



## **42. Absence Management Policy**

### **1. Overview**

1.1 All employees are covered by our policy for reporting and managing absences and sick pay, but it does not form part of your employment contract. Self-employed contractors and other workers are not covered.

1.2 We reserve the right to amend this policy at any time.

### **2. If you know you will be absent**

2.1 You should tell your line manager as soon as possible if you know you need time off work — for a medical appointment, for example — and get their permission. We will not normally pay you. However, you do have the right to ask us to treat this type of time off as paid holiday, and you should proceed as set out in your contract.

### **3. If you are sick or injured**

3.1 If you are sick or have suffered an injury, you should let your manager know as soon as possible that you will be absent, and no later than 7.30 AM.

3.2 You should phone your manager on each subsequent day you are off work, unless you have a doctor's certificate, Fit for Work return-to-work plan, or have agreed a different process. You must speak to your manager yourself unless you are medically unfit to do so, in which case you can ask somebody else to make contact for you.

3.3 You are expected to keep your manager regularly informed while you are absent and to let them know when you anticipate being able to return to work.

### **4. Evidence of sickness or injury**

4.1 If you are absent for less than one week, you will need to confirm your reason of absence to your line manager, and this will be kept on file.

4.2 You must give us a doctor's certificate confirming that you are unfit for work — and the reason why — if you are off work for more than a week. We will need further certificates if you remain absent beyond the expiry date of the first one, and we will also require a self-certification form from you for the first seven days you are off work.

## **5. Payment for sickness or injury**

5.1 Statutory Sick Pay (SSP) is paid instead of your salary, usually starts on the fourth day you are off work, and can be paid for up to 28 weeks. If you are entitled to SSP under the statutory requirements, it will be taxed and NI contributions will be deducted.

5.2 After successful completion of your probationary period, you are entitled to up to 1 working week (contracted hours) of full pay provided that the requirements as set out in the Sickness Policy are adhered to. After this time Statutory Sick Pay will be paid upon receipt of the required medical certificates if the employee meets the qualifying requirements. Statutory Sick Pay will be paid in accordance with UK law.

## **6. How Fit for Work service (FFW) operates**

6.1 Fit for Work is an occupational assessment service set up and funded by the government to help people return to work. This sometimes involves drawing up a return-to-work plan.

6.2 You may be referred to FFW — by the Pre-School or by your doctor — after you have been off work for four weeks. Sometimes your doctor may begin the process earlier if they think it will be of help to you.

6.3 Please let your manager know if your doctor does refer you to FFW. If your FFW case manager wants to speak to us, please ask them to contact your line manager.

## **7. Returning to work**

7.1 We may ask you to come to a return-to-work interview after you have been off work due to sickness or injury. At the interview, we will discuss why you were off work and ensure you are fit to return.

## **8. If you are off work long-term, or persistently absent**

8.1 We may have to take formal steps if you are off work sick long-term, or we are concerned about the number of days you take off for sickness or injury.

8.2 What we will do depends on why you are off work and the pattern of your absences. We may want to talk informally with you about why you are, or have been, absent and we may get medical evidence so that we can better understand your situation. We may also want formal meetings to review your absence in more detail and to explore whether we need to make reasonable adjustments to help you either return to work or to work for longer periods.

8.3 If we want medical evidence, we will usually ask you to be examined by a doctor, an occupational health therapist, or another specialist of our choice. We will pay for this and all reports will be kept confidential. We will ask for your consent for us to have full access to medical reports and to discuss the contents with the relevant medical practitioner. You do

not have to consent, but if you do not we will make decisions based on existing medical and other information. We will consider making reasonable adjustments to your role and/or work space if you are found to have a disability.

8.4 We understand that this process is difficult and upsetting if you suffer from a serious health condition, and you might feel as if you are being pressured into returning to work before you are ready. We do not want to make you feel that way, but no business can continue employing people indefinitely if they are not able to work. We feel it is better that you are fully aware of our thought process and intentions than the alternative, which is us not communicating with you and eventually deciding to dismiss without having told you in advance what the consequences of continued absence would be.

8.5 We will write to you before we hold a formal meeting and explain when, where, and why it is taking place. You must let us know as soon as possible if you can't attend and we will try to find a mutually acceptable alternative date.

8.6 At the meeting, we will want to discuss why you are off work, how long you expect to remain off work, and whether you are likely to be off work for the same reason in the future. We will also review medical evidence, and explore whether further reports are needed and if there is anything the Pre-School can do to help improve your health and/or make it easier for you to attend work. If you have been off work long-term, we may suggest you take part in a return-to-work programme; if you are persistently absent, we may set you targets to improve your attendance against a deadline. You should also expect to be warned that you may face dismissal if your attendance does not improve.

8.7 Should you be unable to return to work, or you fail to meet the deadline set for improved attendance, you will be asked to attend another meeting. Our aim at this meeting will be to find out if the situation is expected to change, and we may have to give you notice of dismissal if it becomes clear you are either unlikely to return to work or your attendance will not improve in the short term. Before issuing notice of dismissal, we will also explore whether redeploying you elsewhere within the Pre-School will address your attendance issues and we will consider any other issues you want to discuss.

8.8 You may face action under the Pre-School's disciplinary procedure if we conclude that you are not off work for a medical condition and you are unable to offer any other satisfactory explanation. This may lead to your dismissal for misconduct or gross misconduct.

#### *Your right to appeal*

8.9 You have the right to appeal if we dismiss you on the grounds of your long-term absence. To do this, you need to respond within a week of being told you have been dismissed by writing directly to whoever is named in the letter you received. In your response to that letter, you must explain exactly why you are appealing.

8.10 Wherever possible, the appeal hearing meeting will not be led by the manager who took the decision to dismiss you. The Pre-School's final decision will be sent to you in writing and we try to do this within two weeks of the appeal hearing. You do not have any further right to appeal against your dismissal.

### *Your right to be accompanied*

8.11 You have the right to take a colleague or a trade union representative with you to any formal meeting called under this procedure, including the appeal meeting. You should tell us as soon as possible who will accompany you and it is your responsibility to arrange for them to attend. If you choose a work colleague, we will not prevent them from attending, but we may rearrange the meeting if their absence from work causes operational problems.

8.12 Your colleague or union rep can, if this is your preference, explain the key points of your case to the meeting and can respond on your behalf. You can also confer with them during the meetings. They must not however answer questions put directly to you or try to prevent the Pre-School asking questions or outlining its arguments.

## **9. Other types of absence from work**

### *Jury service*

9.1 If you are called for jury service, you must tell your manager as soon as possible and before you accept the summons. While you are on jury service, you must claim a loss of earnings allowance from the court by filling in a certificate of loss of earnings, usually issued by the courts along with your jury service letter. The Pre-School will top up any shortfall in income that is not covered by the courts for a period of up to two calendar weeks. This 'top-up' period may be extended at the Pre-School Trustees' discretion if your jury service continues beyond two calendar weeks.

### *Other public duties*

9.2 We will allow you time off to carry out duties in some public roles, including magistrate and school governor. As soon as you know what your duties are, and have dates for meetings you must attend, you should tell your manager so that we can plan for your absence from work. While carrying out these duties, we will not pay you for time taken off work.

### *Emergency time off to look after dependants*

9.3 You may take reasonable time off work to deal with emergencies involving your dependants. We define a dependant as your spouse, civil partner, children (including adopted children), or a parent. Also included are other people who live in your household or anyone else who relies on you — for example, an elderly family member. You must follow the same procedure as for sickness leave, and contact your manager as soon as you know you will be taking time off.

9.4 We always consider the circumstances of each case to allow for some flexibility, but the time you take off must be both reasonable and necessary for you to deal with something immediately and/or respond to an emergency. Normally this means hours, or a maximum of one or two days, and this type of leave is not designed to provide care over the longer term.

9.5 We do not pay you when you take time off for dependants.

*Other family-related absences*

9.6 We cover all other types of time off for family-related matters — including maternity, paternity, parental and adoption leave — in our separate Maternity and Family Friendly Policy.

*Carrying out trade union duties*

9.7 If you are elected as a trade union official, you are legally entitled to reasonable time off to fulfil your obligations and you will be paid at your full basic rate for all related absences during working hours. We will not pay you for duties carried out outside working hours.

As with all the policies for Seer Green Pre-School, the Operational Plan should be referred to for the specific details of day-to-day operations of the Pre-School. In addition, any issues which arise in the course of a child's time with the Pre-School and that are related to a child's health and wellbeing, parent's or staff's concern, or the overall care and safety of our children, staff, parents and equipment will be dealt with in a professional and confidential manner in order to arrive at an appropriate outcome.

This policy was adopted on (date) \_\_\_\_\_

Signed on behalf of Seer Green Pre-School (Chairperson)

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This policy was reviewed as indicated below:

*2024 created*