



Sickness Absence Management Policy

PURPOSE

This policy is intended to support staff and enable managers to manage the sickness absence in a way which is fair and consistent and complies with employment and education legislation.

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POSITIONING WITHIN ARK OPERATIONAL MODEL

Component	Element
<input type="checkbox"/> Strategic Leadership & Planning <input type="checkbox"/> Monitoring, Reporting & Data <input type="checkbox"/> Governance & Accountabilities <input type="checkbox"/> Teaching & Learning <input type="checkbox"/> Curriculum & Assessment <input type="checkbox"/> Culture, Ethos & Wellbeing <input type="checkbox"/> Pathways & Enrichment <input type="checkbox"/> Parents & Community <input checked="" type="checkbox"/> Our People <input type="checkbox"/> Finance, IT & Estates	

1. Introduction

- 1.1. Ark Schools values the contribution of its employees and understands that high levels of attendance will have a positive impact on our pupils learning and on the work of their team, on colleagues and the academy. Ark Schools has a legal responsibility to promote a positive health and safety culture recognising that from time to time employees may become ill through no fault of their own and as a consequence be unable to attend work.
- 1.2. The aim of this policy is to support all employees to achieve and maintain high levels of attendance wherever possible whilst recognising that absences will happen from time to time. This policy is designed to ensure that absence matters are dealt with in a fair, focused and reasonable manner and that Ark Schools will make every effort to assist and support employees in their recovery and return to work.
- 1.3. All information received in connection with sickness absence will be treated with sensitivity and confidentiality according to data protection regulations.

2. Purpose

- 2.1. This Policy aims to provide a framework to support employees who are unable to work due to illness and assist them back to work as quickly as possible.
- 2.2. There are many factors that can affect an employee's attendance, Ark Schools is committed to ensuring staff can maintain their health and attendance in the workplace by:
 - 2.2.1. Promoting a positive attendance culture
 - 2.2.2. Promoting health and wellbeing
 - 2.2.3. Supporting staff at all times to ensure high levels of attendance
 - 2.2.4. Supporting managers to actively promote an inclusive workplace
 - 2.2.5. Assisting managers to actively support the health and wellbeing of staff
 - 2.2.6. Taking appropriate action where there is evidence sickness absence is taken inappropriately
- 2.3. Sickness absence data will be collected and monitored in line with data protection regulations and this policy will be used to take appropriate steps to manage this including promoting the employee's health, safety and welfare.
- 2.4. This Policy applies to employees of Ark Schools only and does not extend to contractors or agency/supply staff.

3. Scope

- 3.1. This Policy provides the procedures for supporting and managing short and long term sickness absence including ill health whilst still at work.
- 3.2. The Ark Schools Leave of Absence Policy sets out guidance on managing leave for any other form of absence for example in connection with personal, family and compassionate reasons.
- 3.3. If a line manager has good reason to suspect that there has been misconduct in relation to an employee absence, the Ark Schools Disciplinary Policy will apply for

example if the line manager has evidence to indicate the absence is not genuine or that the employee is carrying out work for another organisation whilst signed off sick.

4. Responsibilities

- 4.1. The principal has overall responsibility for the effective application of the policy in their academy, supported by their Senior Leadership Team and appropriate designated individuals.
- 4.2. The day-to-day responsibility for absence management will ordinarily sit with the employee's direct line manager.

Absence Management Procedure

5. Time Off to Attend Medical Appointments

- 5.1. Line managers will allow employees paid time off to attend essential appointments with their doctor, dentist, optician or medical specialist and health checks (e.g. Well Man or Well Woman) during working hours, evidence of the appointment should be provided.
- 5.2. Pregnant women are entitled to paid time off to attend antenatal appointments and classes and this is not recorded as sickness absence, they also have the right to have paid time off for appointments where the employee's attendance has been recommended by a registered medical practitioner, midwife or nurse refer to Ark's Maternity Policy for more details. For details about fathers-to-be time off for antenatal appointments please see the Ark Schools Paternity Leave Policy.
- 5.3. **Appointments should be made whenever possible at the beginning or end of the working day to minimise absence in work time.**
- 5.4. Wherever possible employees must obtain approval from their line manager in advance of any appointment. The line manager reserves the right to ask the employee to reschedule an appointment if its timing would cause unacceptable disruption to the academy. The line manager may also, at his/her discretion, ask the employee to produce confirmation of the appointment.
- 5.5. Refer to the Ark Schools Leave of Absence Policy for other reasons for needing time off work.

6. Absence Reporting Procedure

- 6.1. Employees must report sickness absence to their line manager or other nominated person **as soon as possible on the first day** of absence **and before the normal starting time**. If the employee's manager is unavailable, the employee should contact the next most appropriate person within the department.
- 6.2. Reporting should be done **by a telephone** call (unless otherwise agreed) and in person and provide:
 - the **reason** for their absence; and
 - the estimated **duration** of absence; and
 - agree the frequency of ongoing contact for absence **updates**; and
 - highlight any urgent work which may need to be covered.
- 6.3. Reporting by a third party will only be appropriate if the employee is incapacitated.

- 6.4. If an employee needs to leave work during the day because of ill health they must report this to the line manager before leaving work providing the details in 6.2.
- 6.5. Failure to follow the absence notification and reporting procedure may result in the following:
- Sick pay payments being delayed or withheld; and/or
 - The absence being treated as unauthorised and/or that the failure to follow the procedure be deemed misconduct which is a disciplinary matter.

7. Absence Certification

7.1. Self-certification

- 7.1.1. If sickness is for **seven calendar days or less**, on the first day of the employee's return to work, he/she must obtain, complete and sign a self-certification form, setting out the dates of absence and the nature of the illness or injury.
- 7.1.2. The line manager should countersign the form and pass to the academy HR lead for recording on the HR system and payroll processing.

7.2. Doctors Statement of fitness for work (“fit note”)

- 7.2.1. All sickness that lasts **longer than seven calendar days** require medical evidence usually in the form of a doctor's fit note, also known as a "statement of fitness for work".
- 7.2.2. Should the absence continue, fit notes should be submitted promptly to the employee's line manager or other nominated person to cover their periods of sickness absence consecutively.
- 7.3. Any unreasonable failure to provide the required certification for sickness absence, or if an employee provides false evidence of incapacity, this will be treated as a disciplinary matter.

8. Sick Pay Entitlements

- 8.1. The Ark Schools occupational sick pay entitlements are detailed in **Appendix 1** (Teachers) and **Appendix 2** (Operations staff).
- 8.2. If an employee is not entitled to statutory sick pay (SSP) or if they have exhausted their 28 weeks' entitlement they can seek advice from their academy HR or Finance lead regarding claiming appropriate benefits.
- 8.3. The Ark Schools occupational sick pay entitlements are not contractual and may be subject to change in accordance with the regular review of this policy.

9. Return-to-work

- 9.1. On the **first day back at work** or as soon as is reasonably practicable after any period of sickness absence the employee and line manager will **meet informally** to discuss the absence and return to work.

- 9.2. The employee must either fill in a self-certification form (where the sickness is seven calendar days or less) or provide a Doctors statement where this has not already been provided to the line manager during the absence.
- 9.3. The Ark Schools template **return to work form** should be completed during this discussion and kept on the employee's personal file.
- 9.4. During the return to work discussion a review of the employees' absence record over the last 12-months should be discussed against the Absence Policy triggers, highlighting next steps should absence reoccur.
- 9.5. The line manager should bear in mind that special considerations apply to absences related to pregnancy and disability (see section 16.1).
- 9.6. For a return following long-term sickness absence, a phased return to work may be appropriate (see section 14.9).

10. Medical / Occupational Health Advice

- 10.1. At various stages of managing the employee's sickness absence, a manager may want to obtain advice on the employee's fitness for work from occupational health advisers. Occupational health services can be accessed from a variety of external providers at the decision of the principal. As this is a regulated service, occupational health provides an impartial and independent advice.
- 10.2. Examples of when a line manager might refer to occupational health include to:
 - seeking a medical report on the employees' ill health;
 - whether or not there are any underlying medical conditions that explain the employee's type or pattern of absences;
 - establish when the employee might be able to return to work (if still off sick);
 - ask for guidance on the employee's condition, for example if there is a possibility that the employee is disabled or ambiguity as to the exact nature of the condition; and
 - if the employee is disabled, discuss any reasonable adjustments that could be made to accommodate the employee's disability.
- 10.3. In accordance with access to medical information and other relevant regulations, an employee must **provide consent** to an occupational health referral being made. An employee can also request to review a medical report prior to it being provided to Ark Schools and/or decline the report being released.
- 10.4. The line manager will make an occupational health referral using the referral form provided by the relevant occupational health provider and attach the employees signed consent form. The referral will provide as much information as possible about the role the employee performs and include specific questions which require medical advice. The employee should be aware of the nature of the referral being made.
- 10.5. Where the employee refuses permission to contact a medical advisor any appropriate decisions will be made in connection with the absence based solely on the information available.
- 10.6. Advice can be sought from the Ark Schools AskHR team.

11. Short-Term Absence Management Procedure

For the Short-Term Absence Management Flowchart see **Appendix 3**.

11.1. Short-term absence is sickness absence that is shorter than 28 calendar days, excluding intermittent absences which are linked to a long term health condition which would normally be managed under the long-term absence management procedure (section 14). Additional consideration must also be given to absences due to special circumstances (see section 16 for details).

12. Informal Absence Management

- 12.1. If the line manager has good reasons to be concerned about an employees' absence they will raise it informally at an early stage, often the best time is during a return to work meeting in the first instance, and the employee will be given the opportunity to raise any issues they may have.
- 12.2. In most cases, an informal discussion at a return to work discussion will be enough to improve the level of attendance going forward.
- 12.3. If absence levels reach indicators outlined below, the line manager needs to consider individual circumstances and decide whether to proceed to the formal sickness absence management procedure. If in doubt, the academy HR lead will provide advice and if necessary further guidance can be sought via the Ark Schools AskHR team.
- 12.4. If the period of absence reaches 28 calendar days, management of this period of absence should move to the Long-term Sickness Absence procedure. (section 14)

13. Formal Absence Management Procedure

13.1. **Indicators** that are used to decide when action needs to be taken to address an employee's sickness absence record are set out below. When applying these indicators, the special rules that apply to pregnancy and disability (see above) must always be borne in mind. The stages set out below are guidelines only.

- **10 days'** sickness absence (in total) in the previous 12 months which can comprise of one or multiple instances; or
- **3 instances** of sickness absence in the previous 12 months, on a rolling basis.
- **Identified patterns:** when a combination of odd days, or longer periods and instances of absence appear to be a pattern.

For part-time workers, the indicators will be pro-rated and rounded up to the nearest day.

13.2. Stage 1 Formal Review

- 13.2.1 When an employee reaches an indicator, the employee's line manager will invite the employee in writing to a stage 1 formal short-term sickness absence review meeting. The invite should:
 - Give the employee at least **five working days' notice**
 - **Provide full details** of the employee's absence record and medical evidence relevant to the case
 - Inform the employee of their right to **be accompanied by a fellow worker or trade union official**

- Explain what the possible outcome of the meeting may be
 - If appropriate, consider what guidance an occupational health referral might be able to offer.
- 13.2.2 The meeting will be chaired by the employee's line manager and the academy HR lead should be present to take notes of the meeting and provide HR advice as required. The meeting outcome will be confirmed in writing and can include:
- **No further action**, returning to informal management stage; or
 - A **First Written Warning** including a 12-month monitoring period and the expectation that substantial improvement is required
 - If a warning is issued the employee will have the right of appeal (section 15).
- 13.2.3 If the sickness absence levels improve to a satisfactory level during the monitoring period, no further formal action will be taken and the manager will confirm to the employee that sustained attendance levels will be expected.
- 13.2.4 If the employees' absence fails to improve to a satisfactory level a Stage 2 Formal Review meeting should be arranged.

13.3. Stage 2 Formal Review

- 13.3.1. If, during the Stage 1 monitoring period, absence levels are not improved significantly a Stage 2 meeting will be organised.
- 13.3.2. A Stage 2 Formal Review meeting will be organised following the same process detailed in 12.2.
- 13.3.3. If appropriate, consider what guidance an occupational health referral might be able to offer.
- 13.3.4. The meeting outcome will be confirmed in writing and can include:
- A continuation of the **First Written Warning**; or
 - A **Final Written Warning** including a 12-month monitoring period and the expectation that substantial improvement is required; or
 - If appropriate, a continuation of the informal review stage.
 - The employee will have the right of appeal (section 15).
- 13.3.5. If the sickness absence levels improve to a satisfactory level during the monitoring period, no further formal action will be taken and the manager will confirm to the employee that sustained attendance levels will be expected.
- 13.3.6. If the employees' absence fails to improve to a satisfactory level a Stage 3 (Final) Formal Review meeting should be arranged.

13.4. Stage 3 (Final) Formal Review

- 13.4.1. If, during the Stage 2 monitoring period, absence levels are not improved significantly a Stage 3 meeting will be organised.
- 13.4.2. A Stage 3 Formal Review meeting will be organised. The employee's line manager will invite the employee in writing which will:
- Give the employee at least **five days' notice**
 - **Provide full details** of the employee's absence record and medical evidence relevant to the case

- Inform the employee of their right to **be accompanied by a fellow worker or trade union official**
 - Explain that a possible outcome of the meeting is that the employee may be dismissed due to ill health.
- 13.4.3. The meeting will be chaired by a senior manager, the line manager will be present to explain the details of the case and the academy HR lead should be present to take notes of the meeting and provide HR advice as required.
- 13.4.4. If appropriate, consider what guidance an occupational health referral might be able to offer.
- 13.4.5. The meeting outcome will be confirmed in writing and can include:
- A continuation of the **Final Written Warning**
 - Implementation of suitable and **reasonable adjustments** (depending on the circumstances of the case) where this is believed to improve absence levels and a continuation of the Final Written Warning
 - **Dismissal**
- 13.4.6. The employee will have the right of appeal (section 15).

14. Long-Term Absence Management Procedure

For the Long-Term Absence Management Flowchart see **Appendix 4**.

- 14.1. **Long-term absence** is sickness absence that is longer than 28 calendar days and/or where an employee has a long-term ill health condition which is the cause of repeated absences and/or the need for adjustments to their post to enable attendance at work.
- 14.2. Additional consideration must also be given to absences due to special circumstances (see section 16 for details).
- 14.3. Absence reporting and certification continue to apply as set out in section 6 and 7 above during periods of long-term sickness absence.
- 14.4. Keeping in touch with the employee**
- 14.4.1. It's essential that reasonable regular and proactive contact is maintained between the employee and line manager during the long-term sickness absence, the frequency should be agreed between the line manager and employee. This is a joint responsibility and is to:
- Discuss the employee's progress/recovery
 - Explore ways that a return to work can be facilitated as early as possible, discussing ways to facilitate this including making appropriate temporary or permanent adjustments where reasonable and possible
 - Keep the employee actively engaged with the school, updating them on news, events and changes
 - Confirm entitlements to sick pay
 - Explore the benefits of an occupational health referral
- 14.4.2. Depending on the nature of the illness, meeting with the employee at their home or an alternative location to the academy should be considered. These meetings will

usually be conducted by the line manager with the school HR lead present to make notes and provide guidance.

14.4.3. Occupational Health guidance is often a vital part of identifying how a return to work could be facilitated and the likely recovery timeframe. For details see section 10.

14.4.4. Reasonable regular contact should continue throughout the long-term absence alongside formal review meetings as set out below.

14.5. Formal Absence Reviews

14.5.1. Before commencing the formal absence review procedure, the line manager must consider:

- If the absence case is an exceptional situation where it is appropriate to move straight to the "stage 3" long-term sickness absence final meeting (see below), for example where early on during the period of absence medical advice is able to advise that the employee will not be able to return to work and there is no foreseeable change in this view.
- When the absence is related to pregnancy or maternity, cancer or a disability that the employee will have additional legal rights.
- If the review meeting is for a teacher who is absent because of depression, stress, anxiety or psychiatric illness there are additional requirements to be discussed and considered (see section 16.3 for details).

14.5.2 Guidance can be sought from the Ark Schools AskHR team at any stage.

14.6. Formal Review Meeting – Stage 1

14.6.1. As soon as it is clear the absence will be long-term, or when the absence reaches 28 calendar days, the line manager should invite the employee to a long-term sickness absence formal review meeting.

14.6.2. The line manager should contact the employee to agree a date, time and location for the meeting to take place and these arrangements should be confirmed in writing. The employee should be **given at least five working days' notice of the meeting**. The letter should explain to the employee the purpose of the meeting and advise the employee that he/she **can be accompanied by a fellow worker or trade union official**.

14.6.3. Depending on the nature of the illness or injury, it may be appropriate to extend the right to be accompanied to include a family member or friend instead, this can be offered at the line managers discretion. Guidance can be sought from the Ark Schools AskHR team.

14.6.4. Unless the employee is hospitalised, the fact that the employee is unwell should not prevent the meeting taking place; the purpose of the meeting is to understand their current state of health, what support they are receiving from medical professionals already and to understand what the expected recovery will be. If an employee does not feel able to attend a meeting of this nature, support measures can be put in place to make the employee feel more comfortable; for example, a home visit and allowing them to be accompanied by a family member.

14.6.5. **If the employee does not respond** to efforts made to contact him/her, or does not cooperate with attempts to agree a time and place for the meeting, the line

manager will set a time and place for the meeting without the employee's agreement and the arrangements will be confirmed in writing.

- 14.6.6. A meeting may be reorganised once, following which the formal absence review will take place in their absence based on any information that is already available (such as GP notes, medical reports and/or any notes from meetings with the employee or written correspondence received).
- 14.6.7. After the meeting, the line manager will set out in writing what has been discussed including details of any steps that have been agreed to help the employee with their recovery and facilitating their return to work. A copy of the meeting note should be included.

14.7. Formal Review Meeting - Stage 2

- 14.7.1. A Stage 2 long-term sickness absence formal review meeting will be organised when the absence is known to be for at least 3-months in duration or it will be held at the date set at the Stage 1 meeting.
- 14.7.2. Reminder: if the review meeting is for a teacher who is absent because of depression, stress, anxiety or psychiatric illness there are additional requirements to be discussed and considered (see section 16.3 for details).
- 14.7.3. The line manager should organise and conduct the stage 2 meeting following the same steps set out in 14.5 above.

14.8. Stage 2 – Repeat

- 14.8.1. Stage 2" long-term sickness absence formal review meetings can take place every 3-months until the employee returns to work up-to a maximum of 12-months' long-term sickness absence at which point a "stage 3" long-term sickness absence formal meeting will take place (see below).
- 14.8.2. Repeating a stage 2 meeting is appropriate in cases where the return date is foreseeable, but not within the short-term (for example linked to an operation which has a known recovery timeframe and is known to enable the employee's full recovery). This would usually also be appropriate for situations where an employee is undergoing cancer treatment.

14.9. Formal Review Meeting - Stage 3 (Final Review)

- 14.9.1. A stage 3 final formal absence review meeting will be arranged when:
- it is clear from medical advice that the employee is unable to return to his/her role in the foreseeable future;
 - all reasonable steps to assist the employee in returning to work (for example, a phased return, amended job duties, altered hours of work, or workplace adaptations) have been exhausted;
 - Once an employee has had a 12-month continuous absence period, or as soon as it is confirmed that the continuous absence period will last for at least 12 months (for example, a fit note has signed the employee off for a period that will take him/her beyond 12 months' continuous absence);
 - the possibility of dismissal, including ill-health retirement where appropriate has been discussed with the employee.
- 14.9.2. The meeting will be chaired by a senior manager and the academy HR lead will be present to provide advice and take a note of the meeting. The line manager will be

present to outline the long term absence management process followed leading up to the final review meeting.

- 14.9.3. The line manager should contact the employee to agree a date, time and location for the meeting to take place and these arrangements should be confirmed in writing. The employee should be **given at least five working days' notice of the meeting**. The letter should explain to the employee the purpose of the meeting and advise the employee that he/she **can be accompanied by a fellow worker or trade union official**. The letter should warn the employee that a possible outcome of the meeting is that he/she may be dismissed by reason of ill health.
- 14.9.4. Depending on the nature of the illness or injury, it may be appropriate to extend the right to be accompanied to include a family member or friend instead, this can be offered at the line managers discretion. Guidance can be sought from the Ark Schools AskHR team.
- 14.9.5. If the employee is not well enough to attend the meeting in person, adjustments can be made to enable their representations to be made such as providing a written statement instead, the employee representative attending on their behalf and/or changing the location of the meeting to a more accessible venue.
- 14.9.6. **If the employee does not respond** to efforts made to organise this meeting and/or they fail to attend the meeting can be conducted in their absence and a decision reached based on the information available.
- 14.9.7. At the meeting, the chair will consider all the circumstances of the employee's case, including:
 - the length of the employee's absence and the likely length of future absence;
 - medical advice on the employee's condition;
 - if applicable, the possibility of ill-health retirement or making a claim under a permanent health insurance scheme, or similar insurance scheme;
 - what adjustments are available and reasonable to help the employee to return to work; and
 - the effect of the employee's continued absence on his/her colleagues and department.
- 14.9.8. **Permanent redeployment** can be considered where no foreseeable return to the employees' role is possible. Any offer to redeploy the employee will be entirely at the academy's discretion and subject to a suitable vacancy existing. Such an offer will be made only where the academy is confident that the employee is no longer able to continue to work in his/her current role and will be able to perform well in the redeployed role. While the employee is free to refuse any offer of redeployment, the only alternative available will usually be dismissal. Redeployment will be treated as a variation in contract including a change to their pay and conditions where appropriate to the new post.
- 14.9.9. **Ill-health retirement** will be considered where: there is clear medical evidence that the employee will not be able to return to his/her role and the employee is entitled to a pension/lump sum under their pension scheme. If an employee raises ill-health retirement as an option, the employee must in the first instance contact their pension provider directly to find out if they qualify for ill health retirement and if so understand what the financial implications are. In this situation, guidance can be sought from the regions People Business Partner.

14.9.10. After the meeting the outcome will be confirmed in writing confirming the employees right to appeal the decision reached. Any dismissal will be with full notice or payment in lieu or notice.

14.10. Phased Return To Work

14.10.1 When the employee is ready to return to work, the employee's line manager and employee should agree together any arrangements required to facilitate the return. Where appropriate, this may include a risk assessment.

14.10.2 Any adjustments agreed to enable the return should be for a defined time period, subject to regular monitoring to assess progress and a record of what was agreed should be made.

14.10.3 Often the phased return arrangements will be provided by a doctor or medical advisor. However, it can also be agreed between the line manager and employee informally. In both cases, regular review and monitoring is essential to ensure the adjustments or phasing in is having the desired impact on supporting the employees' full recovery.

14.10.4 A phased return to work may include:

- Temporary adjustment to working hours or pattern
- Temporary reassignment to another role or specific duties (subject to availability of alternative work elsewhere and the employees' agreement to undertake this)

14.10.5 Where a temporary / phased return is agreed, the employee's normal salary (including applicable allowances) will remain unchanged. These arrangements are not expected to last longer than a maximum of six months.

15 Appeal

15.1 An employee who is given a warning or is dismissed under this procedure has the right of appeal. The appeal should be sent in writing to the principal/head of school, and set out the grounds on which the employee believes that the decision was flawed or unfair.

15.2 The employee should lodge an appeal **within five working days** of receiving written confirmation of the sanction imposed.

15.3 An appeal hearing should be convened as soon as is practicable, ideally within **ten working days** after the appeal is lodged. The appeal hearing will be chaired by a more senior manager than the manager who made the decision that is being appealed. The academy HR lead should be present to take notes of the meeting and provide HR advice. If necessary, further guidance can be sought from the Ark Schools AskHR team.

15.4 The employee will be entitled to be accompanied to the appeal hearing by a fellow employee or a trade union official.

15.5 At the hearing, the decision to impose the sanction will be reviewed and the employee will be entitled to make representations about the appropriateness of that decision.

15.6 The outcome of the appeal will be confirmed to the employee in writing, explaining the grounds on which the decision was reached. The outcome of the appeal will be final.

16 Special circumstances

16.1 Pregnancy-related absences

- 16.1.1 Pregnant employees who are off work because of pregnancy-related ill health must abide by the normal absence certification and reporting procedure. However, pregnancy related sickness absences should not be included when reviewing absence rate triggers in connection with formal action being taken.
- 16.1.2 If the manager is in any doubt as to whether or not a pregnant employee's absence is related to her pregnancy and/or additional guidance is required the central AskHR team can be contacted.

16.2 Disability-related absences

- 16.2.1 Where an employee's reason for absence or ill health could be because of a disability, the manager may want to consider an occupational health referral. A disability is usually defined as a physical or mental impairment which has a substantial and long-term adverse effect on the individuals' ability to carry out normal day-to-day activities. Cancer is also a disability.
- 16.2.2 Managers should be mindful that Ark Schools is under a duty to make reasonable adjustments for disabled employees and the legal definition of a disability is wide.
- 16.2.3 Where absences are linked to a disability, a reasonable adjustment may include modifying the indicators referred to in this policy.
- 16.2.4 When considering what reasonable adjustments may be appropriate in these circumstances, a manager should contact HR/occupational health for clarification and guidance.

- 16.3 Teachers with depression, stress, anxiety or psychiatric illness:** if a teacher has been absent because of depression, stress, anxiety or psychiatric illness, and they have been absent for three months or more they must be referred to occupational health before they can return to work. If the GP has signed the employee fit to return to work before the referral process has been completed, the employee must be medically suspended on full pay pending the occupational health process. This mirrors the requirements set out in the Conditions of Service for School Teachers in England and Wales ("the Burgundy Book") and is to ensure the safety and welfare of both our teachers and our pupils. Guidance should be sought through the academy HR lead and from the Ark Schools AskHR team.

17 Sickness During Holidays

- 17.1 Where an employee falls sick or is injured leading up to or during a planned holiday, Ark Schools will allow the employee to transfer to sick leave and take replacement holiday at a later time mutually agreed with the employee's line manager.
- 17.2 This policy is subject to the following strict conditions:
- The total period of ill health must be fully certificated by a qualified medical practitioner (even if the illness occurs overseas), irrespective of duration; and
 - The sickness reporting procedure must be adhered to.

18 Additional Support During Absence - Employee Assistance Programme

18.1 Ark Schools provides its employees with a free and confidential Employee Assistance Programme.

18.2 The service is available 24 hours a day, 7 days a week, 365 days a year and is accessible by phone, email, instant messaging and website. The service offers assistance with any work, personal or family issue and includes professional consultation, access to face to face counselling (up to six sessions), information, resources and referrals to local services. Employees can access the service in the following ways:

Employee Assistance Programme: -

Freephone: 0800 243 458

E-mail: assistance@workplaceoptions.com

Website: www.workplaceoptions.com

USERNAME: **Ark Schools**

PASSWORD: **employee**

Free & confidential

Appendix 1: Sick Pay and Sick Leave Regulations for Teachers

1. Application of the Scheme

The scheme shall apply to all full-time and part-time teachers.

2. Scale of Allowances and Sick Leave

Subject to the provisions of this scheme, a teacher absent from duty owing to his/her illness (which term is deemed to include injury or other disability) shall be entitled to receive in any period of one year sick pay in accordance with the following scale:

Period of service	Sick Pay Entitlement
During the 1st year of service	Full pay for 25 working days and, after completing four calendar months' service, half-pay for 50 working days
During the 2nd year of service	Full pay for 50 working days, and half-pay for 50 working days.
During the 3rd year of service	Full pay for 75 working days, and half-pay for 75 working days.
During the 4th and subsequent years	Full pay for 100 working days, and half-pay for 100 working days.

Note: This scale is to be regarded as a minimum and Ark Schools has discretion to extend its application in exceptional circumstances.

Sick pay shall include, where appropriate, statutory sick pay, and shall not exceed full (ordinary) pay. Appropriate deductions are detailed in the following sub-paragraphs.

The allowance is pro-rata for part time staff.

3. Calculations of Sick Leave and Sick Pay

- 3.1 Allowances payable under this scheme shall not exceed their normal salary.
- 3.2 For the purposes of calculating entitlement to sick leave under Section 2 above, the year shall be deemed to begin on April 1 of each year and end on March 31 of the following year. In the case of a teacher whose service commences on a date other than April 1, such service shall be deemed, for the purpose of this scheme, to have commenced on the preceding April 1, subject to the completion of four calendar months' actual service before half-pay can be claimed. In the case of a teacher who is absent owing to illness on March 31 of any year, such teacher shall not begin new entitlement to sick leave in respect of the following year until he/she has resumed teaching duties, the period from April 1 until the return to duty being deemed to be part of the preceding year for the purpose of this scheme.
- 3.3 In the case of a teacher transferred from the service of one Ark Schools academy to that of another Ark Schools academy, any sick pay paid during the current year by the previous Ark Schools academy shall be taken into account in calculating the amount and duration of sick pay payable by the new academy as the new employer.
- 3.4 For the purpose of the sick pay scheme (Section 2 above), "service" includes:

- for those teachers who were subject to statutory transfer to Ark Schools employment, all aggregated teaching service with one or more local authorities and Ark Schools
- for other teachers, all aggregated teaching service with Ark Schools and such other period of employment as Ark Schools may approve.

3.5 For staff whose contractual entitlements are still determined in accordance with the TUPE regulations, sick pay arrangements will remain in accordance with any terms of employment, policies and procedures that transferred under their contract of employment.

Any queries should be directed to the academy HR lead.

Appendix 2: Sickness Payments and Leave Regulations for Operational Staff

1. Sickness Payments

The scheme shall apply to all full-time and part-time schools based operational staff.

Subject to the provisions of this scheme, an employee absent from duty owing to illness (which term is deemed to include injury or other disability) shall be entitled to receive an allowance in accordance with the following scale:

Period of service	Staff contracted to work 52 weeks per year
During the 1st year of service	1 months full pay and (after completing 4 months service) 2 months half pay
During the 2nd year of service	2 months full pay and 2 months half pay
During the 3rd year of service	4 months full pay and 4 months half pay
During the 4th and 5th years of service	5 months full pay and 5 months half pay
After 5 years' service	6 months full pay and 6 months half pay

Note: This scale is to be regarded as a minimum and Ark Schools has discretion to extend its application in exceptional circumstances.

Sick pay shall include, where appropriate, statutory sick pay, and shall not exceed full (ordinary) pay. Appropriate deductions are detailed in the following sub-paragraphs.

The allowance is pro-rata for part time staff.

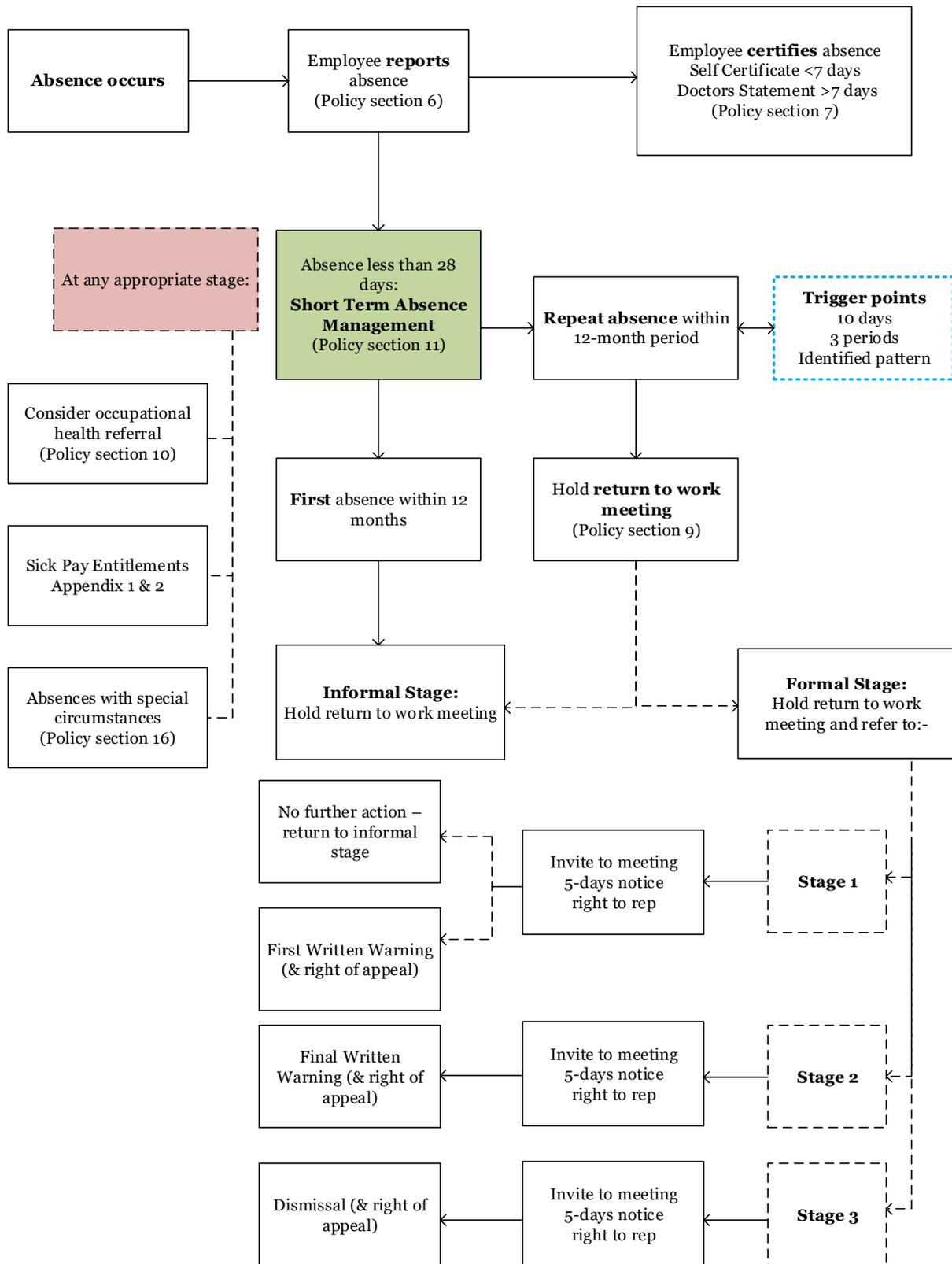
2. Calculation of Allowance

- 2.1** The rate of allowance and the period for which it shall be paid in respect of any absence due to illness shall be ascertained by deducting from the period of benefit appropriate to his/her service on the first day of his/her absence the aggregate of the periods of absence due to illness during the twelve months immediately preceding the first day of absence.
- 2.2** In aggregating the periods of absence, no account shall be taken of any unpaid absence on sick leave.
- 2.3** For the purpose of the sick pay scheme (Section 1 above), "service" includes:
- for those staff who were subject to statutory transfer to Ark employment, all aggregated service with one or more local authorities and Ark Schools
 - for other staff, all aggregated service with Ark Schools and such other period of employment as Ark Schools may approve.
- 2.4** For staff whose contractual entitlements are still determined in accordance with the TUPE regulations, sick pay arrangements will remain in accordance with any terms of employment, policies and procedures that transferred under their contract of employment.

- 2.5** Where an employee is receiving sickness pay, he/she should continue to receive such pay if a public holiday occurs during sick leave. Where an employee has exhausted his/her period of entitlement to sickness pay, no payment should be made (other than SSP if applicable) in respect of a public holiday occurring during his/her period of sick leave.
- 2.6** In determining the normal pay of an employee during sick leave, Ark Schools should include:
- regular overtime payments made to employees whose terms of employment provide that they must, each month, work hours in excess of the usual hours (and for which overtime payment is made as a regular addition to salary)
 - regular payments made in respect of standby duty allowances and allowances for working arrangements other than normal office hours.

Any queries should be directed to the academy HR lead.

Appendix 3 - Short Term Absence Management Procedure Flowchart



Appendix 4 - Long Term Absence Management Procedure Flowchart

