



# Sickness and Absence Policy

## Statement of intent

To encourage high standards of attendance and ensure the wellbeing of all staff.

## Aim

To ensure that short and long-term sickness absences are dealt with sensitively and in accordance with best practice, relevant legislation and ACAS code of practice. To monitor the level of sickness absence within the setting and identify any actions the setting can reasonably take to promote the health, safety and welfare of staff, including reasonable adjustments to facilitate an employee's return to work after a period of sickness absence.

## Methods:

### Management responsibilities

When an employee returns to work from sickness absence a meeting will be arranged with the setting to

- welcome the employee back and establish/confirm the reason for the employee's absence and ensure that the absence is recorded appropriately.
- enquire as to the nature of the health problem and, if appropriate, whether there is some support, which would be reasonable and practicable for the setting to provide.
- if the setting considers it appropriate, the employee's permission may be sought in order to obtain further information relating to the employee's condition.
- if the employee feels unable to discuss their health issues with the Manager, then they can request a deputy or assistant manager.
- Where an employee is disabled, or becomes disabled, the setting will act in accordance with the provisions of the Equality Act 2010 (EQA2010) and will consider any reasonable adjustments as required under the Act to support the needs of the employee.
- When considering phased return the setting will undertake risk assessments in accordance with Health and Safety at Work provisions.

In certain circumstances absence can result in dismissal. However, no employee will be dismissed on grounds of sickness absence without due warning and without the appropriate procedure being followed and implemented by the setting.

### Grievance and discipline

Any employee who feels aggrieved at the way their sickness absence has been dealt which may invoke the settings grievance procedure.

Where an employee abuses the sickness regulations (e.g. not providing certificates, being absent without permission, refusing to comply with this policy, etc) will be dealt with under the disciplinary procedure.

### Notification of absence

If an employee is going to be absent from work they should notify the Management in accordance to the handbook. The employee must then telephone by midday to give an update management on whether or not they are likely to return the following day. Employees should not leave a message with a colleague.

The employee must telephone the Manager or Deputy each subsequent day they are sick, unless a longer reporting period is agreed between the individual and the manager.

Upon returning to work the employee will be required to complete a return-to-work interview with one of the management team to discuss their return-to-work arrangements and ongoing responsibilities.

A doctor's certificate is required where the absence has exceeded seven calendar days. If a period of absence continues after the expiry of the doctor's certificate, further certificates' must be obtained as necessary to cover the whole period of absence and should be sent to the management within two days of issue.

Any employee who has been signed off work by a doctor may return to work before providing the GP advises on the Statement of Fitness for Work that an employee 'may be fit for work', a discussion with the employee will take place on ways of helping them get back to work. This may involve talking about a phased return or amended duties. Advice may also be obtained subject to the employee's agreement from their GP or Occupational health.

If an employee is ill just before or during their holiday, they can take it as sick leave instead, or they can ask to take their paid holiday for the time they're off work sick. They might choose to do this if they do not qualify for sick pay.

If an employee does not contact the manager or deputy when absent from work, the absence will be recorded as unauthorised. Failure to provide sickness documentation (or some other valid reason for the absence) within two working days of their return to work may also cause the leave to be viewed as unauthorised and therefore recorded as such. Subject to the circumstances, the absence may be unpaid and may also be investigated under the disciplinary policy.

Any non-medical explanations for absence will be investigated fully. Appointments with the doctor, dentist or hospital should not be classed as sickness unless the employee is already absent through sickness. Such appointments should be taken as early or late in the day as possible to avoid disruption to work, however, reasonable time from appointments should be accommodated depending on the settings requirements where ever possible and the hours will be deducted from salary time sheets. If a series of regular appointments are required the employee should inform the manager.

### **Contacting employees on sick leave**

Employees on short-term sickness who have followed the reporting procedure will not normally be contacted at home unless the management can demonstrate extraordinary circumstances to justify the contact. If absence is likely to be longer term, i.e. more than four weeks continuously, the setting will contact the employee periodically as agreed to check on their wellbeing.

### **Medical reports**

In certain cases, subject to the agreement of the employee, the setting may choose to seek further independent, professional advice and guidance relating to the employee's sickness absence. This may involve the setting requesting a medical report from the employee's GP or consultant, or referring the employee for an independent medical assessment or an assessment at an occupational health unit (OHU). If it is agreed that a medical report will be sought from the employee's GP,

consultant or OHU, written permission will be gained from the employee first. Employees have a right under the Access to Medical Reports Act 1988 to see their own medical reports before it is given to the employer.

The management will complete a referral form and must discuss the reasons for the referral with the employee; it is important that both the employee and the referring manager understand the purpose of the referral. It is important that the employee understands that the involvement of occupational health will ensure that both parties obtain the necessary advice to facilitate the management of the employee's condition.

Further to the receipt of the medical report, a meeting will be arranged between the manager, employee and his or her representative. The purpose of this meeting is to discuss the response from the employee's GP, consultant, or OHU and for all parties to consider options available to the worker.

### **Bradford Factor**

All absences will be calculated using the Bradford factor calculator and staff will be sent absence concerns letters on the % trigger points. 22%- Some concern letter 1, 45% - Action required - letter 2 and investigation/Occupational Health, 100% - Consider disciplinary - letter 3, 900% - letter 4 -Serious Disciplinary likely.

### **Short-term frequent absence**

Frequent absence refers to cases where an employee is frequently absent from work for relatively short periods due to sickness. Most employees will have some short-term sickness absence.

The setting reserves the right to investigate absences in an attempt to determine any underlying problems. The setting will take steps to investigate any absences exceeding:

- up to six working days in six consecutive months
- spells of absence in three consecutive months
- 12 working days in a consecutive 12-month period
- separate absences lasting a working week or more within a 12-month period
- where any unacceptable trend is identified (e.g. repeated absences linked to weekends.)

Where there are reasonable grounds to do so, further medical evidence may be sought, if the attendance issue is not resolved satisfactorily, the setting will:

- request further medical information from the employee's GP or/and Occupational health
- (subject to the employee's permission)
- investigate the working practices, including problems caused by the absence.
- consider the consequences of allowing the absence to continue and whether there are alternative duties that the employee could be moved to.

### **Seeking solutions at the informal stage**

The setting considers that it is in the interests of the employee and the employer for cases of frequent absence to be dealt with quickly and informally.

In the event of the setting becoming concerned about an employee's level of sickness absence, every effort will be made to resolve the matter informally. Both parties should discuss the matter positively, with a view to identifying the reasons for the absences, ways in which the situation might be improved and what, if anything, the setting can do to support the employee.

The employee should disclose any relevant factors, such as whether the absence is related to an accident, disability, pregnancy or some medical condition and whether it is likely temporary, on-going, or long-term. The management should look positively to see if there is anything that the setting can reasonably do to assist the employee. The management should also make the employee aware, if the situation does not improve it might need to be dealt with under the formal process. If the employee has a health problem, which they feel unable to discuss with the management, they are referred to another appropriate team member or Trustee who will keep the conversation confidential if the staff member desires. Where the situation does not improve, the setting will adopt a formal process to manage the situation.

### **Managing sickness absence – formal process**

The following arrangements will be put in place if a decision is taken to address an employee's sickness absence in a formal manner in accordance with the setting's disciplinary procedure: -

- a letter will be sent to the employee inviting them to attend a meeting, stating the reason for meeting, enclosing any information that the practice is relying on in order to address the matter, for example the employee's sickness record or any medical reports.
- the employee should be informed that they may be accompanied at the meeting by a work colleague or trade union representative, or another appropriate professional representative.
- the meeting will be arranged at a time that is convenient for both parties, including the employee's representative.
- the employee will be given at least five working days advance notice of the date, time, and place of the meeting.
- the employee will be informed as to the names of the managers/trustee directors that will be present at the meeting

### **Meeting with the employee**

The employee should be asked to explain any circumstances, which might be contributing to their level of absence, or any other matter, which they feel ought to be taken into account.

The representations offered by the employee will be considered fairly and reasonably and discussed as appropriate.

The employee will be informed that they will receive a written response within ten working days, including notes from the meeting.

The Trustee Directors will subsequently write to the employee (enclosing the notes of the meeting and any further documentation) as follows in order to:

- a) inform the employee that no further action will be taken; or
- b) confirm the discussion and details of any assistance the setting can provide to the employee: or
- c) inform the employee of the specified review period (e.g. one to three months) during which the employee's level of attendance is expected to improve.

The employee will have the opportunity to disagree with the written summary and may, within a further five days, submit their reasons in writing. Both documents will be placed in the employee's personnel file to be discussed during any subsequent review.

At the end of the specified review period the employee's level of attendance will be assessed by the management team as follows: -

If there has been an improvement, no further action will be taken.

Where there has been no improvement where the employee has failed to provide a reasonable explanation for their absence, the setting manager will consider issuing an appropriate reprimand in accordance with the disciplinary procedure.

The employee will be informed of their right to appeal against the settings decision to issue the reprimand. The employee will have 10 working days (as per disciplinary policy) from the date of being informed in which to make an appeal.

#### **Long-term sickness absence**

Sickness absence lasting in excess of one month is generally considered to be long-term absence. Individuals may be absent on long-term sick leave for a variety of reasons (e.g. following an injury or operation, convalescence from illness, diagnosis of a long-term disability or terminal illness).

Any action taken to address long-term absence will depend on the circumstances of the particular case.

When a disabled employee is on long-term sick leave related to their disability or they are at risk of a cut in pay, the setting will endeavour to maintain them of full pay for the period of absence in accordance with the EQA 2010.

#### **Informal meeting**

Where an employee has been absent for more than two months and there is no identified return date in the near future, the setting manager will contact the employee to arrange an informal meeting to discuss their current situation and when a return to work may reasonably be expected.

The response given by the employee will determine the next stage in the process, as the options will depend on the individual circumstances. In the event that the employee is too ill to attend the meeting, the manager will seek to obtain the necessary information from them in an appropriate manner, e.g. by home visit or via their trade union or other representative.

#### **Request for a medical report**

Prior to any decision being made, and before any formal process is commenced, the setting will request the permission of the employee to obtain information from the employee's GP on their condition. Subject to the content of the report the setting may decide to obtain the agreement of the employee to undergo an occupational health assessment in order to take advice on any reasonable adjustments that may be made to facilitate the employee's return to work.

#### **Referral to the agreed OHU**

If a date for return to work cannot be established, the employee will be asked to attend a medical examination at an OHU to obtain an expert assessment of their fitness for work. The employee will be provided with a copy of the letter to the OHU and a copy of the medical report.

#### **Fit to return to work**

If it is advised that the employee is fit to return to work, a formal meeting (details as above) will be convened to discuss the employee's return and the arrangements to be put in place to facilitate this. The outcome of the meeting must be confirmed in writing by the manager and placed on the employee's file.

### Unfit to return to current role – consider reasonable adjustments or alternative role

While the setting is under no obligation to create a specific job for an employee who becomes permanently unable to carry out their contractual duties, the setting will endeavour to make reasonable adjustments or identify suitable alternative employment within the capability and medical limitations of the employee.

A formal meeting will be arranged in order to identify which type of adjustments or jobs with the setting that might be suitable for the employee to undertake. If neither is possible, it may be necessary to proceed to dismissal on grounds of incapability.

### Unfit to return to work in the foreseeable future

Where medical advice states that the employee is unfit to return to their current role for the foreseeable future and reasonable adjustments are not feasible, and where suitable alternative employment can not be offered, the employee will be invited to attend a formal meeting with the manager/trustees together with the employee's representative to discuss the situation and the content of the medical report. The outcome of this meeting will be dismissal on the grounds of ill health and the employee will be entitled to full pay contractual (or statutory if longer) notice. The employee will be informed of the right to appeal against the decision to terminate their contract of employment.

### Appeal process

If an employee is dissatisfied with the outcome of any aspect of the sickness absence process or any management action taken against them, they may lodge a formal grievance in accordance with the settings grievance procedure. The grievance must be filled within five working days of the action.

Grounds for appeal:

- a) severity of the decision
- b) failure to adhere to the agreed procedure
- c) mitigating circumstances

Format of the appeal hearing (To follow practice grievance procedure)

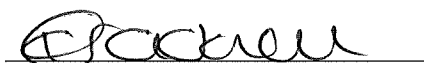
- a) the employee or their representative will present their case for the appeal.
- b) the setting manager will then present the case against the appeal
- c) the trustee director panel hearing the appeal can question both parties in turn.
- d) both parties will be invited to summarise with the manager.

Where feasible, the case will be heard by a partner or appeal panel not previously involved in the process. The employee will be informed of the decision in writing within five working days of the appeal being heard. The decision of the trustee appeal panel is final

This policy was adopted at a meeting of Pippins Pre-school and Nursery

Held on Thursday 9<sup>th</sup> October 2025

Signed on behalf of the Management Trustee Directors



Role of signatory (e.g. Chair)

Chair

Commenced 27.01.2020 Reviewed 25.09.2025