



## **Sickness Absence Management Policy**

### **Executive Summary**

It is the policy of Lavington Pre-School to ensure the fair, reasonable and just treatment of all staff who are absent from work through sickness.

This policy includes details of Lavington Pre-School's sickness absence reporting procedure, Lavington Pre-School's sick pay procedure, monitoring sickness procedure and how we will manage short-term and long-term sickness absence.

Other policies to be read in conjunction with this policy:

- Authorised and Unauthorised Absence and Leave Policy
- Health and Safety Policy
- Contagious Diseases Policy
- Covid Policy

### **Purpose**

Lavington Pre-School acknowledges that some staff absence is inevitable and believes that it is important to manage sickness absence in a fair, consistent and compassionate way.

Monitoring staff attendance enables managers to identify ways in which employees can be supported at an earlier stage. If absence levels are felt to be too high, managers may need to review working practices and/or working conditions and/or the culture in the workplace itself to establish if there is any link. The purpose of this policy is to ensure that Lavington Pre-School adheres to this.

### **Accountabilities**

The Pre-school Manager and Management Committee have the responsibility for:

- Maintaining a safe and healthy working environment.
- Managing sickness absence consistently and effectively to ensure maximum attendance at work is achieved and services delivered to expected levels.
- Maintaining accurate records of all sickness absence.
- Reporting sickness absence to HMRC

The Pre-school Manager is responsible for:

- Recording and reporting on absence data.
- Ensuring the appropriate use of this policy and procedure.

All Staff are responsible for:

- Maintaining a safe and healthy working environment.
- Reporting sickness absence in accordance with this policy and procedure.

## **1. Policy Statement**

Why is it important to manage attendance?

Lavington Pre-school believes that employees are its most valuable resource and recognises the important contribution made by regular attendance at work to maintain high levels of service.

Managing attendance is not only about ensuring that employees do not take time off work unless they have a genuine reason, it is also about providing a healthy working environment and promoting and encouraging a healthy approach towards life.

It is also important to manage attendance because of the impact staff absence can have on colleagues in the workplace.

The steps which will be taken to ensure that the purpose of this policy is attained are as follows.

- This policy provides a clear framework that when followed will ensure sickness absence is managed in a fair, consistent and compassionate way.
- Clear sickness absence reporting and recording processes – including ‘return-to-work interviews’ are set out.
- Employees will be briefed on all aspects of the policy.
- All health and safety requirements will be followed in order to provide a safe and physical environment and being mindful to minimise factors causing undue discomfort and stress.
- Evaluation – sickness absence levels will be monitored and analysed, identifying problem areas and taking appropriate action.

## **2. Sickness absence reporting procedure**

**2.1.** On the first day of absence, the employee must make every effort to speak directly to the Manager by telephone prior to their normal start time that day. The employee must provide the following information:

- The reason for the absence.
- The likely date of return.
- Any action they are taking to overcome the illness/injury, eg. Visiting GP.
- Any urgent work that needs to be undertaken during their absence.

The individual should provide a contact number for the duration of their absence. It is not acceptable for a message to be passed to the Manager through a partner, family member, colleague by voicemail or text message other than in exceptional circumstances.

**2.2.** On day two of the absence, in order to confirm their continued absence through illness as a matter of courtesy to colleagues who will be covering duties the employee must again make every effort to speak directly to the Manager prior to their expected daily start time. The employee must give the reason for their continued absence and indicate as clearly as possible the likely date of their return to work. The Manager and employee will then agree when the next contact will be made and by whom.

**2.3.** There may be occasions when the employee experiences difficulty in speaking directly to the Manager. The employee should leave a message that clearly indicates their availability to establish the direct contact with the Manager as required by steps 2.1 to 2.2. It is then the joint responsibility of the employee and the Manager to ensure that they speak to each other at some point during the day.

**2.4.** Should the absence exceed seven calendar days the employee must obtain a ‘Statement of fitness to work’ or ‘fit note’ from the GP and forward this to the Manager. The fit note should state the reasons for the absence and the period of time during which the GP feels the employee will be absent from work.

Should the employee continue to be absent further fit notes will be required for the duration of the illness and these should be sent directly to the Manger or Chairperson if the Manager is the employee concerned. Failure to produce a current fit note from a GP will impact on the payment of any sick pay the employee may be entitled to.

**2.5.** Where an employee fails to notify the Manager of any absence in accordance with the sickness notification procedure above, or provide timely fit notes and the Manager does not receive a satisfactory explanation the Manager must:

- Record the absence as 'uncertified' and therefore 'UNPAID' and notify the individual that they will not receive sick pay until the appropriate documentation is complete.
- Inform the Office Manager.
- If the individual is absent without leave (AWOL) the Manger must write to him/her informing the individual that any uncertified absence will be unpaid, and that unless they get in contact, they may be subject to action under the Disciplinary Procedure.

### **3. On returning to work**

**3.1.** All employees will be interviewed by the Manager immediately upon returning to work after any period of absence through illness.

**3.2.** For any period of absence through illness an employee will be required to complete a Sick Leave Self-Certification Form (Appendix 1) to be authorised by the Manager.

**3.3.** Return to work interviews should be recorded and should cover the following:

- Discuss the reason for non-attendance.
- Confirm that the individual is fit to return to work.
- Discuss the general health and wellbeing of the individual.
- Ascertain the likelihood of any recurrence.
- Establish whether there are any underlying problems/triggers and if so, what can be done to alleviate those problems.
- Determine whether there is a common thread to any intermittent periods of absence.
- Discuss the importance of the individual's positive contribution and their role in the organisation.
- Reinforce the requirement for good attendance.
- Advise the individual if he/she is at risk of hitting the trigger points as stated in the attendance management procedures and that formal action may be considered if further absence occurs.
- Discuss the individual's Bradford Score (see Section 12) and possible implications.
- Consider seeking a report from an Occupational Health Specialist.

**3.4.** Should it not be possible to meet in person to carry out the return to work interview, a telephone conversation should be carried out instead.

### **4. Medical appointments**

**4.1.** Employees are required to make every effort to arrange medical appointments in their own time outside normal working hours. However, where this is not possible, and at the discretion of the Manager, unpaid time to attend such appointments may be allowed. Where an employee requests time-off he/she must notify his/her Manger in reasonable time.

### **5. Conditions for payment of SSP (Statutory Sick Pay)**

**5.1.** Statutory Sick Pay will be paid in accordance with the prevailing HRMC guidelines.

**5.2.** For SSP, the sickness or injury must be that of the employee and not that of a member of their family. Employees must not report sick to meet personal or domestic needs. This in effect constitutes false reporting and misconduct and may result in disciplinary action.

**5.3.** Where the nature or pattern of the sickness suggests to the organisation that a second medical opinion would be advisable, Lavington Pre-school reserves the right to require the employee to attend a consultation with an Occupational Health Specialist. Such an appointment will not be made without prior consultation with the employee and written consent obtained. However, it is a condition of employment that the employee agrees to attend such appointments as may be necessary. All medical costs incurred relating to such a referral will be paid by Lavington Pre-school.

**5.4.** In the event that an employee fails to notify Lavington Pre-school on the day of his/her absence and does not have a satisfactory explanation, and/or does not complete all the requisite documentation, Lavington Pre-school reserves the right to withhold SSP which would otherwise have been due to him/her (in accordance with HRMC guidelines).

## **6. Statutory Sick Pay (SSP)**

**6.1.** Staff will not be paid for the first 3 days of sickness absence and will only be paid SSP upon receipt of a sick note from their GP.

**6.2.** SSP is payable for a maximum of 28 weeks for one period of sickness absence. When entitlement to SSP has expired, employees may be eligible for Employment & Support allowance(ESA)

Those employees who may receive ESA whilst also receiving full pay from Lavington Pre-school are required to reimburse the value of the ESA to Lavington Pre-school, so that they are not receiving more than full pay at Lavington Pre-school's expense.

## **7. Injuries**

**7.1.** Absence through injury is in general to be treated in accordance with the previous paragraphs relating to sickness.

## **8. Occupational Health**

**8.1.** As discussed in 5.3. an employee may be required to undergo an independent medical assessment.

**8.2.** If consent is withheld by the employee, it should be noted that Lavington Pre-school would have to make decisions concerning future employment, sick pay, on the basis of the information available to us at the time.

**8.3.** Where a medical report is sought the employee has a right to see the report, if she/he so wishes. All information concerning an employee's health will be treated in the strictest confidence

**8.4.** Any fee payable in respect of a medical report will be paid for by Lavington Pre-school, however, if an employee fails to attend a pre-arranged appointment with an Occupational Health Specialist without reasonable explanation then consideration will be given to the employee making payment of any fees incurred by the organisation.

## **9. Frequent and short-term sickness absence management procedure**

**9.1.** As a provider of key services, Lavington Pre-school needs to ensure that poor attendance of staff at work does not have a significant impact on the delivery of those services.

Lavington Pre-school also wants to support staff who have health and welfare issues that impact on their regular attendance at work. This procedure is designed to provide a framework within which Lavington Pre-school can achieve these 2 important objectives.

**9.2.** The procedure sets out informal and formal steps to provide such a framework, but this does not prevent managers/committee members from carrying out a supportive welfare role in informally meeting staff with health difficulties and problems and assisting them in any way which may be appropriate. However, at any stage Lavington Pre-school may withdraw from an employee the right to self-certify their absence from work and request that either a fit note be produced for each and every absence and/or request for further medical information is granted via an Occupational health appointment.

**9.3.** Short term absences that may in nature be unrelated may collectively signal general poor health. In such circumstances, there is likely to come a point where (assuming attendance management procedures have not successfully resolved the problem) the continuing absence of an employee will have a significant impact on service delivery and therefore cannot be accommodated further by Lavington Pre-school. This means that employees may be dismissed in some circumstances.

**9.4.** Throughout this procedure all information concerning an employee's health will be treated in the strictest confidence by any manager/committee member involved.

**9.5.** Short term absences are defined as those that last for less than 8 calendar days (including weekends and bank holidays) and are routinely certified by the individual rather than a medical practitioner. The employee will always be interviewed by the Manager on returning to work. In considering employees' records of absence of this nature, Lavington Pre-school will take into account the pattern as well as the total amount of sickness absence. A record of all meetings will be kept by managers at all stages and staff will be advised that, where appropriate, their absence will be closely monitored.

**9.6.** In addition to the return to work interview, it is useful for managers to have triggers for further action to enable them to monitor attendance levels effectively and to develop a consistent approach to managing sickness absence. Trigger points can be used to identify an appropriate time for an employee to be approached about their absence. Any of the following are considered appropriate as 'trigger points':

- 3 separate spells of absence in any six month period
- 8 or more days absence in any 6 month period.
- A Bradford Score (see section 12) of 70 or above in any consecutive 12 month period.
- Individuals whose absence levels or frequency rate are above the team average for a given period (due regard must be given to consistency).
- Where patterns or trends of absence are forming (ie Mondays and Fridays).

These 'trigger points' are given as a guide. In some circumstances it may be more appropriate to discuss the employee's absence at an earlier or later stage.

NB: Managers should consider very carefully any decision to formally approach an employee who has hit a trigger as a result of a disability related sickness or maternity related sickness. Managers should indicate any sickness that is directly attributable to a disability or to maternity on their sickness recording to avoid inappropriate triggering. In such cases advice should be sought and a collective decision reached with the Committee.

## **10. What is the Bradford Score?**

**10.1.** The Bradford Score is a formula that has been developed to help identify persistent short-term absenteeism. An initial factor of 70 points will indicate a significant level of short-term absence requiring further attention.

The Bradford Score calculation is as follows for any 12-month period:

$$S \times S \times D = \text{Bradford Score}$$

S = number of sickness absence episodes in the last 365 day

D = total number of working days lost as sickness absence in the last 35 days

For example:

1 continuous episode of 14 days =  $1 \times 1 \times 14 = 14$  points

7 episodes each of 2 days duration =  $7 \times 7 \times 14 = 686$  points

## **11. Informal Action – Welfare Meeting**

**11.1.** If sickness levels are highlighted as a concern, the Manager will hold a welfare meeting with the employee to discuss the level of absence and its impact. At that meeting the Manager will:

- Outline full details of the employee's sickness absence record.
- Give the employee an opportunity to provide an explanation.
- Agree any action that may help alleviate the problem (which may include referral to Occupational Health).
- Specify the timescale for improvement and review.

The employee should be made aware that failure to maintain the required improvement would be liable to lead to formal action being taken under the procedure in the future. A note of discussion at the meeting will be confirmed to the employee in writing within 5 working days. The note of the meeting should show:

- The date of the meeting.
- Briefly state what was discussed.
- The outcome – including any actions or plan agreed.

## **12. Formal Procedure**

If sufficient and sustained improvement is not made by an employee, the subsequent procedure will be followed.

**12.1.** Absence management meetings should always be arranged as soon as possible and take into account any adjustments and that may be required to accommodate any disability.

**12.2.** The employee's manager will chair the meeting, supported by a nominated committee member (usually the Chairperson). The employee will have the right to be accompanied by a trade union representative or Lavington Pre-school colleague.

**12.3.** The employee will be given at least 24 hours notice of the meeting and will be provided in advance with a copy of the sickness absence record and the outcome of the Occupational Health referral (where applicable), plus any other relevant documentation.

**12.4.** At the meeting, the Manager will confirm the sickness record with the employee and outline why this is unacceptable, including the impact it has on the work of the service and their role. The employee will have an opportunity to put forward any explanations or medical evidence in mitigation. Where appropriate, the Manager will discuss with the employee any action that could help alleviate the problem.

**12.5.** There are 3 stages under the formal procedure, which will be applied consecutively with an adequate review period between each stage for the sickness record to improve:

- First written absence warning – which will lapse after a period of 12 months, provided there is the necessary sustained improvement.
- Final written absence warning – which will lapse after a period of 18 months.
- Dismissal on the grounds of unsatisfactory attendance.

**12.6.** A letter confirming the outcome of an absence management meeting will be sent to the employee, normally within 5 working days of the meeting. The outcome letter will include:

- Details of any action that has been agreed to help alleviate the reasons for the continued sickness.
- The timescales for review.
- Details of how to appeal the decision.
- The consequences if the necessary improvement is not achieved.

**12.7.** If an employee wishes to appeal against any of the decisions listed in 12.5 they must do so by submitting a letter of appeal to the Chair of the Committee within 10 working days of the date of the written outcome of the absence meeting. This letter must detail their reasons for appeal.

**12.8.** Where, after the review period, the employee's absence levels have sufficiently improved, the employee will be met with informally to confirm the improvement and to remind them that the warning will remain on their file for the specified period and their absence will continue to be reviewed at regular intervals. A written record of this discussion should be made.

**12.9.** If the employee's sickness record fails to improve, the Manager will move to the next level of warning, culminating in dismissal on the grounds of unsatisfactory attendance. Once the dismissal stage is reached, the meeting must be chaired by the Manager or the Chairperson who has the authority to dismiss (please refer to the Disciplinary Policy). In all cases, dismissal will be with notice or payment in lieu of notice.

### **13. Long Term Sickness**

**13.1.** The circumstances that give rise to absence of this type are usually quite different to those causing short-term or frequent absence. Any employee who has been absent on medically certified sick leave for more than 4 weeks should, by then, have had contact with the Manager by telephone, letter and/or by visit, to ascertain their progress and to determine whether there is any practical assistance which Lavington Pre-school could give. The purpose of the contact will be to seek an understanding of the employee's situation. Lavington Pre-School does have to ensure that disruption to service delivery caused by a long-term absence is minimised and this will require the Manager to obtain information regarding the likely length of an employee's absence.

**13.2.** Arrangements for continued contact of this nature will be agreed between the Manager and the employee.

**13.3.** Return to Work - When an employee who has been absent on long-term sick returns to work, his/her Manager will make a prior arrangement to see him/her at the earliest opportunity to provide a welcome them back to and ensure their fitness for work (some people do come back too soon, either because they are concerned about their jobs or because they go through the time limits for reduction in pay), and to update them on any changes within the settings.

Any significant concerns the Manger had (eg. The employee is not really fit) will be referred to the Committee and any need to attend a medical assessment will be considered. In some cases reduced hours for a period of rehabilitation may be considered.

**13.4.** Incomplete Recovery – If the employee is unlikely to recover sufficiently to enable a return to his/her full previous duties, the possibility of finding alternative or a reduced level of work will be considered. All reasonable steps should be taken to identify a job that the employee is able to do – where appropriate with the benefit of training and/or the use of suitable adaptations.

**13.5.** No Prospect of Recovery – If the employee is unlikely to recover sufficiently to enable a return to his/her previous job or to alternative employment within Lavington Pre-school, termination of employment on grounds of absence due to ill-health will be considered. This will be in consultation with the employee, and it is not in any sense a disciplinary matter.

The ultimate decision will be taken by the Committee and only after the receipt of medical reports that support the view that the employee will not be fit for work in the foreseeable future.

In considering timescales, the nature of the position held by the employee, the importance of replacing him/her and the feasibility of providing temporary cover are valid factors.

If termination is felt to be necessary, the employee must be seen by a Committee member and advised beforehand of his/her right to be accompanied by a work colleague or a trade union representative. Sufficient time should be allowed for the employee to arrange for this accompaniment. The employee should be informed of the medical conclusions, asked for his/her views, consulted regarding the feasibility of alternative employment and presented with the realities of the situation.

There may be agreement that termination is the only option, or that another option should be pursued. However, it may also be necessary to terminate without the employee's agreement, and the employee must be advised of a right of appeal to an the Committee chairperson.

**13.6. Terminal Illness** – In cases where it is clear that illness is or may be leading to death, Lavington Pre-school will decide on the appropriateness of embarking on formal procedures, and welfare assistance to the employee and his/her family will be provided as far as possible.

#### **14. Equality Act 2010**

**14.1.** In compliance with the Equality Act 2010 Lavington Pre-school will make every attempt to provide reasonable assistance, resources or facilities to include the following to employees with a disability:

- To undertake an individual assessment of the support and needs required for the employee to attend work either full-time or part-time, including making adjustments to premises, acquiring or modifying equipment.
- To consider reasonable adjustment to working conditions or to the physical working environment to help overcome the practical effects of a disability.
- To consider reasonable adjustments to the employee's working arrangements to include altering working hours or being assigned to a different roll/area.
- To consider allocating some of the employee's duties to another person.
- To consider alternative posts more suitable for the disability.
- To provide training or retraining to allow the employee to undertake a new position.
- To provide extra supervision or support to assist the employee.
- To provide a reader or interpreter or to modify instructions or reference manuals in order for the person not to be at a substantial disadvantage in comparison with staff who are not disabled.
- To allow reasonable time off during working hours for rehabilitation, assessment or treatment.

Whilst Lavington Pre-school wishes to assist such staff in every way possible to allow her/him to continue working, account will be taken of the extent to which it is practicable for Lavington Pre-school to take such steps, the financial and other costs which will be incurred and the extent to which taking it would disrupt Lavington Pe-school's operations of its business.

#### **16. Maternity related sickness**

**16.1.** Women cannot receive Statutory Sick Pay (SSP) and Statutory Maternity Pay (SMP) at the same time. In normal circumstances:

- If a woman is sick during the last 4 weeks before her due date and she has not commenced her maternity leave, statutory sick pay is payable unless the illness is pregnancy related.
- If the sickness referenced above is maternity related, then statutory maternity leave and pay are automatically triggered.



See Maternity Policy for more information.

**17. Medical suspension**

**17.1.** Lavington Pre-school reserves the right to place employees on a period of medical suspension pending independent medical advice if the organisation has reasonable belief that by remaining in the workplace the health and well being of the employee, other members of staff or the children may be at risk.

**17.2.** Medical suspension will not affect your SSP entitlement.

**18. Sickness whilst on suspension**

**18.1.** If you are suspended and report sick your absence from work will be recorded as sickness and you will receive the appropriate level of sick pay until you are deemed fit to return to work. If at this point the process has not been concluded you will remain suspended from work.

The Manager and Chairperson are responsible for monitoring and evaluating the policy.

Reviewing the Sickness Absence Management Policy: The Chairperson is responsible for overseeing the annual review.

**The Lavington Pre-school Sickness Absence Management Policy will be reviewed on:**

**Date:** ..... **Signed:** .....

**Name:** ..... **Post:** .....

**The Lavington Pre-school Sickness Absence Management Policy will be reviewed on:**

**Date:** ..... **Signed:** .....

**Name:** ..... **Post:** .....

**The Lavington Pre-school Sickness Absence Management Policy will be reviewed on:**

**CONFIDENTIAL**

**SICK LEAVE SELF-CERTIFICATION/RETURN TO WORK FORM**

1. This form is to be completed by the employee and the Manager and actioned by the Office Manager.
2. If the employee does not return to work by the 8<sup>th</sup> day, this form should be completed by the Manager and actioned by the Admin Manager with a Fit Note (if a Fit Note is not supplied, the employee will not be paid).
3. Any further fit notes received must be sent to the Manager.
4. For sickness absence over 8 days another form must be completed when the employee returns to work, clearly marking the Returned to Work Date.

<b>EMPLOYEE'S DETAILS</b>	
NAME:	JOB TITLE:
HOURS AND DAYS WORKED:	
MANAGER:	

<b>SICK LEAVE</b>			
First Day of Absence:		Last Day of Absence:	
Number of hours absent on first day of sickness:	Number of hours absent on last day of sickness:	Number of working days lost due to sickness:	Date returned to work:
Please state briefly the reason for your absence:			
Did you consult a doctor and/or hospital: YES/NO			
Fit note obtained for any absence over 7 calendar days: YES/NO			

<b>TO BE COMPLETED BY THE MANAGER ON THE EMPLOYEE'S RETURN TO WORK:</b>		
Details of management contact with employee whilst off sick (including dates of contact):		
Date Manager was informed of absence:	Date of Return to Work interview:	Has the employee fully recovered?
Any general health and well being issues LAVINGTON PRE-SCHOOL should be aware of?		
Are there any underlying problems that are affecting the employee's health?		

If yes, what action if any has been agreed to alleviate these problems?
Is there anything at work that the employee perceives is aggravating their condition?
Has impact of sick absence on pay been discussed with employee?
Fit Note sent to Manager?

<b>Agree action to be taken:</b>		
No further action:	Suggest occupational health referral (liaise with Lavington Pre-school):	Action taken under Absence Management Policy:
Other/Notes (please provide details):		

<b>Was the illness caused by an accident at work?</b>
If yes, has an Incident Report been completed and forwarded to Lavington Pe-school?

**I declare that the information given above is a true statement and understand that the provision of false or misleading information could result in disciplinary action.**

**Employee signature:**

**Date:**

**Manger's Name:**

**Signature:**

**Date:**