacher and the employee have a responsibility to maintain this dialogue.
- d. Employees on longer-term periods of sick leave will be required to attend meetings with their Headteacher. Although there may be times when meetings need to be postponed for health reasons, frequent postponements will be challenged, and meetings can take place without the employee being present.

12. Occupational and statutory sick pay

Employees will be paid Occupational sick pay in accordance with their terms and conditions and inclusive of any requirements to pay Statutory Sick Pay.

For further information relating to rates of sick pay for employees on NJC and teaching contracts, please see the information sheet available on SLA online.

13. Summary of Management responsibilities

The responsibilities of Headteachers are to:

Sickness absence – May 2015 FFW

- Report all periods of sickness absence
- Manage and monitor levels of sickness absence within the school, and take action when there are concerns.
- Communicate regularly with staff who are absent and manage their period of absence
- Act sensitively, confidentially, with integrity
- Be open and honest
- Take a proactive stance in the management of sickness absence

Places for Headteachers to go for help:

- SLA online – there are the Guidance notes to support the policy, plus other guides in the Headteachers Toolkit.
- The Employee Assistance Programme can give Headteacher’s advice – telephone 0800 030 5182
- The HR Professional Support Team = HRProfessionalSupport@westsussex.gov.uk
- The Occupational Health Service can give Headteacher’s advice- Monday -Friday-9.00am- 5.30pm- 0845 504 1031

14. Summary of Employee responsibilities

- Ensure that your Headteacher knows you are unwell
- Maintain regular contact with your Headteacher
- Work with your Headteacher to help you return to work
- Be open and honest

Sources of help for employees

- Employee Assistance Programme – telephone 0800 030 5182
- Trade Union

15. Legal framework for schools

15.1 Dismissal: Community, Voluntary Controlled, Community Special & Maintained Nursery Schools

The role of the Headteacher and governors in the dismissal of an employee at a school with a delegated budget is determined by the School Staffing (England) Regulations 2009 which provides as follows:

- Where a Headteacher or governing body is to consider dismissing an employee, it must give him/her an opportunity to make representations (including oral representations) to the person(s) taking the decision, and it must have regard to any representations made;

- ii) If a determination is made to dismiss the employee, the Local Authority must be notified within 14 days, and they must issue notice of dismissal or terminate the contract without notice if entitled to do so by reason of the employee's conduct;
- iii) The employee must be given the opportunity to appeal against the decision to dismiss. If the subsequent appeal reverses the dismissal decision, notice (or the dismissal itself, in cases of dismissal without notice) will be rescinded.

NB the governing body is required to approve procedures to implement (i) and (ii). The Local Authority procedures have been subject to consultation and are recommended for adoption.

15.2 Dismissal: Foundation, Voluntary Aided & Foundation Special Schools

The School Staffing (England) Regulations 2009 provides that, for aided schools with delegated budgets, the governing body (delegated as appropriate) shall have power to appoint, suspend and dismiss staff as it thinks fit (in accordance with their Articles of Government).

PROCEDURES FOR THE GOVERNING BODY

Rules of Conduct for a Dismissal Hearing and Appeal

Each governing body should have a procedure to deal with the consideration of dismissals. It is suggested that the Rules of Conduct of Hearings set out here should form the basis of this:

- a) At **least** 5 working days' written notice shall be given to the employee of the date, time and place of the meeting or the appeal hearing advising of his/her right to be represented. The notice calling the employee to the hearing shall include a statement about the employee, concerning the employee's capacity which is to be considered;
- b) The information relating to the employee will be presented by a person approved by the governing body to do so (depending on whether or not the authority to dismiss has been delegated to the Headteacher), and this may be, for instance, the Headteacher or deputy Headteacher, or a member of HR Management Advice or Legal Services Unit;
- c) The Headteacher, and/or panel of governors may be advised by a Legal representative or a representative from HR Management Advice and that person, together with a representative of the Director of Operations, Learning, may retire with the panel for the purpose of giving advice (they do not, however, have any role in making the decision);
- d) At the conclusion of the level 3 meeting, if it is considered that dismissal should take effect the employee will be informed orally if possible and in any event the decision will be confirmed in writing within 5 working days. In the event of an appeal meeting, the employee will also be informed orally after the meeting if possible, and in any event, the decision will be confirmed in writing within 5 working days.
- e) In Community, Community Special, Voluntary Controlled and Maintained Nursery Schools, the Local Authority is required to give notice of contract termination within 14 days following receipt of confirmation from the school. Termination shall be in accordance with the notice required in the contract of employment. In voluntary aided schools the Governing Body shall issue notice of dismissal. The letter giving notice of dismissal will include the individual's right of appeal.
- f) In the case of an appeal, the employee shall set out in writing the grounds for the appeal, to be lodged with the clerk to the

governing body, within 5 working days of receipt of written confirmation of the dismissal;

- g) The panel hearing the appeal may uphold the original dismissal decision, or modify it, or overturn it. The panel may not make any award of compensation to the employee or vary unilaterally the employee's contract of employment. Once the decision has been reached, it should be given orally at the hearing if possible and confirmed in writing to the employee within 5 working days.

Conducting a Dismissal Meeting (Including Appeal Meetings)

- a. Copies of this Procedure will be held in every school and be freely available to all employees.
- b. Those involved in dismissal proceedings need to be fair, impartial and reasonable throughout.
- c. A governor is ineligible to serve at a dismissal meeting where he/she is related to the employee.
- d. Where a panel of governors is required to determine an appeal, that panel will include no fewer than three governors and no governor who has had prior involvement in the case shall consider an appeal against that decision.
- e. Meetings will be held at a time and place, which, as far as possible, are acceptable to all parties. A meeting should be adjourned to another date after 5 hours or at 6.00 p.m.; whichever is the earlier, unless both parties agree otherwise.
- f. Copies of all documentary evidence will be available to both parties as early as possible in advance of the meeting, and providing at least 3 working days' notice.
- g. Accommodation will be provided for the employee and his or her representative or friend/work colleague to meet in private before, during and after the meeting.
- h. The Headteacher and any governor(s) and the employee and his or her representative will attend throughout the meeting. Witnesses will be present only for their submission to the meeting.
- i. During the meeting, the Headteacher, Governors, or the employee, may request one or more short adjournments. Such requests will not be unreasonably refused.
- j. Witnesses will be instructed not to discuss their evidence with other witnesses during the meeting.
- k. The Chair of Meeting should start the proceedings by introducing himself/herself and others present to the employee, explaining the role of each of those present. The employee should introduce any person who is accompanying him/her.

- l. The Headteacher will first present the information to support the dismissal, including a summary of all actions taken to date. If the Headteacher is the subject of the Appeal meeting, a Senior Officer from the Learning Service will take this role.
- m. The employee or his/her representative will then be asked expand on their reasons for appeal, providing such evidence, documentary or by oral statements, as appropriate.
- n. All witnesses may be questioned by the Headteacher, the employee or his/her representative, any governor, and the representative of the Authority (if present) immediately following their submission to the meeting. The Headteacher and the employee may be similarly questioned.
- o. Following the completion of both parties' submissions, witnesses may be recalled - but only to clarify evidence previously given, not to introduce any new material.
- p. The Headteacher and the employee or his or her representative may sum up following the conclusion of statements by both parties. The employee will be given the opportunity to speak last. Neither summary may introduce any new material.
- q. The Headteacher, having given the employee the opportunity to state his/her case, may adjourn the meeting for further investigations before a decision is made.
- r. At the conclusion of the meeting, all those present except the panel and adviser should leave the room to allow them to deliberate in private. If necessary, the Headteacher or Chair (at appeal meetings) may recall the parties to clarify points of uncertainty on evidence already given. If recall is necessary, both parties must return even if only one is concerned with the point giving rise to doubt.
- s. In exceptional circumstances, it may not be possible to reach a decision on the day of the meeting. In this case, both parties should be recalled to the meeting and so advised. The Headteacher/chairman should explain the reasons and inform the employee when the determination is likely to be reached. This must be no later than two working days after the meeting.

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