

Health and Attendance POLICY



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1. Scope

This policy and procedure applies to all employees and workers. It has been subject to consultation with Trade Unions. It does not form part of an employee's contract of employment, and we reserve the right to amend the policy at any time.

2. Introduction

The aim of this policy is to set out our approach to managing short-term and long-term sickness absence fairly and consistently, and to ensure that employees and managers are aware of their responsibilities when sickness absence occurs.

This includes, but is not limited to:

- informal and formal absence management procedures
- the requirements for notification;
- the requirements for certification;
- sick pay entitlements;
- the process for occupational health referrals;
- return to work procedures;
- trigger points for absence review.

3. Definitions

For the purposes of this policy, the following definitions apply:

- Short-term absence: frequent, intermittent, short periods of absence
- Long-term absence: any continuous period of absence lasting more than 28 calendar days
- Trigger points: Indicators that absence levels or patterns of sickness require review and may lead to further action.

4. Breaches of Policy

Failure to comply with this policy may result in disciplinary action and withdrawal of sick pay. There is no obligation to reinstate occupational sick pay in such cases.

Examples of breaches include, but are not limited to:

- a failure to follow notification and maintaining contact requirements
- a failure to follow certification requirements
- situations where there is reason to believe the sickness absence is not genuine
- an employee undertaking inappropriate activities, including working for another organisation, whilst off sick.

Other relevant policies may include:

- Career break
- Code of conduct

- Disciplinary
- Family leave policies
- Flexible working
- Managing performance and capability
- Menopause
- Wellbeing

5. Trigger points

We hope that close monitoring and discussions regarding absence and attendance will result in an improved attendance record. However, if levels of sickness absence reach a trigger point, this may be discussed with the employee and managed in line with our absence management procedure.

In any rolling six-month period, the following will normally trigger a review:

- three separate occasions of sickness absence, regardless of duration;
- a continuous sickness absence of ten working days or more;
- a recurring pattern of absence, for example frequent Fridays/Mondays.

These trigger points are for guidance only and we reserve the right to raise concerns at an earlier stage where there are reasonable grounds to do so, or at a later stage, where appropriate.

Absences related to disability or pregnancy will be considered separately in line with statutory requirements.

6. Sick pay

6.1 Statutory sick pay (SSP)

Subject to compliance with this policy, Statutory Sick Pay (SSP) will be paid to eligible employees from the first day of absence for up to 28 weeks, in line with statutory provisions.

To qualify for SSP, employees must comply with notification and certification requirements.

6.2 Occupational sick pay (OSP)

Subject to compliance with this policy, we will pay occupational sick pay (OSP). Eligibility for occupational sick pay, including duration and level of payment, is in accordance with your conditions of service, as detailed in the Appendices.

7. Personal medical appointments

Before arranging non-urgent medical appointments, employees should seek approval from their Headteacher by completing a 'time off work request' form.

Employees should arrange medical appointments outside working hours wherever possible. Where this is unavoidable, reasonable time-off may be allowed.

Time-off is normally unpaid unless agreed by the Headteacher.

Where appointments cannot be scheduled outside normal working hours employees should try to arrange these at the beginning or the end of the day, or during lunchtime, to minimise disruption and time absent from work.

Evidence of the appointment may be requested.

Elective cosmetic surgery will normally be treated as unpaid leave unless it is medically necessary and supported by a fit note.

8. Notification requirements

8.1 First day of absence

On the first day of absence, employees must telephone the Headteacher to report that they are too unwell to come to work. The employee should aim to do this between 7-7:10 am in the morning.

If the employee is unable to contact us to report their absence, their next of kin should do so on their behalf, at the earliest opportunity.

It is not acceptable to contact us by email, text message or via social media without prior agreement.

8.2 Ongoing absence

For each subsequent day of absence after the first day, the employee should telephone the Headteacher as early as possible and preferably by 2pm on the day of absence to let the school know of further absences if known. However, managers should use their discretion and can agree different arrangements, as appropriate.

Failure to maintain absence notification requirements may be treated as a breach of this policy and occupational sick pay might be withheld.

9. Certification requirements

9.1 Absence up to 7 days – self-certification

For sickness absences of up to 7 calendar days (inclusive of bank holidays) employees must complete a self-certification form upon return to work.

Employees are not normally required to provide a Statement of Fitness for Work (a 'Fit Note' provided by a doctor) for absences up to 7 calendar days. However, we reserve the right to require employees to provide a Fit Note for sickness absences of any duration. Where an employee incurs a cost for obtaining a Fit Note for an absence of up to 7 calendar days, we will reimburse reasonable costs incurred.

9.2 Absence over 7 days – Fit Notes

Where a period of sickness absence exceeds 7 calendar days, the employee is required to provide medical evidence in the form of a Statement of Fitness for Work ('Fit Note'). The Fit Note must cover the entire duration of the absence.

If a Fit Note expires and the employee remains unfit to return to work, the employee must obtain and submit further medical certification at the earliest opportunity to ensure the absence remains fully certified.

Where an employee becomes aware that they are unlikely to be able to obtain a further Fit Note before the current certificate expires, they must notify us at the earliest opportunity and in any event prior to the current Fit Note expiring, with confirmation of when it is expected.

9.3 Certification during non-term time

Where an employee working a 'term-time only' pattern is absent due to sickness on the last day of term, or half term, and is also not fit for work on the first day of the new term, a Fit Note is required to cover the non-term time period.

9.4 Sickness during annual leave

If an employee is unwell during annual leave and wishes to treat this as sick leave and reclaim annual leave, they must provide appropriate certification as per paragraphs 9.1 and 9.2.

Failure to maintain certification requirements may be treated as a breach of this policy and in such circumstances occupational sick pay might be withheld.

10. Maintaining contact

Employees must maintain a reasonable level of contact with us during a period of absence.

At an early stage in the absence, we will agree with the employee how often and what method of contact will be used to maintain communication.

Failure by employees to maintain reasonable contact with us may result in disciplinary action.

11. Return to work meetings

Return-to-work meetings should take place when an employee returns after any period of absence. This is normally conducted by the Headteacher. A record of the discussion should be made using the self-certification and return to work form. A copy should be given to the employee, and the original placed on their personal file.

The aims of the meeting are to:

- welcome the employee back and to confirm that they are fit to resume their duties.
- Understand the reasons for the absence
- Identify any support required, including any reasonable adjustments.
- Discuss any concerns about attendance, and agree steps needed to help prevent further absences.

Employees should be informed when they are approaching trigger points and made aware of the potential implications of further absences under this policy.

12. Occupational health referrals

During any period of absence (short-term and long-term) or upon return to work, employees may be required to participate in an occupational health assessment to obtain medical advice relating to their health, wellbeing or the reason for their absence.

Employees are expected to attend occupational health appointments, to co-operate with the occupational health professional and, where necessary, provide consent for the release of relevant medical information.

The Headteacher should discuss the reason for the referral with the employee before making a referral. This may include the types of questions being asked.

12.1 When to make a referral

We may consider making a referral to occupational health in the following circumstances (this list is not exhaustive):

- where it is anticipated or known that the absence is going to last four weeks or more (the absence may not have exceeded four weeks at the time of making the referral)
- where there is a concern over persistent short-term absence, including during an attendance

improvement plan

- where a trigger point is met (unless a referral has been undertaken recently)
- where there appears to be an underlying medical condition
- when an employee has been absent with, or appears to be suffering from, mental health issues (i.e., stress, anxiety, depression)
- where there are concerns about an employee's health and/or safety in the workplace and medical advice is required.

Referrals may not be necessary for routine procedures requiring a fixed period of convalescence, unless medical advice is required to support reasonable adjustments or phased returns.

12.2 Occupational health recommendations

The recommendations from an occupational health provider are advisory.

The report may contain recommendations of support and reasonable adjustments including a phased return to work or temporary or permanent adjustments to an employee's role. We will discuss the report with the employee, and we will decide whether the recommendations are reasonable, sustainable and can be implemented.

If an employee is unable to fulfil the role, retirement (if applicable) or termination of employment on ill health capability grounds may be considered.

13. Informal absence management procedure

The informal absence management procedure is the first stage of managing sickness absence. It is intended to provide early support, identify any underlying issues and help the employee improve their attendance without the need for formal action.

13.1 Right to be accompanied by a companion

There is no automatic right to be accompanied at informal meetings. However, this may be permitted where it supports early resolution or where there are circumstances in which an employee needs additional support. In such cases an independent note-taker may also be present. It is at the School discretion whether to rearrange an informal meeting to enable the attendance of a companion.

13.2 Informal meeting conversation

The manager and employee should meet to discuss the employee's attendance, understand the reasons for the absence and explore any steps that may help the employee achieve and maintain an acceptable level of attendance.

Employees are expected to attend informal meetings. If they are unable to attend, they should notify their manager as soon as possible.

The meeting will typically cover:

- the reasons for the absences
- the anticipated return to work date (if applicable)
- the employee's current fitness for duties
- any support the employee may require, and
- whether any reasonable adjustments may be necessary.

- where appropriate, an Attendance Improvement Plan (AIP) may be agreed as an outcome of the informal meeting, for example, in cases of persistent short-term absence or repeated intermittent absences.

The employee should be advised of any concerns regarding their sickness absence and given the opportunity to share their views and respond to any questions from the manager.

13.3 Informal meeting outcomes

Notes will be made of the informal absence review meeting, which will be shared with the employee and placed on file.

Where reasonable adjustments are agreed, these should be followed up by the manager in writing.

Informal meetings do not form part of the disciplinary or formal capability process and will not result in a formal warning being given to the employee.

The informal stage may continue for as long as it remains appropriate, based on the individual circumstances of the case.

Where attendance does not improve it may then be managed formally. The point at which a manager initiates the formal process will depend on the individual circumstances of each case. As the reasons for sickness absence can differ, some cases may require a longer or shorter period of management than others.

13.4 Attendance improvement plans (AIP)

An attendance improvement plan is a supportive tool used to clearly set out the level of attendance an employee is expected to achieve. It is intended to help to improve and maintain attendance at an acceptable level and may be used during both informal and formal stages of the absence management procedure.

An employee's attendance will be monitored against the levels set in the AIP over a defined period of time to enable them to demonstrate a sustained improvement in their attendance. The duration of an AIP will vary depending on individual circumstances, but should allow sufficient time to demonstrate whether there has been a sustained level of attendance. This might be between 6 and 12 weeks, or longer. The AIP should include details of the support offered to assist the employee in meeting the required attendance levels.

The employee's attendance will be regularly reviewed during the period of the AIP to assess whether any further action and/or support is required. If the employee's attendance levels do not improve to an acceptable standard within the agreed period, the next steps in managing the absence will be considered. This may include progressing to the next stage of the absence management procedure (i.e. formal absence procedure), or extending the AIP for a further period. We may move to the next stage of the process before reaching the end of the planned period where it is clear that the employee is not going to meet the attendance levels required.

14. Formal absence management procedure

The formal absence management procedure can be used for both frequent short-term and long-term sickness absence where an employee's attendance has not improved to an acceptable level. The purpose of the formal process is to support the employee to reach and maintain the expected attendance levels. If improvement is not made or sustained, formal sanctions may be issued.

During the formal procedure, the employee will:

- be given written notice inviting them to a formal meeting
- be told that their absence is causing concern, and what these concerns are
- have the right to be accompanied by their professional association / trade union representative or an appropriate work colleague
- have the opportunity to explain their situation and raise any factors they wish to have considered.
- have a right of appeal against any formal decision.

These meetings may be conducted by the employee's manager, a more senior manager or, where appropriate, a panel of governors. An independent note taker and an HR representative may also attend.

Employees should make all reasonable efforts to attend meetings. If an employee doesn't attend without a good reason, or is repeatedly unable to attend due to health reasons, a meeting may go ahead in their absence, and a decision made based on the available evidence at the time.

14.1 Right to be accompanied by a companion

Employees have the right to be accompanied at any formal meeting by a trade union representative or an appropriate workplace colleague. The employee should provide the name of their chosen companion at least three working days before the scheduled meeting. If the chosen companion is unavailable on the scheduled date, the employee may request that the meeting be rescheduled. In such circumstances, the meeting will normally be rearranged to take place within five working days of the original date. If the employee is unable to attend within this timeframe, the meeting may proceed at a time decided at the schools discretion. Where the companion continues to be unavailable, the employee may be asked to choose an alternative companion.

During the meeting the companion may present the employee's case and confer with them. They may not answer questions on the employee's behalf or address the meeting if the employee does not wish them to do so.

14.2 Formal meeting conversation

Depending on the case, the meeting may cover:

- a review of the absence, including the reasons, frequency, pattern, duration and actions taken so far
- a summary of employee's absence records and the trigger points that have been met
- how long the absence is expected to continue and whether the employee will be able to return to their role
- the operational impact of the absence
- the contents of any occupational health reports or medical evidence and whether further advice is needed
- any risk assessments or support plans implemented during the informal stage
- attendance improvement plans and whether the targets were met
- relevant issues or representations raised by the employee
- the specific concerns and possible next steps

- reasonable adjustments or redeployment options
- whether there is a long-term absence that requires structured review
- whether continued absence could result in dismissal should be made clear
- timescale for further review meetings
- any other relevant matters for discussion.

14.3 Formal meeting outcomes

After discussing the case, the meeting will adjourn to allow the decision-makers to consider whether a sanction should be issued to the employee. The outcome can either be given to the employee verbally after the adjournment on the same day, or if more time is required, confirmed in writing.

Sanctions will be appropriate to the specifics of the absence. A series of warnings indicate that unless attendance improves, ongoing absence could lead to dismissal.

The possible outcomes of a formal meeting include:

- first written warning and/or an attendance improvement plan
- final written warning and/or an attendance improvement plan
- dismissal due to persistent absence where the employee has already received formal first and final written warnings
- dismissal on the grounds of ill-health capability, even where the employee has not previously been issued with a first or final written warning but is unable to fulfil their role.

Before dismissing an employee for ill-health capability, the following will be taken into consideration:

- whether the absence has been long term
- whether a reasonable period for recovery has been given
- the medical advice sought and fully considered
- whether a return to work in the short-term is unlikely
- whether reasonable adjustments would enable the employee to return to work
- whether the school can reasonably sustain a further period of absence in operational terms.

14.4 Duration of formal warnings

If a warning is issued, it will remain active on an employee's file for 12 months, unless the employee is notified otherwise in writing.

14.5 Appeal against formal sanction

Employees have the right to appeal against any formal sanction. To do this, they must write to the person named in the outcome letter, clearly stating the grounds for appeal, within 7 days of receipt of the letter.

An appeal will be heard by an appropriate person who was not involved in the original meeting.

At our discretion, the appeal may be a full rehearing of the case or a review of the original decision.

New evidence will only be considered if it is relevant and there is clear reason why this was not

provided earlier.

15. Ill health retirement

Ill-health retirement may be considered before a decision is made to end employment. Eligibility for ill-health retirement is set by the relevant pension provider, and employees must meet their criteria for this to be an option.

For non-teaching / support staff, it may sometimes be possible to mutually agree a date that employment will end, avoiding the need for a formal hearing, however the end date of employment will still be treated as a dismissal for legal and pension purposes.

16. APPENDIX 1 – Sick Pay Entitlement (teachers under the ‘burgundy book’)

Teachers	
During the first year of 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 service	Full pay for 50 working days and half pay for 50 working days
During the third year of service	Full pay for 75 days and half pay for 75 working days
During the fourth year and successive years	Full pay for 100 working days and half pay for 100 working days

Note 1: For teachers, working days are the days defined as “directed time” (currently 195 per academic year). Years of service are based on aggregated service.

17. APPENDIX 2a - Sick Pay Entitlement (support staff) – 2023 Future Workforce Terms

Table C – 2023 Future Workforce Collective Agreement	
Support Staff in Community and Voluntary Controlled Settings plus those schools, settings and trusts that have entered into their own collective agreement applicable from 01 April 2024.	
During the first year of Local Government service	1 month's full pay and one month's half pay
During the second year of Local Government service	2 months' full pay and 2 months' half pay
During the third year of Local Government service	3 months' full pay and 3 months' half pay
During the fourth year of qualifying service and thereafter	4 months' full pay and 4 months' half pay
During the fifth year of Local Government service	5 months' full pay and 5 months' half pay
During the sixth year of qualifying service and thereafter	6 months' full pay and 6 months' half pay
Additional Disability Leave allowance	Up to 5 extra days paid disability leave per year available to those employees who have a disability defined by the Equality Act 2010.
Additional Pregnancy related sick leave	Up to 5 extra days' paid pregnancy related sick leave for women who experience pregnancy related sickness.
Note 1: For occupational sick pay entitlement record purposes (and without prejudice to the National Council's arrangements for self-certification days and to any local agreements on "qualifying days" for statutory sick pay purposes) "one month" is deemed to be equivalent to 26 working days, Saturday being reckoned in all cases as a working day.	
Note 2: Entitlement is based on continuous service.	

18. APPENDIX 3 — Self-certification and return to work meeting

User Guidance Notes															
This form should be completed using block capitals and placed on the employee's file. In addition, a copy should be given to the employee. Please ensure that you complete all sections of the form.															
Part One-Employee details															
Title	First name						Last name						Initials		
Job Title						Payroll Number									
Part Two - Details of Sickness															
Number of days Absent		Start date of sickness								Last date of sickness					
Working days															
Calendar Days		Please tick this box if the sickness was over 7 calendar days ☐ Please attach a Fit Note/GP's certificate.													
Part Three – Return to work meeting															
Line Manager's name															
Date of meeting															
Location of meeting															
People present at meeting															
Employee's reasons for absence. <i>(Please provide a brief description of the reason for your absence. You should not include detailed medical information unless you feel it is necessary for us to support you).</i>															
Risk Assessment reviewed or conducted? Yes ☐ / No ☐															
Have any health review triggers been reached? Yes ☐ / No ☐															
Health review prompts • When there are 3 or more instances of absence in any rolling 6-month period • When an individual accumulates ten or more calendar days absence within any rolling 6-month period • When an absence appears to have a recognisable pattern, for example frequent absence around a weekend • When an employee's sickness absence is for a continuous period of at least 28 calendar days • When there are a series of absences which impact on service delivery • Has an Attendance Improvement Plan (AIP) been set recently (this may be set prior to trigger points being met).															
Yes ☐ (If yes, consider arranging a formal absence review meeting and inform employee that they <i>may</i> be issued with a formal warning) No ☐															
Attendance Improvement Plan set? Yes ☐ / No ☐															

Details of support offered / reasonable adjustments offered									
Details of the impact of the absence on the employer / employee's workload									
Referred to Occupational Health? Yes ☐ / No ☐									
Part Four – Authorisations									
Employee: I certify I was absent from work due to sickness as detailed on this form. I confirm that I am fit to return to work. (Please note: Knowingly making a false statement may result in disciplinary action being taken and sick pay being withheld.)									
Employee Signature:	Name								
	Date					2	0		
I certify that I have discussed this absence with the employee and that the necessary certifications have been completed.									
Manager Signature:	Name								
	Date					2	0		

How we use your information:

The information collected on this form is processed under our legal duty to manage employee health, safety, and attendance and to fulfil our obligations as an employer.

Only information necessary for these purposes is collected. The Lawful basis for this is UK GDPR Article 6(1)(f) – Legitimate Interests (managing attendance and ensuring workplace safety) Article 9(2)(b) – Employment obligations (where health information is provided).

Data storage: This form will be stored securely and will not be accessible to unauthorised managers. It will be retained and securely deleted in accordance with the organisation's retention schedule.