



Staff Sickness and Absence Policy

**With guidelines for sick pay and managing
absence**

The Diamond Learning Partnership Trust

Approved by:	The Chief Executive Officer	Date: November 2025
---------------------	-----------------------------	----------------------------

Last reviewed on:	September 2025
--------------------------	----------------

Next review due by:	September 2027
----------------------------	----------------

Contents

1. Aims	3
2. Legislation and guidance	3
3. Scope	4
4. Data protection	4
5. Roles and responsibilities	4
6. Procedure for reporting sickness absence	6
7. Sick leave and pay	8
8. Returning to work	10
9. Disability-related absence	11
10. Pregnancy-related absence	11
11. Absence related to gender reassignment	11
12. Medical and dental appointments	11
13. Elective surgery	11
14. Fertility treatment and IVF	12
15. Stress-related absence	12
16. Work-related injuries or illness	12
17. Procedure for managing short-term sickness absence	13
18. Procedure for managing long-term sickness absence	15
19. Ill-health capability review hearing (for short and long-term absences)	17
20. Right to be accompanied to formal meetings	18
21. Appeals	18
22. Other instances of absence (bereavement and compassionate leave, ECT induction, jury service and trade union duties)	19
23. Monitoring arrangements	20
24. Links to other policies	20
Appendix A: return-to-work interview form	21
Appendix B: return-to-work action plan	22
Appendix C: timetable for phased return to work	24

1. Aims

This policy aims to:

- Set out The Diamond Learning Partnership Trust (The Trust) approach to staff sickness, including the procedures for reporting sickness and how we manage sickness absence fairly.
- Support all parties in managing staff sickness and absence effectively and consistently, to ensure a fair and transparent approach across The Trust that complies with our duties under the Equality Act 2010.
- Set out our approach to requests for time off outside of annual leave or leave covered by other policies.
- Help create and maintain a happy and healthy working culture in which staff are encouraged to look after their physical and mental wellbeing.
- This policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time.

2. Legislation and guidance

This policy meets the requirements of:

- [Data Protection Act 2018](#)
- [Employment Rights Act 1996](#)
- [Employment: Code of Practice](#)
- [Equality Act 2010](#)
- [Induction for Early Career Teachers \(England\)](#)
- [The Statutory Sick Pay \(General\) Regulations 1982](#)

It also reflects best-practice guidance set out in:

- [The Advice, Conciliation and Arbitration Service \(Acas\)'s guidance on holiday, sickness and leave](#)
- The Health and Safety Executive (HSE) [incident reporting in schools](#)

All of our staff have a contract that specifically incorporates conditions from:

- [School Teachers' Pay and Conditions Document \(STPCD\)](#)
- [Conditions of Service for School Teachers in England and Wales \(the Burgundy Book\)](#)
- [The National Agreement on Pay and Conditions for Support Staff \(the Green Book\)](#)

These will continue to apply due to the [Transfer of Undertakings \(Protection of Employment\) \(TUPE\) Regulations 2006](#), which protect employees' terms and conditions when a maintained school becomes an academy.

As such, this policy complies with the STPCD, the Burgundy Book and the Green Book.

3. Scope

3.1 Eligibility

This policy applies to all staff who are employed directly by The Diamond Learning Partnership Trust.

Self-employed workers, volunteers and agency workers are not covered by this policy.

3.2 Exceptions

This policy does not apply to staff who are:

- Taking maternity, paternity, neonatal, shared parental and/or adoption leave – please see our Family Suite of Policies, found here: [Trust Policies - The Diamond Learning Trust](#)
- Taking leave for dependents – please see our Family Suite of Policies found here: [Trust Policies - The Diamond Learning Trust](#)

4. Data protection

All discussions and sensitive medical and personal information about staff members' sickness and other absence will be treated confidentially by all parties concerned. This data will be collected, used and stored in line with the Data Protection Act 2018. Please refer to our privacy notice for staff members for more detail on how data will be processed – [GDPR Policies & Procedures - The Diamond Learning Trust](#).

5. Roles and responsibilities

5.1 Headteacher

The headteacher is responsible for making sure that:

- This sickness and absence policy is applied consistently across their school and that it is in line with equality legislation.
- All staff are aware of this policy and their responsibilities.

Headteachers manage the sickness of all teaching staff and as such are responsible for:

- Considering all valid requests for time off equally, fairly and according to the needs of the school and pupils.
- Supporting staff and managing ill-health matters confidentially and sensitively, and in line with the Data Protection Act 2018.
- Promoting positive working arrangements, including monitoring workload and maintaining effective communication with staff.
- Working with HR in monitoring staff absence and following the procedures on managing staff absence if 'trigger points' are surpassed (see sections 17 and 18 for more).
- Liaising with HR promptly if a staff member's pay needs to be adjusted as a result of their absence.
- Giving due regard to equality legislation and taking any disability requirements into consideration.

5.2 Line managers

Line managers have day-to-day responsibility for this policy for non-teaching staff. If staff have questions about this policy, they should refer to their line manager in the first instance or HR.

Line managers are responsible for:

- Considering all valid requests for time off equally, fairly and according to the needs of the school and pupils.
- Supporting staff and managing ill-health matters confidentially and sensitively, and in line with the Data Protection Act 2018.
- Promoting positive working arrangements, including monitoring workload and maintaining effective communication with staff.
- Working with HR in monitoring staff absence and following the procedures on managing staff absence if 'trigger points' are surpassed (see sections 17 and 18 for more).
- Liaising with HR promptly if a staff member's pay needs to be adjusted as a result of their absence.
- Giving due regard to equality legislation and taking any disability requirements into consideration.

5.3 Governing board

The governing board will hold the headteacher to account for the implementation of this policy. The governing board has delegated the approval of this policy to the Chief Executive Officer who in turn will work with HR (to ensure it is correctly implemented, and absences are monitored and reports are completed).

5.4 Other staff

Staff are expected to:

- Follow the procedures set out in this policy
- Adhere to the stated timescales when responding to or appealing The Trust's requests or decisions

6. Procedure for reporting sickness absence

We encourage staff to keep an open dialogue with their line manager regarding their health to help us:

- Identify absence problems early on
- Support staff wherever possible, including with rehabilitation and return to work

If a staff member is taken ill or injured while at work, they should report to or be taken to their line manager to be given permission to leave work, if appropriate. Line managers should make arrangements for anyone who is unwell to be accompanied home or to receive medical treatment where necessary.

Teaching staff: if unable to attend work because of illness or injury, they should:

- Contact the Headteacher by phone before 7am on the first day of absence. If they are not able to get hold of their Headteacher, they should:
 - Contact the Deputy Head; and
 - Leave a voicemail AND send an email to their line manager, letting them know about their illness or injury and confirming how they can contact the staff member.
- Explain the nature of their illness or injury and provide an estimate of when they are able to return to work.
- Agree with their line manager how and when to keep in touch (see more in section 6.2 below) and confirm contact details.
- Advise on any urgent or outstanding work-related matters that need attention.

If the staff member is too unwell or otherwise unable to contact the school, they should:

- Have their partner/spouse/relative call on their behalf.

If the Headteacher is unable to attend work because of illness or injury, they should:

- Call the CEO before 7am on the first day of absence due to illness or injury.

Non-teaching support staff should:

- Contact their line manager by phone before 7am on the first day of absence. If they are not able to get hold of their line manager, they should:
 - Contact the Headteacher or Deputy Head; and
 - Leave a voicemail AND send an email to their line manager, letting them know about their illness or injury and confirming how they can contact the staff member.
- Explain the nature of their illness or injury and provide an estimate of when they are able to return to work.
- Agree with their line manager how and when to keep in touch (see more in section 6.2 below) and confirm contact details.
- Advise on any urgent or outstanding work-related matters that need attention.

Catering staff should contact their school Catering Manager in the first instance or the Trust Catering Manager if the school Catering Manager is reporting their own absence. Contact should be by phone before 7am on the first day of absence. If they are not able to get hold of their line manager, they should:

- Contact the Trust Catering Manager or the PA to the CEO.
- Leave a voicemail AND send an email to their line manager, letting them know about their illness or injury and confirming how they can contact the staff member.
- Explain the nature of their illness or injury and provide an estimate of when they are able to return to work.

- Agree with their line manager how and when to keep in touch (see more in section 6.2 below) and confirm contact details.

For absences of more than 7 calendar days, staff members must obtain a **“statement of fitness for work”** stating that they are not fit for work and the reason(s) why. This should be forwarded to their line manager as soon as possible. If absence continues, the staff member must obtain further medical certificates to cover the whole period of their absence.

If the statement or medical certificate says that the staff member “may be fit for work”, the individual should inform their line manager immediately. We will discuss any potential measures needed to facilitate the staff member’s return to work, taking into account the healthcare professional’s advice. If appropriate measures cannot be taken, the staff member will remain on sick leave and we will agree a date to review the situation.

All “statements of fitness for work” should be forwarded to the HR (People) department by email to HR@diamondlearningtrust.com.

6.1 Unauthorised absence

If a staff member does not report for work and we receive no contact from them or someone on their behalf (in accordance with section 6), their line manager will contact them as soon as possible to:

- Make sure they are safe
- Give them an opportunity to explain their absence

Staff should not treat this as a substitute for reporting sickness absence.

Where staff remain absent without leave and/or there are grounds to believe that they are acting dishonestly or failing to follow the procedures above, we may treat this as an unauthorised absence without pay.

We may deal with cases of unauthorised absence under our disciplinary procedures – see our staff disciplinary procedures for more detail [Trust Policies - The Diamond Learning Trust](#).

6.2 Maintaining contact with line managers during sick leave

If staff are absent on sick leave, their line manager may contact them from time to time to discuss:

- Their wellbeing and expected length of continued absence from work
- Any of their work that requires attention

The purpose of such contact is to reassure the staff member, and line managers will keep it to a reasonable minimum.

If staff have concerns while absent on sick leave, whether about the reason for their absence or their ability to return to work, they should feel free to contact their line manager at any time.

In cases of long term sick leave, agreement should be made between the line manager and the staff member for contact to avoid any anxiety concerning returning to work. If further advice is needed, line managers can contact HR for support.

When a member of staff intends to return to work after a period of absence (except where the return is on the expiry of a medical certificate) they should inform the Headteacher before 7am on the day they intend to return to work.

Absence records will be kept by the HR (People) Department who will provide statistics for:

- The Chief Executive Officer (CEO)
- The Headteacher
- The Board (as relevant)

7. Sick leave and pay

For pay entitlements during phased return to work, see section 8.2 below.

7.1 Statutory sick pay and occupational sick pay

Staff who are absent from work because of sickness will normally be entitled to statutory sick pay (SSP). SSP is not normally payable for the first three days of sickness absence, unless the employee has been absent and in receipt of SSP within the previous eight weeks.

SSP:

- Is calculated on a weekly rate and starts on the 4th day of absence, with the first 3 days being unpaid
- May be payable for up to 28 weeks

Qualifying days for SSP are Monday to Friday, or as set out in staff's employment contracts. Read more about eligibility and payment rates at <https://www.gov.uk/statutory-sick-pay>.

The Trust operates an occupational sick pay (OSP) scheme, where eligible. These are in accordance with the Burgundy Book (which outlines conditions of service for teachers) and the Green Book (for support staff).

Teaching Staff:

Teaching staff 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.

During the first year of continuous 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 continuous service	Full pay for 50 working days and then half pay for 50 working days
During the third year of continuous service	Full pay for 75 working days and half pay for 75 working days
During the fourth and subsequent years of continuous 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
- For the purposes of the above scheme, a "year" is deemed to be a rolling 12-month period.

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

Support Staff:

Support staff 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.

To clarify, one month means the employee's normal working days over the period of a calendar month and the below entitlement will be pro-rated for part-time employees.

The employee's length of service for the below purposes will be calculated from the first day of sickness absence.

For the purposes of the OSP scheme, a "year" is deemed to be a rolling 12-month period.

During the first year of continuous service	1 month's full pay and after completing 4 months service, 2 months half pay
During the second year of continuous service	2 months full pay and 2 months half pay
During the third year of continuous service	4 months full pay and 4 months half pay
During the fourth and fifth year of continuous service	5 months full pay and 5 months half pay
During the sixth and subsequent years of service	6 months full pay and 6 months half pay

The calculation of Trust Sick Pay will take into account any previous payments of Trust 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.

Employees should claim any Social Security benefits such as invalidity or incapacity benefits to which they may be entitled and are required to notify the Trust of any such payments which the Trust will deduct from the employee's School Sick Pay.

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

7.2 Pension contributions during sickness absence

Both the employer and the staff member will continue to contribute to the staff member's pension scheme during any SSP or occupational sick pay, if the scheme's rules allow this.

7.3 Sickness absence caused by a third party

If a staff member's absence is, or may be, caused by another party who is, or may be, legally liable to pay damages (for example, if the staff member is injured in an accident caused by another person or company), the staff member must immediately give their line manager details of this and of any legal claim they are pursuing.

If the Trust asks them to, the staff member must take part in any legal proceedings to recover damages. They must also, if asked, give the Trust part of any damages or compensation payment that relates to lost earnings.

The amount will be all of the following:

- Reasonably determined by the Trust
- Minus any costs the staff member has incurred to get the damages or compensation payment
- Capped at the amount the Trust paid the staff member over the period of absence

8. Returning to work

8.1 Return-to-work meeting

When a staff member returns to work after sickness absence, their Headteacher or line manager will arrange a return-to-work meeting to:

- Discuss the staff member's absence, making sure they've recovered and establishing whether there are any continuing underlying issues
- Talk about any support the staff member needs
- Allow the staff member to raise concerns
- Update the staff member on any work matters
- Complete a return-to-work form (see appendix A)
- If relevant, review their sickness absence record for the past year and make them aware if they are approaching a trigger point

8.2 Phased return to work

Medical professionals or the occupational health service may recommend that a staff member returning to work from sickness absence should:

- Work reduced hours
- Have lighter duties or different duties

This will be followed by a gradual increase of working hours and/or duties over a period of 4 weeks and depending on individual circumstances and may be additionally extended by 2 weeks.

We will consider recommendations by a medical practitioner on:

- Further extending the phased return to work
- The need to permanently change the staff member's duties

Staff will continue to be paid their normal salary during the period of phased return to work for the actual hours worked, in addition to their entitlement to statutory sick pay or agree a temporary variation to their contract for a fixed period to adjust to lower hours as needed. This should be agreed by both parties and formalised via the HR department.

Phased returns to work will be reviewed after an initial period of 4 weeks.

The HR (People) department must be informed of all phased-returns to work to ensure the staff member is paid correctly.

9. Disability-related absence

We have an obligation under the Equality Act 2010 to make reasonable adjustments for staff with a protected characteristic (such as disability, pregnancy and gender reassignment) where the reasonable adjustment would remove or reduce a disadvantage the member of staff faces. In discussion with the staff member, our Trust will consider all reasonable adjustments and provide these where possible.

Staff who believe they have a disability or medical condition that affects their ability to do their work should inform their line manager, so that the Trust is able to consider appropriate reasonable adjustments and support. Line Managers should seek advice from the HR (People) department with such requests.

Where staff need time off work to attend medical appointments related to their disability or medical condition that affects their work (e.g. treatment, rehabilitation and/or check-ups), the Trust will normally allow paid time off for 3 appointments a year (pro rata for part-time staff) as a reasonable adjustment. This is not guaranteed and, as such, staff should speak to their line manager about their needs.

10. Pregnancy-related absence

Pregnant staff members may need to take time off to attend medical appointments and/or due to pregnancy-related illness, and the Trust will support this. We will not count pregnancy-related sickness absence when reviewing staff's attendance record.

However, if the Trust has concerns about the reasons or lengths of absence, it reserves the right to formally investigate the nature and cause of the absence.

For information on parental leave entitlements, please see our Family Suite of Policies found here: [Trust Policies - The Diamond Learning Trust](#)

11. Absence related to gender reassignment

Staff members who are due to undergo, or are in the process of undergoing, gender reassignment should discuss with their line manager their needs for time off. Our Trust may accommodate those needs as far as these are possible.

12. Medical and dental appointments

Where possible, staff should book routine medical and dental appointments outside of working hours. If this is not possible (e.g. for hospital or specialist appointments) staff should:

- Where possible, book appointments for early in the morning, lunch time or end of the day so it causes minimal disruption to the working day
- Speak to their line manager, who may agree to time off. Staff may need to provide proof of the appointment

Staff will be granted paid time off for cancer screening.

13. Elective surgery

If a staff member is undergoing elective surgery, they should discuss their need for time off and recovery with their line manager/the headteacher, who may:

- Authorise it as sickness absence if the surgery is medically necessary. The staff member is expected to provide evidence to support this. In this case, the staff member may be entitled to OSP and/or SSP
- Grant or refuse the absence as special leave. If the absence is granted, it is normally unpaid unless:
 - Staff arrange the surgery and recovery time to occur outside term time
 - It is possible for staff to use annual leave for the period of absence

- View the time off as sickness absence where not doing so may be in breach of the Equality Act 2010, such as gender reassignment (see section 11 above). The line manager/Headteacher may seek further HR advice on how to proceed

14. Fertility treatment and IVF

Staff are encouraged to reach out to their line manager to enable our Trust to support the staff member where possible. These conversations will be strictly confidential.

Appointments for fertility treatment and IVF will be treated as any other medical appointment (see section 12). However, where possible, our Trust will endeavour to make reasonable time-off arrangements.

If a staff member becomes unfit for work because of fertility treatment, they should follow the normal procedures for reporting sickness in section 6.

15. Stress-related absence

The Trust will support and discuss options with any staff who need time off because they are experiencing significant stress at work or in their personal lives.

Staff should speak to their line manager/the headteacher who may:

- Authorise the staff time off
- Arrange external support, such as counselling or occupational health services
- Suggest completing a risk assessment and following through with any actions identified
- Reassess the staff member's workload and decide what tasks to prioritise

At all times, the confidentiality and dignity of staff will be maintained.

For further information, please see the Trust's Stress Management Policy found here: [Stress-management-August-2019.pdf](#)

The Trust also offers access to an Employee Assistance Programme. Details of that can be found here:

A dedicated coaching service for line managers, aimed at developing your soft skills and building your confidence for handling challenging situations.

Call us, we'll listen.
Confidential help 24/7, 365 days a year
08000 856 148

Your online resources:
educationsupport.org.uk/onlinesupport

Username: **worklifesupport**
Password: **support1**

Supporting teacher and education staff wellbeing for 145 years
educationsupport.org.uk

Education Support

The graphic features an illustration of two women, one sitting at a desk with a laptop and the other standing next to her, holding a document. The background is light blue with a dark blue banner for the phone number.

Additional help and resources can also be found at www.mind.org.uk

16. Work-related injuries or illness

Staff should report work-related injuries or illnesses to Estates, Admissions and Attendance Manager as soon as possible. The Estates, Admissions and Attendance Manager will report all relevant injuries and illnesses (as defined in the RIDDOR 2013 legislation) to the Health and Safety Executive (HSE). Read more about this reporting duty in our First Aid Policy contained in the Trust Employee Handbook.

17. Procedure for managing short-term sickness absence

There are four key aims of this part of the policy:

- To understand the causes of any absence and the effect it will have on the employee's ability to do their job
- To work with employees to deal with health, work or welfare problems, including work-related stress.
- To explore any options which could help employees to improve attendance or facilitate their return to work.
- To keep employees informed, in good time, about where they stand (particularly if their job is at risk).

In addition, the Trust will bear in mind:

- Employees rights to medical confidentiality
- Employees expectation of fair and consistent treatment.

17.1 Trigger Points

The informal review process is triggered if, during a 12-month rolling period, a staff member is absent on or for:

- A period of 90 consecutive days; or
- Three or more absences due to sickness of whatever length within the preceding three months; or
- Seven period of sickness during a 12-month rolling year; or
- A period of 180 consecutive days; or
- 5 unpaid leave days taken; or
- Any pattern of part day absences, absences on certain days or known "busy" days; or
- Above average absence levels for the Trust; or
- No adequate reason given for the absence.

Before triggering the process, the headteacher/line manager should be satisfied that they have explored any reasonable adjustments to help the staff member improve attendance and should contact the HR (People) Department for advice.

17.2 Referrals to the Occupational Health provider

The Trust has access to an occupational Health service and may use this to obtain expert medical advice:

- To provide appropriate support to employees
- To aid decision-making in sickness absence cases

The Trust may refer an employee to the Occupational Health service at any point if they are concerned about the impact of an employee's health on their work or attendance. Referrals will also take place at appropriate points throughout the process set out in this policy.

It is likely that a referral will take place when an employee has been on sick leave for four continuous weeks, or the Trust receives a medical certificate indicating that an absence of this length is anticipated.

17.3 Informal absence review

We will aim to give the staff member 5 days' written notice of the date, time and place of an informal review meeting. HR may also be in attendance at the meeting.

At the meeting, the line manager and staff member will discuss:

- The staff member's pattern of absence to understand the reasons for it
- Any medical treatment, and whether medical advice is needed from the occupational health service
- Whether the illness is work-related and if any temporary changes to the staff member's work could help them improve attendance
- Whether the staff member has any underlying health problems (including a disability), how this will likely affect their attendance in the future, and whether any reasonable adjustments can be made
- How the staff member's absence is affecting pupils, colleagues and the school
- Any other ways the Trust can support the staff member

After the meeting, a summary of the main points will be put in writing, which will be shared with the line manager and staff member.

If a staff member's absence levels continue to be of concern after the informal review meeting, their line manager will invite them to the first formal review meeting (see section 17.2). This will usually take place 8 working weeks after the informal review meeting, depending on circumstances.

17.4 Formal review

There are 3 formal review meetings: the first formal review meeting, the second formal review meeting, and the final attendance review meeting. If the staff member's absence levels do not improve to an acceptable level after the final attendance review meeting, the Headteacher or another senior staff member will convene an ill-health capability hearing, with a panel, to fully review the case (see section 19).

Each formal review meeting will usually take place 8 working weeks after the previous one, depending on circumstances. HR or the line manager will inform the staff member of each meeting, in writing, 5 working days in advance. The staff member has a right to be accompanied to any formal meeting under this procedure by a trade union representative or colleague (see more in section 20).

Where the staff member's attendance improves to an acceptable level during the formal reviews process, the line manager/Headteacher will hold a review meeting to confirm this. They will also agree on any further monitoring meetings, which the line manager/headteacher will confirm to the staff member in writing.

Where the staff member's attendance improves to an acceptable level and for a sustained period of time e.g. 2 months, formal monitoring will cease. However, if the staff member's absence levels increase again within a year, the formal review procedure will be triggered again. The review procedure may then be picked up where it left off at that point, depending on the circumstances of the absence.

17.4.1 During formal review meeting(s)

At the meeting, the staff member and line manager (or the headteacher or other senior staff, if this is a final attendance review meeting) along with a member of the HR team will discuss:

- The staff member's absence levels, the reasons for it, and whether further absences are likely going forward
- Any medical advice received
- Any work-related issues that may be affecting the staff member's attendance and whether any temporary changes to the job could help improve their attendance
- If the staff member has underlying health problems, any reasonable adjustments that could be made
- How the staff member's absence is affecting pupils, colleagues and the school
- Any other ways our Trust can support the staff member. This may involve an action plan that includes obtaining further medical advice, or outlining what adjustments or adaptations will be made for the staff member

17.4.2 Possible outcomes

At the end of each formal review meeting, the line manager (and or HR, and/or the Headteacher or another senior member of staff if this is a final attendance review meeting) may decide to:

- Agree the issue has been resolved and take no further action
- Continue to monitor and review the staff member's attendance
- **For the first formal review meeting only:** issue a formal attendance notification, which will normally remain on record for 6 to 12 months depending on the circumstances (such as the nature and prognosis of the illness and impact of the treatment). The notification will:
 - Explain the Trust's expectations on attendance going forward and what the review period for this will be
 - Warn the staff member of the potential consequences of not meeting the required standards, including another formal attendance notification and the risk of dismissal
- **For the second formal review meeting only:** issue a final attendance notification, which will reiterate the Trust's expectations on attendance going forward, the review period for this, and warn the staff member of the potential consequences of not meeting the required standards, including the risk of dismissal
- **For the third, final attendance review meeting only:** recommend dismissal and arrange a formal hearing for a panel to examine the case. See section 19 below

After each review meeting, the line manager will summarise the outcome in writing, including the staff member's right to appeal within 10 working days if the line manager has issued a formal attendance notification or final attendance notification. Appeals should be made to the Clerk of the Board of Directors in accordance with the appeals procedure set out in the Disciplinary Policy and procedure.

Where such an appeal is upheld, a date for further review will be set and the procedure will be resumed at the final stage.

18. Procedure for managing long-term sickness absence

Our Trust is committed to dealing fairly and sympathetically with staff members who are absent from work for long periods because of ill health.

We define long-term sickness absence as absence lasting for four weeks or more. At this point, we will refer the staff member to the occupational health service so that we can obtain medical advice and seek advice from the HR (People) Department.

Before triggering the process, the Headteacher/line manager should be satisfied that they have explored any reasonable adjustments to help the staff member improve attendance and have discussed the situation with the HR (People) Department.

18.1 Informal review

We will aim to give the staff member 5 days' written notice of the date, time and place of an informal review meeting.

At the meeting, the line manager and staff member (possibly with HR present), will discuss:

- The medical opinion, prognosis and expected timescale for the staff member to return to work
- What support the staff member needs to enable them to successfully return to work
- Whether the staff member has a disability under the Equality Act 2010 and whether any reasonable adjustments can be made
- What impact the staff member's absence has on the school's operations

18.1.1 Possible outcomes of informal review

HR will summarise the main points of the meeting in writing, including agreed actions (if any) such as:

- A return-to-work plan
- Whether to seek further medical advice

Where the staff member recovers and returns to work, the line manager/Headteacher will decide, in consultation with the staff member, whether to hold further review meetings, as appropriate with guidance from the HR (People) Department.

If a staff member's absence continues, the line manager will invite the staff member to the first formal review meeting 3 months after the informal review meeting. See section 18.2.

18.2 Formal review

There are 3 formal review meetings: the first formal review meeting, the second formal review meeting, and the final formal review meeting. Advice should be sought from the HR (People) Department before convening a meeting and they may be present. If the staff member's absence levels do not improve to an acceptable level after the final formal review meeting, the headteacher or another senior staff member will convene an ill-health capability hearing, with a panel, to fully review the case (see section 19).

Each formal review meeting will usually take place 8 to 12 working weeks after the previous one, depending on circumstances. The line manager or HR will inform the staff member of each meeting, in writing, 5 working days in advance. The staff member has a right to be accompanied to any formal meeting under this procedure by a trade union representative or colleague (see more in section 20).

Where the staff member recovers and returns to work during the formal reviews process, the line manager/headteacher will decide, in consultation with the staff member, whether to hold further review meetings.

18.2.1 During formal review meeting(s)

We will follow the same process for formal review meetings as for the informal review meeting in section 18.1.

18.2.2 Possible outcomes of formal review

At the end of each formal review meeting, the line manager, in consultation with the occupational health service (if relevant) may decide to:

- Agree the issue has been resolved and take no further action
- Agree a return-to-work plan with the staff member
- Extend the period of monitoring and review
- Begin a phased return to work
- Seek further medical advice
- **For the first and/or second formal review meetings only:** issue a formal attendance notification. This will warn the staff member that they may be dismissed on the grounds of ill health if it's unlikely they can return to work over a reasonable timescale [e.g. within 6 months of the previous informal or formal review meeting].
- **For the final formal review meeting only:**
 - Explore if the staff member is eligible for ill-health retirement
 - Consider whether the staff member can do other suitable work in school
 - Issue a final attendance notification on the grounds of ill health if the staff member cannot return to work at this point or within a reasonable timescale
 - If medical professionals advise that the staff member is unlikely to return to work in a reasonable timeframe, [usually 3 months], the line manager or headteacher will convene a formal review hearing, where the facts of the case will be examined (see section 19).

After each formal review meeting, the line manager will summarise the outcome in writing, including the staff member's right to appeal, within 10 working days if the line manager/HR has issued a formal attendance notification or final attendance notification.

19. Ill-health capability review hearing (for short and long-term absences)

The Headteacher or another senior member of staff will convene a panel with HR to fully review the case if all other options have been explored and:

- A staff member's short-term absences have not improved sufficiently
- The long-term absence of a staff member continues due to the nature of the illness

The Headteacher will inform the staff member of the meeting, in writing, 5 working days in advance, including that:

- The staff member has the right to be accompanied by a colleague or trade union representative
- If the staff member is not well enough to attend, they can send a representative instead and/or submit a written statement
- The headteacher or line manager will present a recommendation to the panel
- A possible outcome of the meeting could be dismissal

19.1 Ill health retirement

Where the relevant employee is a member of the LGPS or the TPS, the Trust will consider whether ill-health retirement could be an option before making an recommendation for dismissal.

Support Staff: In accordance with the Local Government Pension Scheme (LGPS), all reasonable options will be exhausted in accordance with this procedure, including consideration of a phased return/adaptations to duties/working pattern reviews/alternative employment, before requesting an assessment under ill health retirement. If based on the facts it is evident that there is not likely to be a return to work in the foreseeable future and no likelihood if being fit, the employer may consider making a referral to Occupational Health for an ill health retirement.

Teachers: In accordance with the Teachers Pension Scheme, the request for an assessment under ill health retirement should be issued by the Headteacher. In that case, the Headteacher must satisfy themselves that they have exhausted all reasonable options in accordance with this procedure, including consideration of a phased return/adaptations to duties/working pattern reviews/alternative employment, before requesting an assessment under ill health retirement. If based on the facts it is evident that there is not likely to be a return to work in the foreseeable future and no likelihood if being fit, the employer may consider making a referral to Occupational Health for an ill health retirement. However, in addition, the Teacher's Pension Scheme also allows the ill health retirement process to be instigated by the teacher themselves. Teachers who may be eligible to apply for ill health retirement should initially advise their Headteacher of their situation.

For all staff, the Headteacher should have met with the employee and their representative to discuss the options including the ill health retirement process. If ill health retirement is confirmed by Occupational Health, the Headteacher will confirm the decision in writing.

19.2 Convening the panel

The panel will usually consist of:

- The Headteacher, the Chief Executive Officer, a representative from HR. and/or other members of the Board of Trustees if deemed necessary

During the meeting, the headteacher and panel will review:

- The record and pattern of absence, and how likely it is to improve
- What support the staff member has received and whether all appropriate options have been properly explored
- Whether the staff member has an underlying illness, disability, or any other issues raised by the occupational health service
- The impact of the absence on colleagues, pupils and the school

- The staff member's attitude towards recognising and addressing the impact of their absence
- The needs of the school and best interests of the staff member

The staff member will also have the opportunity to present evidence and explain their level of absence and what actions they are taking to reduce it to an acceptable level.

19.3 Deciding on appropriate action

The meeting will be adjourned and the panel will reflect on it before coming to a decision.

The panel may decide to:

- Keep the staff member's absence under review for a defined period of time
- Agree a return-to-work plan
- Dismiss the staff member with notice (or paid in lieu of notice).
- Decide whether the employee can retire on the grounds of ill health (where appropriate)

The chair of the panel will communicate the decision to the staff member in writing within 10 working days. The decision will also inform the staff member that they can appeal if they are not satisfied with the outcome and explain how to do this.

20. Right to be accompanied to formal meetings

The staff member has a right to be accompanied to any formal meeting under this procedure by a trade union representative or colleague. Their details must be provided to the line manager conducting the meeting in good time before any meeting.

We may at our discretion permit other companions (for example, a family member) where this will help overcome particular difficulties caused by a disability, or difficulty understanding English.

A companion may make representations, ask questions, and sum up the member of staff's position, but will not be allowed to answer questions on their behalf. The member of staff may confer privately with their companion at any time during a meeting.

21. Appeals

If the staff member is not satisfied with the outcome of a review, they have the right to appeal the decision. The staff member should set out their grounds of appeal in writing within 10 working days and submit this to the Clerk of the Board of Directors.

An appeal is not designed to re-hear the matter but to examine the grounds of appeal. The staff member should therefore be specific about the grounds of the appeal. However, a full re-hearing may be appropriate in exceptional circumstances.

The CEO and the Headteacher will appoint an appeal panel. This will be a group of people independent from any previous stage of the procedure, and the panel will be chaired by an independent individual.

Appeals will be heard without unreasonable delay and in any event within 30 working days of the date of the appeal notice. The headteacher or CEO will tell the staff member the time and place of the appeal meeting in advance. Staff have the same statutory right to be accompanied to the appeal meeting by a colleague or trade union representative.

The outcome of the appeal will be confirmed in writing by the chair of the appeal panel to the staff member within 10 working days of the appeal. The decision of the appeal panel is final and there is no further right to appeal.

22. Other instances of absence (bereavement and compassionate leave, ECT induction, jury service and trade union duties)

Our Trust recognises that it is not possible to cover all circumstances where it is reasonable to grant leave. If there is a specific or exceptional situation not covered by this policy, staff should discuss their need for time off with their line manager [and/or the Trust HR Manager].

22.1 Bereavement

We encourage staff experiencing bereavement to reach out to their manager so they can discuss:

- Whether and when the staff member will take compassionate leave. We will be guided by the wishes of the staff member on this.
- How the Trust can support the staff member during this difficult time.

22.1.1 Compassionate leave

Staff can take up to:

- 3 days of paid compassionate leave for immediate family (parent, guardian, child, unborn child, sibling, partner), plus
- 1 for attending a funeral

Depending on circumstances, staff may be able to extend this period of leave or take compassionate leave for situations outside of their immediate family.

22.1.2 Statutory parental bereavement leave and pay

Beyond compassionate leave, staff may be eligible for statutory parental bereavement leave and pay in cases where:

- A child (under the age of 18) dies
- A child is stillborn after 24 weeks of pregnancy
- There's an abortion after 24 weeks of pregnancy

Read the government's [guidance on statutory parental bereavement and pay](#) to find out more.

22.2 Early career teachers (ECTs) serving induction

Where an ECT has been absent for 30 days or more (or equivalent for part-time ECTs), per year of their induction, their induction period will be extended by the aggregate total number of days absent. If the ECT is unable to serve the extension in our Trust, they will need to complete one or more terms in a new school or institution.

This does not apply to ECTs taking statutory maternity, paternity, shared parental, adoption or parental bereavement leave.

22.3 Jury service and magistrate duty

If a staff member is summoned for jury service, they should speak to their line manager as soon as possible to allow time to arrange cover. HR should be notified. Please refer to the DLPT Time off for Public Duties Policy.

Jury service will be paid for by the Trust.

If a staff member is a magistrate, the Trust will grant the employee reasonable time off for their duties. This should be discussed with the Headteacher and agreed with the CEO. Magistrate duty time off will be unpaid.

22.4 Trade union duties

Staff who represent a trade union that is recognised by the Trust are entitled to paid time off to complete training and union duties, such as:

- Negotiating pay, terms and conditions
- Helping union members with disciplinary or grievance procedures, including meetings to hear their cases

23. Monitoring arrangements

This policy will be monitored by the Trust HR & ICT Manager.

It will be reviewed every two years (or sooner if legislative changes dictate the necessity) by the Trust HR & ICT Manager.

At every review, this policy will be approved by the Chief Executive Officer (CEO).

24. Links to other policies

This policy links to the following policies:

- Appraisal Policy
- Capability Procedure
- Data Protection Policy
- Family Suite of Policies
- The Trust Staff Handbook
- Flexible Working Policy
- Privacy notice for staff members
- Staff Code of Conduct
- Staff Disciplinary Policy
- Staff Wellbeing Policy (Currently the Stress management Policy)
- Time off for Public Duties Policy

Appendix A: return-to-work interview form

Employment details	
Employee name	
Reports to	
Date of return to work	
Period of absence	
Manager signature	
Employee signature	

How are you feeling now?

Are you well enough to be back in work?

Did you speak to your GP or a pharmacist during your absence?

Have you been taking any medication and are there any side effects to be aware of?

Is this an ongoing or recurring condition?

--

Has anything work-related contributed to your absence?

--

Are there any adjustments that need to be made to help with your attendance?

--

How would you like the school to support your return?

--

Summary notes of return to work interview

Appendix B: return-to-work action plan

RETURN-TO-WORK ACTION PLAN			
Agreed action(s) from interview form:	What does good look like?	Date of checkpoints:	Name of line manager who will check in on staff member:

Appendix C: timetable for phased return to work

PHASED RETURN TO WORK TIMETABLE							
Date week commencing (w/c):	Total days worked in a week:	Number of hours worked in a week:	Monday	Tuesday	Wednesday	Thursday	Friday
e.g. 22/3	1	3 to 5	1 to 3		10 to 12		
e.g. 29/3	2	5 to 8	12 to 3	9 to 12			12 to 2