

Reading Early Years Schools Federation (REYS)



Staff Absence Policy

Signed by Chair of Governors: Caroline Wharton

Signed by Executive Head teacher: Joanne Budge

Date: December 2020

Date to be reviewed: December 2023

INTRODUCTION

REYS federation is committed to maintaining the health, safety and welfare of its staff, seeks to provide a positive and healthy working environment and recognises the value of its employees' work/life balance. Regular attendance at work is an integral part of every employee's contract of employment; however, it is recognised that employees will on occasion, have genuine and acceptable health reasons to be absent from work. On those occasions, we will aim to support an employee during the period of absence, with the aim of assisting their return to work at the earliest opportunity.

The overall aim of the policy is to minimise absence levels within each nursery and provide information on how each nursery may support those employees who are unable to attend work due to ill health. This policy also aims to provide a fair and consistent framework for managing attendance and should inform all employees of their responsibilities regarding attendance at work.

In accordance with its obligations under the Equality Act 2010, REYS federation will make all reasonable efforts to allow employees with a disability to continue their employment.

All staff employed at REYS federation, with the exception of employees serving a probationary period where separate procedures apply are covered by the procedures.

The procedure does not apply to matters relating to an employee's conduct, or capability, as assessed reference to skill, aptitude or job performance as these are covered in separate procedures

REYS FEDERATION RESPONSIBILITIES:

- To inform all employees of attendance management procedures including the conditions of the sick pay scheme.
- To record all sickness absence upon notification.
- To meet with employees on their return to work, regardless of the duration of the absence.
- To monitor and review sickness absence across the setting.
- To decide if a consideration meeting with an employee when their sickness absence level has reached a trigger point is appropriate.
- To maintain reasonable contact with employees during a period of absence

THE EMPLOYEE'S RESPONSIBILITIES:

- To attend work when fit to do so.
- To comply with REYS federation notification of sickness absence procedures.
- To maintain reasonable contact with nursery and to meet with the Head of School or Nursery Manager when required during periods of absence of four weeks or longer ('long-term sickness absence').
- If requested to do so by the Head of School or Nursery Manager to attend occupational health (and potentially other medical) appointment.

ATTENDANCE MANAGEMENT PROCEDURE

How to report sickness absence:

On the first day of sickness absence, the employee must telephone their nursery no later than 7.30 am on the day of absence. Staff should also message/call their Head of School or Nursery Manager as soon as possible

Staff are required to update the nursery on their condition each day by 3pm and their intentions regarding the following day. The employee has an ongoing duty to maintain contact with the nursery for the duration of their absence. If the employee's absence persists for longer than seven consecutive days (including weekends), then the employee must submit a doctor's fit note to the nursery as soon as possible.

SICK PAY ENTITLEMENT:

Sick pay is based on length of service. For teachers, this is aggregated teaching service within any Local Education Authority and any Academy. For all other staff, it is continuous service within any public authority to which the Redundancy Payments Modification Order 1985 applies. If nursery is concerned that the reason(s) given for the employee's absences are not genuine, we may commence action under the disciplinary procedure. REYS federation reserves the right to withhold sick pay in circumstances which are described in the relevant paragraphs of the conditions of service for teachers and support staff. Additionally, if the employee is found to be carrying out some other work, within their contracted hours with us sick pay could be withheld.

Employees who are absent from work on sickness absence must not participate in any other form of work (paid or unpaid) during or outside of their normal working hours without the prior written authorisation from the nursery. It is the responsibility of the employee to notify us if undertaking therapeutic work whilst on sick leave and to avoid misunderstandings, it is advised that the employee should consult with us and if appropriate, Occupational Health as to the advisability of such activity.

Any staff who are sick whilst on annual leave (all year around staff only) are required to submit a Medical Certificate for any period of absence you need reinstated, the cost will be borne by the employee.

SICK PAY

In the case of absence from duty due to illness you will be entitled to an allowance in accordance with the following scale:

- During 1st year of service: 1 months full pay, and (after completing 4 months service) 2 months half pay.
- During 2nd year of service: 2 months full pay and 2 months half pay
- During 3rd year of service: 4 months full pay and 2 months half pay
- During 4th and 5th year: 5 months full pay and 5 months half pay
- After 5 years' service: 6 months full pay and 6 months half pay

In order to be eligible for these payments you are required to:

- Notify the Head of School or Nursery Manager as soon as possible
- Provide either a self-certificate or medical certificate upon return to work

SURGERY NOT FOR MEDICAL REASONS

Time off for surgery that is not for medical reasons will ordinarily not be paid. Any leave granted, whether paid or unpaid, will be subject to the availability of staff to cover the employee's period of absence.

RETURNING TO WORK

Where a doctor advises the employee that “you are not fit for work”, the doctor will state the period (or dates) where this will be the case and whether they will need to assess the employee again. If the doctor has not stated that they need to assess the employee again, it will ordinarily be assumed that the employee will return to work on expiry of the fit note.

There may be occasions where it is advisable to ask the employee to seek further advice from their doctor regarding a return to work or to seek advice from an occupational health advisor before the employee is allowed to return to work. The employee is required to attend such an additional appointment as reasonably instructed by the nursery.

During such additional period of assessment (unless the employee refuses to attend such an appointment), the employee will remain entitled to sick pay in accordance with the employee’s terms and conditions of service.

The fit note offers a new option - 'may be fit for work taking account of the following advice'. A doctor may be able to suggest ways of helping an employee get back to work. This might mean discussing:

- A phased return to work.
- Flexible working.
- Amended duties.
- Workplace adaptations.

It is important that employees contact the Head of School or Nursery Manager as soon as possible on receipt of such advice and in any event significantly prior to their return to work to discuss any adjustments suggested by their GP. Employees should inform the nursery of their proposed return to work date as soon as possible.

We will investigate reasonable suggestions made by a doctor of steps that may assist an employee to return. However various factors may us from acting on such advice including (but not limited to) maintaining education standards, the impact on pupils or other staff, practicability, disruption to nursery life and cost.

On their return to work, the employee must complete the Sickness Notification Form as directed.

OCCUPATIONAL HEALTH

REYS may refer the employee to an Occupational Health Advisor who will be able to advice on matters such as:

- When the employee may be able to return to their role.
- The employee's ability to carry out their role.
- Whether the employee falls under the auspices of the Equality Act 2010, and whether any adjustments or modifications could be made to assist the employee in carrying out their role.
- Whether the employee is (or will soon be) able to carry out their role and/or the employee's ability to carry out alternative duties
- Whether any adjustments or modifications could be made to assist the employee in carrying out such alternative duties.

REYS federation has a duty of care to its employees to consider appropriate support options including reasonable adjustments or phased returns to work.

It may be appropriate for employees experiencing a psychological illness i.e. stress/anxiety/depression or a musculoskeletal complaint i.e. neck/shoulder/back condition, that an immediate referral to occupational health is made.

RETURN TO WORK INTERVIEW

Following a period of sickness absence the employee will be required to attend a Return to Work interview. Ideally this should be done on the employee's first day back to work. If this isn't possible it should be held within three days of their return to work.

The meeting will normally be held by the employee's line manager, Head of School or Nursery Manager. The purpose of the interview is to welcome the employee back to work, inform them of any changes during their absence and to seek reassurance on the part of nursery whether the employee is completely fit for work or needs extra support at the time. It is also to demonstrate our commitment to monitoring the health and well-being of its employees. It may be that a referral to occupational health for investigation of the employee's health problems is necessary to gain advice on medium and long-term fitness for work and if there is an underlying condition requiring reasonable adjustments to be carried out.

In a Return to Work interview, employees should be made aware when they are near to reaching the trigger points if they have frequent periods of absence that are causing concern.

When considering trigger points, the circumstances of the employee will be carefully and sensitively considered in order to treat all employees fairly, consistently and compassionately. It is the intention that the REYS federation will manage absence in a proactive manner.

HOW ATTENDANCE WILL BE REVIEWED

In order to manage attendance effectively, it is important that sickness absence is consistently reviewed. REYS federation has pre-determined review points which can alert us if an employee's attendance has reached a point where there may be cause for concern. The following review points are in place to monitor employee attendance:

- 3 separate absences in three month period
- 10 working days made up of short-term absences in a 12 month period
- Patterns emerging, e.g. Mondays, Fridays or after holiday periods
- Combination of odd days, longer periods and patterns of absence which may cause concern.

CAPABILITY PROCEDURE

This procedure is designed to deal with long term absence, or regularly absent for numerous short term periods.

If the employee's attendance levels have not improved to a satisfactory level following informal action through the return to work interviews, and having taken into consideration the trigger points, management may choose to obtain medical advice from occupational

health to ensure that there are no underlying medical conditions which could be affecting an employee's attendance.

If no reasonable explanation has been provided for the absences, or any medical issues identified, Capability Procedures may be set in motion. (Reading Borough Council Capability: Managing Sickness Absence Procedures)

COMPASSIONATE LEAVE:

The Executive Head teacher has the authority to grant compassionate leave. This may be paid or unpaid it is at discretion of Executive Head teacher. Paid leave would not normally exceed 1 day per incident and not more than 5 days off in any year, or equivalent to your normal weekly hours e.g. if you work 30 hours a week, that is the amount of time allowed in a full year. Time off to look after your child is normally classed as Parental Leave, this is normally unpaid leave, again it is at the discretion of the Executive Head teacher

The provisions of the policy apply to employees who need to care for sick dependants* or where there has been a bereavement.

Definition of Dependant: Partner (co-habitee, husband or wife), son, daughter, adopted or foster children, parent.

COMPASSIONATE LEAVE – BEREAVEMENT

In the event of the death of a close relative or partner, and depending on individual circumstances up to 5 days paid leave will be granted.

COMPASSIONATE LEAVE – CARE FOR SICK DEPENDANTS

The following are the situations that qualify for Compassionate leave:

- Leave to accompany a sick dependant or dependant with a disability to a medical or professional appointment with their dependant. Employees may be required to provide a medical appointment card/letter and will need to give as much notice as possible to request that they accompany a dependant to a medical appointment, except in the case of an emergency (this can be provided on their return to work). If an employee is unable to provide confirmation of appointment they will be required to take unpaid leave, annual leave or owe nursery the time. Wherever possible employees should try to arrange appointments outside of their normal working hours/weeks, especially if this arrangement is an on-going commitment.
- Leave to care for a sick dependant. Employees will be required to provide a doctors certificate confirming the dependants need for assistance. This covers instances where a dependant falls ill, or is injured, or where arrangements need to be made for provision of care for a sick dependant.

Leave to care for a dependant on the emergency breakdown of regular care. If child-minder or regular carer becomes ill, caring is suddenly terminated; leave can be requested under the following conditions;

- The employee is unable to make alternative arrangements
- The employee may be required to provide evidence.
- Incident occurs unexpectedly in an educational establishment that the child attends

Every reasonable effort should be made to make alternative care arrangements before a request for compassionate leave is made. In all cases the employee will need to complete a Compassionate Leave request form. (In some circumstances this can be completed on the employees return to work)

LEAVE OF ABSENCE

Leave of absence is additional leave and may be paid or unpaid.

Discretionary leave (possibly paid) – Examples could include:

- Absence for job interview Reasonable time of to attend, proof should be Provided
- Training and Courses Paid if requested /arranged by nursery
- Examination Leave Paid if related to individual's occupation/career
- Leave for Public duties e.g. Governing Body duties, Jury service, Magistrates (up to 10 days per year)

Discretionary leave (possibly unpaid) - Examples could include

- Attend a Function e.g. Degree Ceremony: Up to 1 day unpaid
- Sporting, Cultural or Similar Events: Unpaid leave may be granted at discretion of the Governing Body, upon the recommendation of the Executive Head teacher
- Additional Holidays (Term Time Staff): Requests to accompany partner on holiday or business trips etc. will not be granted. The only exception is if holiday is booked prior to a new employee taking up post in the nursery.

MEDICAL APPOINTMENTS

Routine medical/dental appointments should be taken outside of your normal/nursery hours. However, we recognise there is less flexibility for hospital specialist appointments so leave of absence will be granted. Proof of appointment date and time may be requested.

Anti-natal appointments: Staff are entitled to paid time off to attend anti-natal appointments, however they are expected to arrange such appointments at time convenient to both themselves and colleagues.

IVF: Employees should discuss the requirements of their treatment with the Head of School/Nursery Manager. There is no statutory obligation to allow time off for IVF, the nursery will grant unpaid leave to cover the first specialist appointment. Further time may be granted through a combination of flexible working, annual leave and unpaid leave.

All requests for leave of absence are to be made formally to the Executive Head teacher or in the case of the Executive Head teacher to the Chair of Governors.

Any member of staff who is absent without agreement or has not followed the correct policy and procedure requirements will be subject to suspended pay until the matter can be resolved satisfactorily and unauthorised absences may result in disciplinary action.

Monitoring

This policy will be regularly monitored and reviewed every three years.

December 2020 – Next review December 2023