

Woodham Academy
Policy Document
Sickness Absence & Stress Management Policy



INTRODUCTION

This Sickness Absence & Stress Management Policy sets out our procedures for reporting sickness absence, the management of sickness absence and the management of work related stress.

Sickness absence can vary from short intermittent periods of ill-health to a continuous period of long-term absence and have a number of different causes (for example, injuries, recurring conditions, or a serious illness requiring lengthy treatment).

We wish to ensure that the reasons for sickness absence are understood in each case and investigated where necessary. In addition, where needed and reasonably practicable, measures will be taken to assist those who have been absent by reason of sickness to return to work.

We are committed to identifying, tackling and preventing the causes of work-related stress and to providing appropriate support and consideration to staff suffering from stress, on a confidential basis where appropriate.

This policy applies to all employees. It does not apply to agency workers, consultants or self-employed contractors.

Date first adopted: 12th November 2014

Review date: Tri-Annually

1. Disabilities

- 1.1. We are aware that sickness absence may result from a disability. At each stage of the sickness absence meetings procedure (set out in paragraph 10 of this policy), particular consideration will be given to whether there are reasonable adjustments that could be made to the requirements of a job or other aspects of working arrangements that will provide support at work and/or assist a return to work.
- 1.2. If you consider that you are affected by a disability or any medical condition which affects your ability to undertake your work, you should inform the Headteacher or School Business Manager.

2. Sickness absence reporting procedure

- 2.1. If you do not have a sickness absence reporting procedure in your contract, you should follow the procedure set out below.
- 2.2. If you are taken ill or injured while at work you should report this to your manager or the School Business Manager and you will be given permission to leave work.

- 2.3. If you cannot attend work because you are ill or injured you should telephone the dedicated staff line (01325 375465) before 8 a.m. in addition to informing your Line Manager as early as possible and no later than the time when you are normally expected to start work. The following details should be provided:
 - 2.3.1. The nature of your illness or injury.
 - 2.3.2. The expected length of your absence from work.
 - 2.3.3. Contact details.
 - 2.3.4. Any outstanding or urgent work that requires attention.
- 2.4. You should expect to be contacted during your absence to enquire after your health and be advised, if possible, as to your expected return date.
- 2.5. You should also maintain regular weekly contact with the Headteacher during sickness absence, unless agreed otherwise.

3. Evidence of incapacity

- 3.1. For sickness absence of up to seven calendar days you must complete a self-certification form which is available from the school office.
- 3.2. For absence of more than a week you must obtain a certificate from your doctor (a "Statement of Fitness for Work") stating that you are not fit for work and the reason(s) why. This should be forwarded to the Headteacher as soon as possible. If your absence continues, further medical certificates must be provided to cover the whole period of absence.
- 3.3. If your doctor provides a certificate stating that you "may be fit for work" you should inform the Headteacher immediately. We will discuss with you any additional measures that may be needed to facilitate your return to work, taking account of your doctor's advice. This may take place at a return-to-work interview (see paragraph 8). If appropriate measures cannot be taken, you will remain on sick leave and we will set a date to review the situation.
- 3.4. Where we are concerned about the reason for absence, or frequent short-term absence, we may require a medical certificate for each absence regardless of duration. In such circumstances, we will cover any costs incurred in obtaining such medical certificates, for absences of a week or less, on production of a doctor's invoice.

4. Unauthorised absence

- 4.1. Cases of unauthorised absence will be dealt with under our Disciplinary Procedure.
- 4.2. Absence that has not been notified according to the sickness absence reporting procedure will be treated as unauthorised absence.
- 4.3. If you do not report for work and have not telephoned to explain the reason for your absence, another employee will try to contact you, by telephone and in writing if necessary. This should not be treated as a substitute for reporting sickness absence.

5. **Sick pay**

- 5.1. Your entitlement to sick pay, both contractual and Statutory Sick Pay (SSP) is set out in your contract of employment.
- 5.2. If a period of sickness absence is or appears to be occasioned by actionable negligence, nuisance or breach of any statutory duty on the part of a third party, in respect of which damages are or may be recoverable, you must immediately notify the Headteacher of that fact and of any claim, compromise, settlement or judgment made or awarded in connection with it and all relevant particulars that we may reasonably require. If we require you to do so, you must co-operate in any related legal proceedings and refund to us that part of any damages or compensation you recover that relates to lost earnings for the period of sickness absence as we may reasonably determine, less any costs you incurred in connection with the recovery of such damages or compensation, provided that the amount to be refunded to us shall not exceed the total amount we paid to you in respect of the period of sickness absence.
- 5.3. Any employer and employee pension contributions will continue subject to the relevant scheme rules during any period of company sick pay or SSP.

6. **Keeping in contact during sickness absence**

- 6.1. If you are absent on sick leave you should expect to be contacted from time to time by your line manager or the School Business Manager in order to discuss your wellbeing, expected length of continued absence from work and any of your work that requires attention. Such contact is intended to provide reassurance and will be kept to a reasonable minimum.
- 6.2. If you have any concerns while absent on sick leave, whether about the reason for your absence or your ability to return to work, you should feel free to contact your line manager, the Headteacher or the School Business Manager at any time.

7. **Medical examinations**

- 7.1. We may, at any time in operating this policy, require you to consent to a medical examination by our Occupational Health Department and / or a doctor nominated by us (at our expense).
- 7.2. You will be asked to agree that any report produced in connection with any such examination may be disclosed to us and that we may discuss the contents of the report with our professional advisers and the relevant doctor.

8. **Return-to-work interviews**

- 8.1. If you have been absent on sick leave we may arrange for you to have a return-to-work interview with the School Business Manager or another member of the Leadership Group.
- 8.2. A return-to-work interview enables us to confirm the details of your absence. It also gives you the opportunity to raise any concerns or questions you may have, and to bring any relevant matters to our attention.
- 8.3. Where your doctor has provided a certificate stating that you "may be fit for work" we will usually hold a return-to-work interview to discuss any additional measures that may be needed to facilitate your return to work, taking account of your doctor's advice.

9. **Returning to work from long-term sickness absence**

- 9.1. We are committed to helping employees return to work from long-term sickness absence. As part of our sickness absence meetings procedure (see paragraph 10), we will, where appropriate and possible, support returns to work by:
- 9.1.1. obtaining medical advice;
 - 9.1.2. making reasonable adjustments to the workplace, working practices and working hours;
 - 9.1.3. considering redeployment; and/or
 - 9.1.4. agreeing a return-to-work programme with everyone affected.
- 9.2. If you are unable to return to work in the longer term, we will consider whether you are entitled to any benefits under your contract and/or any insurance schemes we operate.

10. **Sickness absence meetings procedure**

- 10.1. We may apply this procedure whenever we consider it necessary, including, for example, if you:
- 10.1.1. have been absent due to illness on a number of occasions;
 - 10.1.2. have discussed matters at a return-to-work interview that require investigation; and/or
 - 10.1.3. have been absent for more than 5 days.
- 10.2. Unless it is impractical to do so, we will give you 7 days' written notice of the date, time and place of a sickness absence meeting. We will put any concerns about your sickness absence and the basis for those concerns in writing or otherwise advise why the meeting is being called. A reasonable opportunity for you to consider this information before a meeting will be provided.
- 10.3. The meeting will be conducted by your line manager or the School Business Manager and will normally be attended by a note taker. You may bring a companion with you to the meeting (see paragraph 11).
- 10.4. You must take all reasonable steps to attend a meeting. Failure to do so without good reason may be treated as misconduct. If you or your companion are unable to attend at the time specified you should immediately inform the school and we will look to rearrange.
- 10.5. A meeting may be adjourned if the school is awaiting receipt of information, needs to gather any further information or give consideration to matters discussed at a previous meeting. You will be given a reasonable opportunity to consider any new information obtained before the meeting is reconvened.
- 10.6. Confirmation of any decision made at a meeting, the reasons for it, and of the right of appeal will be given to you in writing as soon as reasonably practicable after a sickness absence meeting.
- 10.7. If, at any time, your line manager or the School Business Manager considers that you have taken or are taking sickness absence when you are not unwell, they may refer matters to be dealt with under our Disciplinary Procedure.

11. **Right to be accompanied at meetings**

- 11.1. You may bring a companion to any meeting or appeal meeting under this procedure.
- 11.2. Your companion may be either a trade union representative or a colleague. Their details must be given to the individual conducting the meeting, in good time before it takes place.
- 11.3. Employees are allowed reasonable time off from duties without loss of pay to act as a companion. However, they are not obliged to act as a companion and may decline a request if they so wish.
- 11.4. 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.
- 11.5. A companion may make representations, ask questions, and sum up your position, but will not be allowed to answer questions on your behalf. You may confer privately with your companion at any time during a meeting.

12. **Stage 1: first sickness absence meeting**

- 12.1. The purposes of a first sickness absence meeting may include:
 - 12.1.1. Discussing the reasons for absence.
 - 12.1.2. Where you are on long-term sickness absence, determining how long the absence is likely to last.
 - 12.1.3. Where you have been absent on a number of occasions, determining the likelihood of further absences.
 - 12.1.4. Considering whether medical advice is required.
 - 12.1.5. Considering what, if any, measures might improve your health and/or attendance.
 - 12.1.6. Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting under the sickness absence procedure.
- 12.2. The outcome of the meeting will be confirmed in writing as soon as practicable after the meeting and you will be given the right to appeal (see below).

13. **Stage 2: further sickness absence meeting(s)**

- 13.1. Depending on the matters discussed at the first stage of the sickness absence procedure, a further meeting or meetings may be necessary.
- 13.2. The purposes of further meeting(s) may include:
 - 13.2.1. Discussing the reasons for and impact of your ongoing absence(s).
 - 13.2.2. Where you are on long-term sickness absence, discussing how long your absence is likely to last.
 - 13.2.3. Where you have been absent on a number of occasions, discussing the likelihood of further absences.

- 13.2.4. If it has not been obtained, considering whether medical advice is required. If it has been obtained, considering the advice that has been given and whether further advice is required.
 - 13.2.5. Considering your ability to return to/remain in your job in view both of your capabilities and the needs of our school and any adjustments that can reasonably be made to your job to enable you to do so.
 - 13.2.6. Considering possible redeployment opportunities and whether any adjustments can reasonably be made to assist in redeploying you.
 - 13.2.7. Where you are able to return from long-term sick leave, whether to your job or a redeployed job, agreeing a return-to-work programme.
 - 13.2.8. If it is considered that you are unlikely to be able to return to work from long-term absence, whether there are any benefits for which you should be considered.
 - 13.2.9. Agreeing a way forward, action that will be taken and a timescale for review and/or a further meeting(s). This may, depending on steps we have already taken, include warning you that you are at risk of dismissal.
- 13.3. The outcome of the meeting will be confirmed in writing as soon as practicable after the meeting and you will be given the right to appeal (see below).

14. **Stage 3: final sickness absence meeting**

- 14.1. Where you have been warned that you are at risk of dismissal, we may invite you to a meeting under the third stage of the sickness absence procedure.
- 14.2. The purposes of the meeting will be:
 - 14.2.1. To review the meetings that have taken place and matters discussed with you.
 - 14.2.2. Where you remain on long-term sickness absence, to consider whether there have been any changes since the last meeting under stage two of the procedure, either as regards your possible return to work or opportunities for return or redeployment.
 - 14.2.3. To consider any further matters that you wish to raise.
 - 14.2.4. To consider whether there is a reasonable likelihood of you returning to work or achieving the desired level of attendance in a reasonable time.
 - 14.2.5. To consider the possible termination of your employment.
- 14.3. If necessary and appropriate, termination will normally be with full notice or payment in lieu of notice. The outcome of the meeting will be confirmed in writing as soon as practicable after the meeting and you will be given the right to appeal (see below).

15. **Appeals**

- 15.1. You may appeal against the outcome of any stage of this procedure and you may bring a companion to an appeal meeting (see paragraph 11).
- 15.2. An appeal should be made in writing, stating the full grounds of appeal within 7 days of the date on which the decision was sent to you.

- 15.3. You will be given written notice of an appeal meeting as soon as practicable upon receipt of your appeal. In cases of dismissal the appeal will be held as soon as possible. Any new matters raised in an appeal may delay an appeal meeting if further investigation is required.
- 15.4. You will be provided with written details of any new information which comes to light before an appeal meeting. You will also be given a reasonable opportunity to consider this information before the meeting.
- 15.5. Where practicable, an appeal meeting will be conducted by a manager senior to the individual who conducted the sickness absence meeting.
- 15.6. Depending on the circumstances, an appeal meeting may be a complete rehearing of the matter or a review of the original decision.
- 15.7. The final decision will be confirmed in writing, as soon as possible after the appeal hearing. There will be no further right of appeal.
- 15.8. The date that any dismissal takes effect will not be delayed pending the outcome of an appeal. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of continuity or pay.

16. **School position in relation to stress management**

16.1 What the school will do:

- Promote a culture of open communication, participation and encouragement. Through training, effective planning and allocation of workloads and ensuring feedback is provided on performance, we want staff to develop their skills and confidence and to feel able to raise any concerns they have about their work or working environment.
- Use staff development, staff support systems and policies reflecting current good practice to help staff understand and recognise the causes of stress and to address work-related stress and the impact of external stressors at work.
- Provide a school free from harassment, bullying and victimisation.
- Address violence, aggression and other forms of inappropriate behaviour through disciplinary action.
- Ensure risk assessments include or specifically address workplace stress.
- Maintain an appraisal process to ensure the suitability of workloads, supported by a capability procedure.
- Facilitate requests for flexible working where reasonably practicable in accordance with our Flexible Working Policy.
- Follow comprehensive change management procedures.
- Provide support services such as occupational health for staff affected by or absent by reason of stress.

This policy covers all employees, officers, consultants, contractors, volunteers, interns, casual workers and agency workers.

All managers have a responsibility and are encouraged to seek advice from the Headteacher on how to recognise stress in the staff they manage.

16.2 Staff responsibilities relating to stress management:

- Staff must ensure that they familiarise themselves with the policy and act in accordance with its aims and objectives.
- Staff must speak to their line manager if they experience or are aware of a situation that may lead to a stress problem.

- Staff must plan and organise their work to meet personal and organisational objectives and co-operate with support, advice and guidance you may be offered by the School Business Manager or the Headteacher.

17. How the school will identify and support staff with stress

17.1 What is stress?

- Stress is the adverse reaction people have to excessive pressures or demands placed on them. Stress is not an illness but, sustained over a period of time, it can lead to mental and/or physical illness.
- There is an important distinction between working under pressure and experiencing stress. Certain levels of pressure are acceptable and normal in every job. They can improve performance, enable individuals to meet their full potential and provide a sense of achievement and job satisfaction. However, when pressure becomes excessive it produces stress.
- Pressures outside the school, whether the result of unexpected or traumatic events such as accidents, illness, bereavement, family breakdown or financial worries, can result in stress. They can also compound normal school pressures.
- We recognise that what triggers stress and the capacity to deal with stress varies from person to person. Individuals react to similar situations in different ways.

17.2 The School's legal obligation

- The school has a legal duty to take reasonable care to ensure that staff health is not put at risk by excessive pressures or demands arising from the way work is organised.
- This policy takes account of the school's obligations under the Health and Safety at Work etc Act 1974, Management of Health and Safety at Work Regulations 1999, Employment Rights Act 1996, Protection from Harassment Act 1997, Working Time Regulations 1998 and Equality Act 2010.

17.3 How the school will support staff

The school has measures in place to assist staff who may be suffering from stress:

- Training on stress management, to assist staff and managers in recognising and coping with stress.
- Stress risk assessments and toolkits.

Managers should work with Occupational Health to provide support to staff suffering from stress. They should:

- Promote a culture of open communication and encouragement.
- Effectively plan and provide feedback on performance.
- Ensure that staff receive necessary training.
- Monitor workloads and reallocate work where necessary to avoid harmful levels of stress.
- Ensure that staff understand the standards of behaviour expected of them and others, and act on behaviour that falls below those standards.

17.4 How the school will work to resolve stress issues

- Any staff member believing to be suffering from stress should discuss this with their line manager in the first instance. If they feel unable to do so they should contact the School Business Manager or the Headteacher.

- Once an issue affecting staff health comes to the attention of their line manager, Head of Department, School Business Manager or Headteacher, steps will be taken to address that issue. Those steps may include any of the following:
 - A workload review, reallocation of work, monitoring of future workload or possible redeployment. The Capability Procedure may be applied.
 - Where appropriate, investigation under our Disciplinary and/or Grievance Procedures.
 - Referral for medical advice, treatment and/or a medical report to be provided by Occupational Health, the school's medical advisers or any specialist or GP who has been treating staff.
 - For staff on sickness absence, it may be necessary to have a discussion relating to an appropriate return to work programme. The Sickness Absence Policy may be applied.
 - Occupational Health will continue to be used appropriately to help staff overcome problems associated with work-related stress as well as other stress and the impact that has on their ability to do their duties.

17.5 Absence due to stress

- If staff are absent due to stress they should follow the sickness absence reporting procedure contained in their contract and/or the school's Sickness Absence Policy.

17.6 Confidentiality

- Confidentiality is an important part of this policy. Every member of staff is responsible for observing the high level of confidentiality that is required, whether they are suffering from stress, supporting a colleague who is suffering from stress or because they are otherwise involved in the operation of a policy or procedure dealing with stress.
- Breach of confidentiality may give rise to disciplinary action.
- However, there are occasions when matters reported by a member of staff suffering from stress may have to be put to third parties. For example, where duties need to be reallocated within a team or where, as the result of reported bullying or misconduct, a disciplinary investigation and/or proceedings take place. If this is the case, matters will be discussed with the member of staff concerned before any action is taken.

17.7 Protection for those reporting stress or assisting with an investigation

- Staff who report that they are suffering from stress, who support a colleague in making such a report or who participate in any investigation connected with this policy in good faith will be protected from any form of intimidation or victimisation.
- If staff feel they have been subjected to any such intimidation or victimisation, they should seek support from their line manager, Head of Department, the School Business Manager and or the Headteacher. They may also raise a complaint in accordance with the Grievance Procedure.
- If, after investigation, staff are found to have provided false information in bad faith, they will be subject to action under the Disciplinary Procedure.