

Sickness Absence: A Guide for Schools based Staff

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Reporting your absence

It is important that you familiarise yourself with your school's sickness absence reporting procedures and are aware of the school's policy on the management of sickness absence.

You are required to comply with the following as far as reasonably practicable:

- Attend work when fit to do so
- Comply with the school's sickness absence reporting procedures and maintain regular contact
- Ensure medical advice and treatment, where appropriate, is received as quickly as possible in order to facilitate a return to work
- Provide the school with completed self-certification forms or fit notes from the doctor, nurse, occupational therapist, pharmacist or physiotherapist as required
- Keep the headteacher informed of any significant developments.

It is your responsibility to notify your headteacher (or nominated representative) if you are prevented by illness to attend work. If you are unable to do this personally, a relative or friend may do this on your behalf but in any event, notification must be provided within one hour of your normal start time. Sending a text message, email or communication via social media to report an absence isn't acceptable unless it is followed up with a phone call on the same day of the absence by you or your relative/friend if you are unable to do so personally. The reason for your absence should be given and where possible an indication of the likely length of your absence.

If you become unwell over a weekend, rest day, school closure period or public holiday, you should inform your headteacher of this when reporting your absence as it could affect your pay. Your school will have arrangements in place for the notification of absence during periods that schools are closed, see your headteacher for further information.

Sickness absence must not be taken for reasons other than your own illness. If you are unable to attend for work for some other reason, e.g. illness of a child, domestic emergency, car breakdown, etc. the situation must be discussed with the headteacher, and the absence will be dealt with under the school's leave of absence arrangements depending on the individual circumstances.

If your sickness absence continues into a fourth day, (including weekend, rest days, school closure periods and public holidays), you should again notify your headteacher giving some further indication of the nature of the illness and the likely length of your absence.

Recruitment

You will have completed a pre-employment medical questionnaire and received medical clearance before you commenced your employment at the school. If you indicated that you have a medical condition which falls within the terms of disability within the Equality Act 2010, agreement should have been reached with your headteacher concerning reasonable absence relating to the condition and any workplace adjustments which may be required. Your headteacher will monitor your attendance during your probationary period, if applicable.

Sick Pay

Entitlement to occupational sick pay is determined by your terms and conditions of employment and also the amount of continuous service that you have. For further information about your entitlement to sick pay please refer to Appendix I (Non-Teachers) or Appendix II (Teaching staff) of the Health & Attendance Policy for Schools Employees.

Certification

You will be required to complete a Self Certification Form upon your return to if your absence lasts for 7 calendar days or less. On your return to work your headteacher or a person delegated by the headteacher should hold a return to work meeting to discuss your absence and to update you on any work issues.

If your absence continues into the 8th day (including weekends, rest days and public holidays) you must obtain a Fitness for Work certificate from your GP and send it to your headteacher without delay. You must continue to submit fitness for work certificates for the duration of your absence.

If your absence lasts longer than 14 days, before returning to work, you must obtain a final statement from your GP giving the date on which you can return to work.

If you fail to provide notification of your sickness or do not produce the required fitness for work certificates, consideration will be given to suspending sick pay until the correct procedure is followed.

Return to Work Discussion

Upon your return to work your headteacher or a person delegated by the headteacher will want to meet with you to discuss your absence. This meeting is called a Return to Work Discussion and will usually be very quick, informal and straightforward, being essentially an acknowledgement of your illness and a welcome back to work.

The Return to Work Discussion is designed to support you and help you to resolve any problems you may have.

You would not normally need to be accompanied by a trade union or professional association representative at a return to work discussion (although you could request an adjournment with a representative present if you so wish). There will be circumstances however where the return to work meeting will be of a greater significance (for example, after a series of short term absences or a long period of absence). In these circumstances there is a right to representation.

The meeting will be held in private, and you will have the opportunity to discuss matters with a manager of your own gender, or a manager other than your own line manager, if you wish.

If you are returning from a long-term absence your headteacher will also inform you of any changes that have occurred during your absence and brief you on how your work was covered to help you pick up your work again. It may also be appropriate to discuss any phased return to work or adjustments recommended by Occupational Health.

Attendance Review Trigger Points

Your headteacher is required to monitor the sickness absence of all employees and take appropriate action when an attendance review trigger point is met. The Health & Attendance Policy for Schools employees recommends the following attendance review trigger points:

- Unacceptable patterns of absence (e.g.: regular Friday and/or Monday absences; repeated absences linked to holidays)
- 3 periods or 8 or more working days absence in a rolling 3 months' period
- 4 periods or 15 or more working days absence in a rolling 6 months' period
- 5 plus periods or 20 or more working days absence in a rolling 12 months' period
- All long-term absences (over 20 consecutive working days)

Depending on the circumstances your headteacher or a person delegated by the headteacher may wish to make a referral to their Occupational Health provider. Occupational Health services are a supportive function and play an important role in assessing your individual healthcare needs in regard to the workplace, and what needs to be done to improve your attendance at work, or to assist you back to the workplace in the most appropriate way. Your headteacher or a person delegated by the headteacher will advise you of the referral procedure and explain why a medical opinion is being obtained prior to any referral.

Also depending on the circumstances, your headteacher or a person delegated by the headteacher may commence the formal procedure in line with the Health & Attendance Policy which provides for review meetings, from first formal review to, ultimately, dismissal on the grounds of incapability due to ill health. It should be emphasised that this course of action will only be taken in exceptional circumstances once all other options have been exhausted and full consultation has taken place with you and your representative. Further details can be obtained from the Health & Attendance Policy for school's employees, a copy of which is available in your school.

What happens if I am referred to OH?

An OH Advisor will contact you to arrange a consultation; this may be via telephone or in person. Following the initial consultation a report will be sent to your headteacher and possibly, their HR provider, a copy may also be sent to you if you have requested this. The report will indicate your current health status and may include:

- Recommendations on suitable workplace adjustments
- Recommendations for a phased rehabilitation plan leading to a return to role or redeployment to an alternative role
- Indication of a return to work date or expectation of ongoing future absence
- Need for further medical information from your GP or treating Consultant
- Referral to an Occupational Health Physician or other Independent Medical
- Specialist for assessment, this may be appropriate in cases of possible Ill Health Retirement

Other Considerations

Doctor, dentist, hospital or other appointments

You should refer to the Employee Handbook – chapter 4 for information on time off under these circumstances and what types of leave can be taken.

Confidentiality and Dignity

Your individual absence record forms part of your record of employment and is confidential to the appropriate management. However, you should be allowed to access your individual record if you so wish.

If a formal attendance review process is undertaken, the proceedings will remain confidential.

Medical reasons for all sickness absence are considered strictly confidential in accordance with the General Data Protection Regulations and Access to Medical Records Act and should normally only be divulged to a third party external to the organisation with the prior consent of the employee.

Employee Support

Employee Support is a service that provides confidential counselling and advice to employees on a wide range of personal and work-related problems. Your school may have these arrangements in place and will be able to provide you with further details on the service.

Mental Wellbeing and Stress Guidance

Further comprehensive information on stress and mental health at work is accessible on the [Health & Safety Executive \(HSE\) website](#), including HSE's [Talking toolkit: preventing work-related stress in schools](#).

Keeping in Contact

Your headteacher has a duty to keep in touch with you while you are away from work. This will usually be telephone contact however depending on the circumstances, contact may take the form of a visit from a suitable senior member of staff. Any contact will take place at an agreed time as far as possible.

In cases of long-term absence you will be kept up to date with changes at the school. The type of information provided to you, for example newsletters, minutes of team meetings etc, will be agreed between you and your headteacher.

You should keep your headteacher informed of your contact details should they change, for instance if you go into hospital or if you are being cared for away from home.

Sickness following an accident at work

If you are absent through an illness or injury connected with an accident at work, your headteacher will complete an accident reporting form. Details of entitlement to Occupational Sick Pay when an injury or accident at work was the reason for the absence can be found within the Health & Attendance Policy for schools employees.

Teachers Regulations

Teachers Regulations identify the following illnesses as medical conditions which may lead to the suspension of a teacher from duty:

- Pulmonary tuberculosis or other infectious diseases likely to infect pupils in a school situation
- Epilepsy
- Psychiatric disorder (including alcohol and drug abuse)

It will be necessary to obtain a full medical report from the Occupational Health Physician before returning to work if you are absent, or have been suspended as a consequence of suffering one of the above.

Further reading

You may find the following documents useful, all of which may be obtained from your school, or their Human Resources provider:

- Health & Attendance Policy for Schools Employees
- Employee Handbook for School Based Staff
- Leave of Absence Procedure

Appendix 1 – Occupations Sick Pay and Statutory Sick Pay (SSP)

1. Support Staff

- 1.1. Employees are entitled to receive Occupational Sick Pay for the following periods of absence on account of sickness, disease, accident or assault.

Years of Service	Rate of Pay
During 1 st year of service	1 month's full pay and (after completing 4 months' service) 2 months' half pay
During 2 nd year of service	2 months' full pay and 2 months' half pay
During 3 rd year of service	4 months' full pay and 4 months' half pay
During 4 th and 5 th year of service	5 months' full pay and 5 months' half pay
After 5 years' service	6 months' full pay and 6 months' half pay

- 1.2. Occupational Sick Pay entitlement is based on service completed as at the first day of sickness. When determining payment for sickness, account is taken of all periods of sickness during the preceding twelve months as at the first day of sickness.
- 1.3. For absences due to injuries at work, Occupational Sick Pay Entitlement is based on service completed as at the first day of sickness. No account is taken of sickness during the previous twelve months. Where absence is due to an accident in respect of which damages may be recoverable from a third party, the Council will pay sick, but you must include this in the damages claim and repay this money to the Council if the claim is successful.
- 1.4. Service generally relates to continuous service under any employing authority, including for this purpose, service with any public authority to which the [Redundancy Payments Modification Order applies](#). If you are doubtful about the amount of service you can count as continuous service for the purposes of the Occupational Sick Pay Scheme, please contact the Schools Payroll provider for further details.

Statutory Sick Pay:

- 1.5. The Council as your employer is responsible for paying you Statutory Sick Pay (SSP) for up to 28 weeks of sickness (consisting either of a continuous period of sickness or of separate periods of sickness of four days or more). For this period SSP replaces your entitlement to State sickness benefit. SSP is treated like other pay in that it is subject to deductions for Income Tax, National Insurance and Superannuation contributions where appropriate.
- 1.6. The first three qualifying days (waiting days) in any period of sickness will not attract SSP nor count towards your 28 weeks' total entitlement unless a second or subsequent period of sickness falls within 56 days of the end of an earlier period. Only on such occasions, when a linked period of incapacity for work (PIW) is formed, will the three waiting days of the first period count for the second period.

- 1.7. The weekly amount of SSP which you will receive will depend upon your average earnings in the eight weeks before your absence began. In calculating your average weekly earnings any pay which counts for National Insurance purposes, including overtime and bonus payments, will be taken into account. In calculating the amount of SSP due for part weeks of sickness, the daily rate of SSP will be one seventh of the weekly rate of SSP.
- 1.8. Where, under your conditions of service, you are entitled to Occupational Sick Pay of an amount equal to "full pay" during sickness, SSP payments will be taken into account and WILL NOT be paid in addition to "full pay". Depending on entitlement there may be occasions when you will be eligible to receive half Occupational Sick Pay, plus SSP.
- 1.9. Your maximum entitlement to SSP is 28 weeks of continuous or linked sickness; thereafter, you may claim State sickness benefit. Your entitlement to SSP will also cease if you have a series of periods of sickness which form a linked period of incapacity for work (PIW) as described earlier, which runs on for longer than three years after it started. In such a case you will not receive SSP after the end of the third year.
- 1.10. In either of the above cases, when your entitlement to SSP ceases, you may claim Employment and Support Allowance (ESA), which will be replaced by Universal Credit (UC) from the Department for Work and Pensions (DWP). To claim these allowances you will need the form SSP1 that will have been issued to you by your school/payroll provider notifying you that your SSP is coming to an end.. In all cases where your entitlement to SSP has been exhausted or where you are excluded from SSP and you are claiming sickness benefit, the amount of benefit receivable from the DWP will be deducted from your salary, normally in the week / month following that in which your sickness occurred.

Appendix 2 – Occupational Sick Pay and Statutory Sick Pay (SSP)

Source: Conditions of Service for school teachers in England and Wales

2. Teaching Staff

2.1. For the purposes of calculating entitlement to sick leave, the year shall be deemed to begin on April 1 of each year and end on March 31 of the following year. In the case of a teacher whose service commences on a date other than April 1, such service shall be deemed, for the purpose of this scheme, to have commenced on the preceding April 1, subject to the completion of four calendar months' actual service before actual half pay can be claimed. In the case of a teacher who is absent owing to illness on March 31 of any year, such teacher shall not begin new entitlement to sick leave in respect of the following year until he / she has resumed teaching duties, the period from April 1 until the return to duty, being deemed to be part of the preceding year for the purpose of this scheme. In the case of a teacher being transferred from the service of one authority to that of another, any sick pay paid during the current year by the previous Authority shall be taken into account in calculating the amount and duration of sick pay payable by the new Authority.

Provided the appropriate conditions are met, a teacher absent from duty because of illness (which includes injury or other disability) shall be entitled to receive in any one-year sick pay as follows:

Years of Service	Rate of Pay
During the first year of service	Full pay for 25 working days and after completing four calendar months' service, half pay for 50 working days
During the second year of service	Full pay for 50 working day and then half pay for 50 working days
During the third year of service	Full pay for 75 working day and then half pay for 75 working days
During fourth and subsequent years	Full pay for 100 working day and then half pay for 100 working days

For the purpose of the sick pay scheme, "service" includes all aggregated teaching service with one or more local education authorities.

2.2. The following deductions save, in the circumstances set out in 2.4 below, shall be made from sick pay where it is of an amount equal to full pay:

- The amount of sickness benefit receivable under the Social Security Acts 1975 1982 (provided, however, that in any case where sickness benefit is, or may subsequently prove to have been receivable in respect of the first three days of any sickness, the amount of benefit shall be deducted from such pay only if such benefit has in fact been received in respect of any such period of three days).
- Compensation payments under the Workmen's Compensation Acts where the right to compensation arises in respect of an accident sustained before July 5, 1948.

- The dependency element (but not the disability element) of any treatment allowance received from the Department of Health and Social Security.
- 2.3. Deductions shall also be made from sick pay where it is of an amount less than full pay if a teacher would otherwise, with the benefits receivable in respect of insurance under the Social Security Acts 1975 - 1982, become entitled to an amount exceeding the sum of his / her full (ordinary) pay.
- 2.4. In the event of a teacher exhausting in part or full, his / her entitlements under the above and being given notice of the termination of his / her contract without returning to work on the grounds of permanent incapacity or for some other reason, he / she shall be paid full salary for the notice period with normal deductions only.
- 2.5. Deductions equivalent to those set out in paragraph 2.2 shall be made from the sick pay of a teacher who is a married woman or a widow and has elected to pay reduced contributions under the terms of the Social Security Act 1973, provided that, where a widow is in receipt of a widow's or a widowed mother's allowance or widow's pension, regard should be paid in calculating the amount of sick pay only to such part of the National insurance benefit receivable as in excess of the amount received by the teacher from the Department of Health and Social Security in weeks of full normal employment.
- 2.6. Two half school days shall be deemed to be equivalent to one working day. Whilst sickness during school holidays will not affect the period of a teacher's entitlement to sick leave under the above, it will be relevant so far as education of benefit is concerned. Thus, the rate of sick pay applicable to a teacher in respect of sickness during closure of a school, is the rate applicable to him / her on the last day before the closure. Where a teacher, therefore, is ill immediately preceding the school holiday and:
- he/she is on full sick pay
he / she shall continue on full sick pay, but the closure period is not counted against his / her entitlement of the above
 - he / she is on half sick pay
he / she shall continue on half sick pay, but the closure period is not counted against his / her entitlement
 - he / she has exhausted his / her sick pay entitlement and is not receiving any pay
he / she shall continue to receive no pay
- 2.7. Subject only to the provision in 2.4, the deductions enumerated under 2.4 and 2.3 above will be made if the teacher is eligible to receive such benefits, payments or allowances, whether or not he / she takes the necessary steps to obtain it.
- 2.8. When a teacher is ill immediately preceding the closure of the school and has exhausted his / her sick leave entitlement, or is on less than full pay and recovers during the period of closure, such a teacher shall be deemed for the purpose of calculating the amount of salary due, to have returned to duty on the day he / she is authorised medically fit to do so by means of a statement of fitness for work (fit note) obtained for that purpose, provided he / she actually returns to school on the first day after the period of closure.
- 2.9. If, during the period of closure of a school a teacher falls ill and becomes entitled to Statutory Sick Pay or becomes or would become (but for election to be excepted from liability to pay contributions)

entitled to claim any of the benefits referred to in sub paragraph 2.4 above, it shall be his / her duty to notify the Authority thereof (in accordance with sub paragraph 2.11 below as if the days of closure were school days) so that the Authority may either pay Statutory Sick Pay (where appropriate) or make the appropriate deductions.

Conditions

- 2.10. For the purpose of this scheme a teacher shall be under an obligation to declare to the satisfaction of the Authority his / her entitlement to benefit under the foregoing Acts (as above 2.4) and any subsequent alteration in the circumstances on which such entitlement is based in default of which the Authority shall be entitled to determine the benefit by reference to the maximum benefit obtainable.
- 2.11. A teacher who is absent for more than three school days owing to personal illness shall submit such statements as the Authority in their discretion shall require provided that a statement of fitness for work (fit note) shall not be required, save in special circumstances, more frequently than on the eighth day of absence, at the end of each month of absence and on return to duty, unless fitness for return to duty has already been ascertained and the teacher returns to duty on the date specified on the previous statement of fitness for work (fit note). In the case of a prolonged or frequent absence a teacher may be required at any time to submit to examination by an approved medical practitioner. The teacher's own doctor may be present at such examination on the teacher's request.
- 2.12. A teacher entering a hospital or similar institution shall submit a doctor's statement on entry and on discharge in substitution for periodic statements.
- 2.13. In the case of absence due to accident attested by an approved medical practitioner to have arisen out of and in the course of the teacher's employment, including attendance for instruction at physical training or other classes organised or approved by the Authority or participation in any extracurricular or voluntary activity connected with the school, full pay shall in all cases be allowed, such pay being sick pay for the purposes of paragraph 2.9 above, subject to the production of self-certificates and / or statement of fitness for work (fit notes) from the day of the accident up to the date of recovery but not exceeding six calendar months, after which the case will be reviewed before a decision on any extension of the period of sick pay should be reached. Absence resulting from such accidents shall not be reckoned against the teacher's entitlement to sick leave, though such absences are reckonable for entitlement to Statutory Sick Pay.
- 2.15. When the approved medical practitioner attests that there is evidence to show a reasonable probability that an absence was due to an infectious or contagious illness contracted directly in the course of the teacher's employment, full pay shall be allowed for such period of absence as may be authorised by the approved medical practitioner to be due to the illness and such absence shall not be reckoned against the teacher's entitlement to sick leave, though such absences are reckonable for entitlement to Statutory Sick Pay.
- 2.16. Where the absence is attested by the approved medical practitioner to be due to pulmonary tuberculosis and the teacher carries out an approved course of treatment, full salary shall be paid in respect of the first twelve calendar months of the period of absence after attestation and further full or half pay shall be allowed at the discretion of the Authority.
- 2.17. A teacher residing in a house in which some other person is suffering from an infectious disease shall at once notify the Director of Children's Services and the teacher shall, if required, take precautions as may be prescribed, providing that if in the opinion of the approved medical practitioner it is considered inadvisable, notwithstanding such precautions for such teacher to attend duty, full pay shall be allowed

during any enforced absence from duty, such pay being sick pay for the purposes of paragraph 2.9 above. This provision will also apply where, in the opinion of an approved medical practitioner, it is advisable for a teacher to attend duty for precautionary reasons due to infectious disease in the workplace. The period of absence under this paragraph shall not be reckoned against the teacher's entitlement to sick leave, though such absences are reckonable for entitlement to Statutory Sick Pay.

- 2.18. If the absence of the teacher is occasioned by the actionable negligence of a third party in respect of which damages are recoverable, he / she shall advise the Authority forthwith and it shall be competent of the Authority to require the teacher to refund a sum equal to the aggregate of sick pay paid to him / her during the period of disability or such part, therefore, as is deemed appropriate but not exceeding the amount of damages recovered. In the event of the claim for damages being settled on a proportional basis, the Authority will require full details and will determine the actual proportion of sick pay to be refunded by the teacher.
- 2.19. If the Authority is of the opinion that the disability which has occasioned the teacher's absence from work is due to his / her misconduct, or if the teacher has failed to observe the conditions of this scheme, or has been guilty of conduct prejudicial to his / her recovery, the payment of any sick pay under the scheme may be suspended by the Authority, provided that in any such case the Authority shall inform the teacher of the grounds upon which the payment of sick pay has been suspended and afford him / her an opportunity of submitting his / her observations thereon and, at his / her request of appearing and, at his / her option for being represented before the Education Committee, thereupon, decide that the disability was due to the misconduct of the teacher or that he / she has failed without reasonable cause to observe the conditions of this scheme, or has been guilty of conduct prejudicial to his / her recovery, then the teacher shall forfeit his / her right to any payment or further payment of sick pay in respect of that period of absence.
- 2.20. Sick pay shall not be made in case of accident due to active participation in sport as a profession unless the local Education Authority by resolution decide otherwise, though Statutory Sick Pay may be payable.
- 2.21. Clarification on the sick pay scheme may be obtained from the Schools' HR Team.