CARWARDEN HOUSE SCHOOL

SICKNESS ABSENCE & SICK PAY POLICY

Reviewed Bi-annually by Audit, Risk and Resources Committee

Adopted: March 2025

Due for review: March 2027

Introduction

The Academy applies this policy to employees of the Academy only (who will be referred to as “you” in this policy). It does not form part of any employee’s terms and conditions of employment and is not intended to have any contractual effect.

We reserve the right to amend this policy at any time to ensure that its operational needs are met.

Sickness Absence Notification and Certification Requirements

1. Teaching Staff

For absences not known in advance, the following steps should normally be taken when informing absence and upon returning to work after an absence.

You are required to contact the Main School answerphone (01276 709080) before 7.30am on the first day of absence, informing us of:

- the fact of your sickness absence.
- the reasons for it.
- its expected duration; and
- the action you are intending to take e.g., visiting your GP, seeking advice from a pharmacist etc.

When leaving your message on the answerphone, you should also confirm that you will be providing cover work for your classes. The cover work should be emailed to the cover supervisor as they will be arranging the cover for your absence. The cover supervisor will then ensure that work is either handed over to the agency teacher or place it on your desk where cover is to be carried out.

You must leave a message on the answerphone by 7.30am on each day of absence and ensure that appropriate work is being set for the classes.

When you intend to return to work after a period of absence lasting more than one week you should inform the School Business Manager on the day **before** your return to work.

2. Support Staff

For absences not known in advance, the following steps must be taken when informing absence and upon returning to work after an absence.

You are required to contact the Main School answerphone (01276 709080) before 7.30am on the first day of absence, informing us of:

- the fact of your sickness absence.
- the reasons for it.
- its expected duration.
- the action you are intending to take e.g., visiting your GP, seeking advice from a pharmacist etc; and
- any scheduled work that needs to be completed.

Absence records will be kept by School Business Manager who will provide statistics for the Headteacher and the Trustee Board.

When you intend to return to work after a period of absence lasting more than one week, you should inform the School Business Manager on the day **before** your return to work.

3. General Notification Requirements Applicable to all Staff

Text messages, e-mails, messages through social media or messages left with colleagues will not satisfy our sickness absence notification requirements and may result in any absence being deemed to be unauthorised. Cases of unauthorised absence may be dealt with under our Disciplinary Procedure and may result in loss of pay to which you may otherwise have been entitled to for the period of unauthorised absence.

Notification must be by yourself, unless your incapacity is such that this is not possible in which case you should authorise a family member or friend to contact the Academy on your behalf.

During Sickness Absence

It is essential that you keep us updated on the circumstances of your absence and its estimated duration. You are required, where you have not indicated a likely return date on the first day of your sickness absence, to telephone the Academy on each subsequent day of absence.

Where your sickness absence lasts or is due to last more than seven calendar days, you are required to notify the School Business Manager of that fact and forward to them a Fit Note completed and signed by an approved healthcare professional, stating that you are not fit for work and the reason(s) why, to cover the period of absence. Thereafter, subsequent Fit Notes must be submitted for any continued sickness absence on a weekly basis, or at those intervals determined by your Fit Note, and sent in advance ensuring all continuous absences are covered.

Communication with the School during Sickness Absence

During any period of sickness absence, you may be required to respond to any enquiries from the Academy during normal working hours, to attend meetings or receive home visits from authorised Academy personnel to discuss your absence and to liaise with Occupational Health, where we consider this is required.

Stress

In the event that you are suspended from work pending or during an investigation or have been informed that the Academy may be or is investigating potential misconduct or an issue of poor performance, or a grievance outcome has been received and you are then absent due to sickness and produce a Fit Note with diagnoses such as “stress”, “stress-related illness”, “anxiety” or “depression” or any other similarly worded diagnoses, the Fit Note itself may not be sufficient to demonstrate you are unable to attend a meeting or engage in the process under our Disciplinary Policy and Procedure, Grievance Policy and Procedure, Capability Policy and Procedure, [Managing Sickness Absence, or any other policy, and we may require further medical evidence/advice confirming that this is the case.

Conduct during Sickness Absence

In all cases of sickness or injury, which necessitate taking time off work, it is expected that you will do your utmost to facilitate a speedy return to fitness and to work. In this regard, you are expected to act sensibly and honestly. As detailed above, you are expected to keep in regular contact with the Academy during any period of sickness and you are expected to be honest and open about the progress of your illness or injury.

If you are absent from work due to sickness or injury, we would not normally expect you to:

- participate in any sports, hobbies or social, political, union or any other activities, meetings etc. which are in any way inconsistent with your illness or injuries, or which could aggravate the illness or injury, or which could delay recovery. Healthy exercise, however, as an aid to recovery would of course be sensible and would cause no concern on our part.
- undertake any other employment whether paid or unpaid. If you declare yourself as unfit for work in relation to your employment with the Academy, it

  may be deemed gross or serious misconduct to undertake any other duties whilst absent unless you have discussed this with us prior to undertaking such other employment and demonstrated that doing so will not delay your recovery.
- engage in any work around the home in terms of home improvements or the like or outside the home such as gardening or cleaning cars or doing any work on cars etc. where this is contradictory to your reported symptoms, injury or illness.
- engage in any activity which is inconsistent with the nature of the reported illness or injuries (e.g., be seen walking around town with bags of shopping with an alleged injury).
- have elective surgery or any form of cosmetic treatment unless this has first been authorised in advance by the Headteacher. It is up to the Headteacher's discretion whether this is counted as paid or unpaid sick leave or whether we ask you to take paid holiday for this purpose in line with any policy we may have on this.
- take any holiday whether planned or unplanned unless this has first been authorised by the Headteacher. Holiday advised in writing by your doctor for recuperative purposes will be allowed as part of sick leave and will not be counted as holiday.
- call in sick or write in sick once you have started any period of leave, holiday, vacation etc. Once you start your holiday, you are deemed to be on holiday, and this will not count as sick leave. However, if you are too ill to take any holiday just before you are due to start any annual leave, then at the Headteacher's discretion and subject to providing satisfactory medical evidence, this absence may be permitted to count as sick leave and not annual leave and you will then be permitted to take holiday at another time.

Arrangements for Return to Work

If an approved healthcare professional provides a certificate stating that you "may be fit for work", you should inform the School Business Manager immediately. We will discuss with you any additional adjustments or support that may be needed to assist you in returning to work, taking account of any medical advice. This may take place at a Return-to-Work interview upon your return to work after a period of sickness absence or prior to a return to work being agreed as appropriate.

On return from a period of sickness absence of less than 7 days, you are required to complete a sickness absence self-certification form and submit this to your Line Manager. The Line Manager submits the completed form to the School Business Manager.

You may be required to attend a Return-to-Work interview on or prior to your return to work after any period of sickness absence. This will usually be held by the Headteacher and during the meeting, we will: discuss the reasons for and cause of

your absence, consider your Fit Note(s) (where appropriate), establish that you are in fact fit to return to work and discuss whether there is anything the Academy can do to assist you.

If you wish to return to work prior to the date noted on a Fit Note in cases of long-term absence or a serious health condition, you may be required to attend a medical examination and/or asked to agree to a medical report being prepared by our nominated approved healthcare professional to confirm you are fit to return to work before you may return.

Failure to comply with the above

Failure to comply with our sickness absence notification and certification procedures above may result in your absence being classed as unauthorised.

Cases of unauthorised absence may be dealt with under our Disciplinary Policy and Procedure and may result in loss of pay to which you may otherwise have been entitled to for the period of unauthorised absence.

The Requirement for Medical or Occupational Health Report

From time to time, it may be necessary for us to require you to be examined by and obtain a medical report from your doctor, an approved healthcare professional, nominated by the Academy or an occupational health adviser to gather information about your medical condition, its probable effect on your future attendance at work or ability to do your job.

You are required to co-operate with us in obtaining such information and should be aware that failure to do so may constitute a breach of the terms of your contract of employment with the Academy and result in the Academy having to proceed with sickness absence management on the basis of the existing information available and without the benefit of specialist advice.

Access to Medical Reports Act 1988

You have certain rights under the Access to Medical reports Act 1988 (AMRA) where we propose obtaining a medical report from your GP, Consultant, or other approved healthcare professional with responsibility for your clinical care. Should we find it necessary to obtain such a medical report concerning your fitness for work or any other relevant matter you will be asked for your written consent. At the time of the request, you will be advised of your rights under AMRA.

Managing Sickness Absence Policy

Long-term or frequent absences may, in certain circumstances, lead to the termination of your employment with the school in accordance with our Managing Sickness Absence Policy.

Statutory Sick Pay

If you are absent from work because of sickness you will normally be entitled to receive Statutory Sick Pay (SSP) from us, provided you meet the relevant criteria.

Once the criteria has been met, SSP is not normally payable for the first three days of sickness absence, unless you have been absent and in receipt of SSP within the previous eight weeks. Thereafter, we will normally pay SSP at the statutory rate in force for a maximum of 28 weeks if you are eligible for SSP and have satisfied our sickness absence and notification requirements above. We reserve the right to withhold payment of SSP where you fail to follow the correct procedure.

If two periods of incapacity from work of four or more days (PIW) occur within 56 days of each other they are linked to form one PIW. Each PIW has an entitlement of 28 weeks payment and SSP is paid on a daily basis, in respect of qualifying days, which are those days normally worked.

Academy Sick Pay

We also operate an Academy Sick Pay Scheme in accordance with the national conditions of service for teaching staff (the Burgundy Book) and the national conditions of service for National Joint Council (NJC) staff (the Green Book).

1. Teaching Staff

You are entitled to the following sick pay in respect of bona fide sickness absence notified and certified in accordance with the required procedure set out above and in accordance with the Burgundy Book. All payments made to you under this Scheme will include SSP payments where they fall due.

During the first year of service	Full Pay for 25 working days and after completing 4 calendar months' service, half pay for 50 working days
During the second year of service	Full pay for 50 working days and then half pay for 50 working days
During the third year of service	Full pay for 75 working days and half pay for 75 working days
During the fourth and subsequent years of service	Full pay for 100 working days and half pay for 100 working days

For the purposes of the above scheme:

- "working days" means teaching and non-teaching days within "directed time" or in the case of a Headteacher, normal working days; and
- "a year" is deemed to begin on 1 April and end on 31 March.

The above entitlement will be pro-rated for part-time employees.

2. Support Staff

If you are a member of support staff, you are entitled to the following sick pay in respect of bona fide sickness absence notified and certified in accordance with the required procedure set out above. In the case of full pay periods, payments under this Scheme will include SSP payments where they fall due. In the case of half pay periods, any payments under this Scheme will be paid in addition to any SSP payments where they fall due, so long as the total does not exceed your normal pay.

During the first year of service	Full Pay for 25 working days and after completing 4 calendar months' service, half pay for 50 working days
During the second year of service	Full pay for 50 working days and then half pay for 50 working days
During the third year of service	Full pay for 75 working days and half pay for 75 working days
During the fourth and subsequent years of service	Full pay for 100 working days and half pay for 100 working days

For the purposes of the above scheme:

- “month” means your normal working days over the period of a calendar month;
- “continuous service” will be calculated from the first day of sickness absence; and
- “a year” is deemed to be a rolling 12-month period.

All Staff

The calculation of Academy Sick Pay will take into account any previous payments of Academy Sick Pay made in the year (as defined above in relation to Teaching and Support Staff) immediately before the first day of the current sickness absence.

You should claim any Social Security sickness benefits relating to illness or disability to which you may be entitled and are required to notify us of any such payments which we will deduct from your Academy Sick Pay.

The rules of the Academy Sick Pay Scheme do not imply that termination of employment may not take place before payment of Academy Sick Pay has been exhausted.

Suspension of Academy Sick Pay

We reserve the right to suspend any or all payments of sick pay where:

- it has reasonable grounds to believe that you are fit to work and are making misrepresentations with regard to your ability to work.
- it has reasonable grounds to believe that your ill health is caused by your misuse of alcohol or illegal substances, or by any criminal act by you.
- you fail to co-operate with us in implementing advice from an approved healthcare professional and/or occupational health practitioner to facilitate or maintain your return to work.
- the sickness absence is or was:
    a) caused by your own misconduct.
    b) extended by any conduct by you which is or has been prejudicial to your health or recovery.
    c) caused by your active participation in sport as a profession; [and]
    d) caused while you.
    e) were working in your own time on your own account for private gain or for another employer.

We may make a referral to Occupational Health in any of the above situations.

Sickness Absence and Annual Leave

If you are sick whilst on annual leave and you wish for that period of leave to be classed as sickness absence, you are required to notify the Academy of your sickness absence in accordance with the above procedure and provide a fit note (or other medical evidence satisfactory to the Academy covering your absence (even if this is less than 8 calendar days) in order for you to reclaim that period of lost annual leave. The Academy will cover the cost of any such fit note required for less than 8 calendar days. Failure to comply with the above means you will be deemed to be on annual leave for the period you were sick.

Please note that the requirements in your employment contract regarding requesting annual leave will continue to apply during any period of sickness absence.