SCHOOL SICKNESS ABSENCE MANAGEMENT POLICY AND PROCEDURE

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1. Policy statement

- 1.1. The purpose of this policy and procedure is to support the effective reporting, recording and management of sickness absence to reduce its impact on service delivery and provide appropriate support to employees. It aims to encourage employees to achieve and maintain acceptable levels of attendance and is designed to ensure fairness and consistency in the management of concerns about attendance.
- 1.2. All employees are expected to meet their contractual obligations to attend work on a regular basis and be accountable for their absences.
- 1.3. The school will support and assist staff to maintain good levels of attendance and performance through the application of this policy, effective line management, access to Occupational Health advice, and appropriate health and safety policies and procedures
- 1.4. If necessary, employment may be fairly and legitimately terminated by the school on the grounds of lack of capability due to ill-health, provided that relevant processes have been correctly followed and, where applicable, the requirements of the Equality Act 2010 and reasonable adjustments have been considered and implemented.

2. Application

- 2.1. This policy and procedure applies to all employees of the school.
- 2.2. This policy and procedure applies to absence due to an employee's personal sickness or injury. It does not apply to absences connected to the illness or injury of relatives, or to personal hospital, dentist or GP appointments, or for medical screening.
- 2.3. Support employees may have their employment terminated under the Probation Procedure during or at the end of their probationary period if their attendance at work is unsatisfactory.

3. Roles and responsibilities

- 3.1. The Headteacher;
 - Is responsible for overall management of attendance within the school and will seek specialist advice from HR or Occupational Health, as necessary, at any stage.
 - Can delegate responsibility for dealing with the initial stages of the procedure to other managers within the school. This will depend on reporting arrangements within the school and the specific circumstances of individual absence issues.
- 3.2. The governing body will;
 - Receive reports from the Headteacher on the management of absence in the school, its impact on service delivery, and the effectiveness of the absence management policy.
 - Monitor the attendance of the Headteacher and apply the appropriate procedures if issues arise.

3.3. Managers (as delegated by the Headteacher) will;

- Ensure all absences are recorded accurately
- Follow the agreed procedures, making sure that frequent contact is maintained with absent staff and that return to work interviews are undertaken promptly
- Manage attendance in a fair, supportive, consistent and proactive way, being mindful of mental health
- Seek advice on and implement any specific measures relating to disability and/or pregnancy and maternity
- Ensure all staff are aware of their responsibilities when they are not well enough to work

3.4. Employees must;

- Attend and be fit for work, unless absence is authorised or they are unable to attend work through sickness, injury or other unforeseen circumstances
- Follow the correct procedures for reporting absence and maintaining contact, supplying medical certificates where required
- Comply with the Sickness Absence Management Procedure including attending return to work meetings and other informal and formal meetings – and attend Occupational Health (OH), where appropriate
- Aid their recovery as best as they can to ensure that they return to work as soon as possible and refrain from any activity whilst off sick which may aggravate their medical condition or otherwise impede their return.
- Tell their manager if their health is being negatively affected by any work related factors or if they have concerns about returning to work after a period of sickness absence

4. Right to be accompanied

4.1. The employee has a right to be accompanied by a trade union representative or work colleague at any meeting held under the formal stages (i.e. once trigger points have been reached) of this procedure.

5. Trigger points for formal action under this procedure

- 5.1. Short term absences of five occasions or 10 working days in a rolling 12 month period
- 5.2. Long term absence of 28 calendar days or more
- 5.3. Any combination of long and short term absences that equals or exceeds the occasions trigger.

6. Referral to Occupational Health

- 6.1. Where a referral to Occupational Health is appropriate, employees are expected to cooperate with a medical examination by a medical practitioner nominated by the school, subject to the provisions of the Access to Medical Records Act 1988 where appropriate.
- 6.2. Where employees fail to cooperate, a decision on any action to be taken will be made on the basis of the information available.
- 6.3. Occupational Health advice will be taken into account when making decisions about targets for absence, phased return from long term sick leave,

adjustments to the job role, and whether to proceed with dismissal if other options do not result in a return to work or a satisfactory level of attendance.

7. Redeployment on the grounds of ill-health or disability

- 7.1. Where an employee may be unable to continue in their role due to ill health or disability, they can be considered for redeployment into a suitable alternative role. This will be based on advice from Occupational Health.
- 7.2. Redeployment should first be sought to suitable roles within the school. Where the Council is the employer, the Council's redeployment policy will apply if there are no suitable roles within the school.

8. Special circumstances

- 8.1. Schools should seek advice from their HR provider when dealing with absences that are, or may be, due to:
 - pregnancy related conditions
 - conditions defined as disabilities under the Equality Act (see appendix 3)
 - accidents at work or illness contracted at work
 - terminal illnesses
 - alcohol and drug abuse
- 8.2. An employee who has a condition or disability as defined by the Equality Act will be unfairly dismissed if the dismissal is on the grounds of their disability and the school has not made reasonable adjustments to enable the employment to continue.
- 8.3. The dismissal of an employee who is pregnant or on maternity leave will be automatically unfair if the reason for her dismissal is related to her pregnancy or childbirth.

SICKNESS ABSENCE MANAGEMENT PROCEDURE FOR SCHOOLS

9. Procedure for reporting sickness absence

9.1. Any employee who is unable to attend work due to personal illness must;

- Notify the Headteacher or nominated member of management at the earliest opportunity, preferably before they are due to start work, to enable the school to arrange cover. Local arrangements for reporting absence should be followed.
- Advise the Headteacher/manager of the likely duration of the absence and keep in touch on the first and fourth day of absence, and at regular (at least weekly) intervals after that.
- Provide written statements to the Headteacher/manager to cover the full period of absence as follows;
 - Complete a self-certificate, on the day of return, for absences up to and including seven calendar days, or the first seven days of a longer absence if not covered by a doctor's statement.

- Obtain a doctor's statement for fitness for work ('fit note') from the eighth calendar day of absence. A fit note is required to cover all continuous periods of absence up to the date of return.
- If hospitalised, obtain a doctor's statement on entry to, and on discharge from hospital.

10. Informal management of sickness absence

- 10.1. After each period of sickness absence, the Headteacher/manager will meet with the employee, on or as near as possible to the day of return, for a return to work discussion to cover the following, as appropriate:
 - welcome back to work
 - confirm the reason for the absence
 - completion of a self-certificate if required
 - confirm that the employee is fit to return to work
 - whether any aspect of the job is having an impact on the employee's health
 - any adjustments or assistance that can be provided to the employee
 - an update on any work issues during the employee's absence
 - a discussion on concerning patterns of absence if appropriate
 - any other concerns that either party may have.
- 10.2. Key points of the discussion will be recorded and signed by the manager and the employee, and kept confidentially on the employee's personal file. An example return to work record form can be found at appendix 2.
- 10.3. The Headteacher/manager and the employee are responsible for taking any agreed actions arising from the return to work meeting.

11. Formal sickness absence management meeting(s) – Stages 1 and 2

- 11.1. When an employee's sickness absence reaches one of the trigger points for formal action (see paragraph 5 above) the Headteacher/manager will arrange an initial meeting with the employee to discuss the absence. The employee will normally be given five days notice of the meeting.
- 11.2. The employee must be advised of their right to be accompanied by their trade union representative or work colleague of their choice.
- 11.3. When making decisions about formal action under this procedure, the Headteacher/manager must take account of the need under the Equality Act 2010 to make reasonable adjustments to enable employees with disabilities to return to or remain in work. Advice should be sought from the school's HR provider. The definition of disability under the Act and some examples of reasonable adjustments are set out in Appendix 3.

12.Frequent short term absence process (10 days or 5 occasions of sickness in 12 months)

Stage One - Formal meeting arranged to discuss overall attendance and where appropriate an action plan (including any agreed reasonable adjustments that will be put in place to support attendance) with a review period will be put in place and/or an improvement notice issued.

- 12.1. The formal meeting will review the reasons for and details of the employee's absence, any medical information and advice available and whether there is any support that could help the employee achieve an acceptable level of attendance.
- 12.2. Targets for expected attendance and any special requirements for reporting or certificating absence will be set and confirmed to the employee in writing.
- 12.3. Where the employee has a health condition that could fall within the definition of a disability under the Equality Act, the school should explore reasonable adjustments which would enable the employee to maintain an acceptable level of attendance (see appendix 3). This may include setting different trigger points for formal absence management and/or consideration of redeployment.
- 12.4. Unless the manager considers it appropriate to continue with informal handling, a notice of improvement will be issued that the employee's continued employment will be at risk if he/she does not meet the level of attendance expected/targets for attendance within a specified timescale, and maintain an acceptable level of attendance.

Stage Two - Further absences and failure to meet the requirements of the action plan, formal meeting arranged and action plan reviewed. If there are underlying reasons for the staff member's further absence (e.g. disability related sickness), the action plan may be altered, the review period may be extended, revised or new reasonable adjustments may need to be discussed and agreed or a stage three formal hearing may be necessary.

- 12.5. The Headteacher/manager will arrange further meetings, against set timescales, as necessary to monitor absence and discuss concerns about absence levels.
- 12.6. The Headteacher/manager may cease the formal procedure at any point if they are satisfied that the employee's attendance has reached an acceptable level. This must be confirmed to the employee in writing.

13.Long term absence management process (absence lasting 28 calendar days or more)

Stage One - Formal meeting arranged to discuss overall attendance and where appropriate an action plan (including any agreed reasonable adjustments that will be put in place to support attendance) with a review period to be put in place and/or an improvement notice issued. Discussions may include preparations for a return to work and an Occupational Health referral.

- 13.1. If an employee has been absent due to ill health for 28 calendar days with no return to work date notified, the first formal meeting will review the reasons for and details of the absence, any medical information and advice available, possible referral to Occupational Health (OH), and whether there is any support or adjustments that could help the employee make a successful return to work. The location and timing of this meeting will depend upon the circumstances of the case HR advice should be sought as necessary.
- 13.2. It is important to maintain regular contact with the member of staff throughout the absence. The Headteacher/manager should aim to agree with the employee how they would like to be contacted.

Stage Two - Meeting to discuss continued absence, medical treatment and likely return to work date. This stage would occur no longer than three months from the Stage One meeting. Discussions may include preparations for a return to work, any reasonable adjustments confirmed and actioned and/or an Occupational Health referral.

- 13.3. Further meetings will be arranged as necessary to discuss progress and any advice received from the employee's doctor, Occupational Health, or other agencies from which advice has been sought.
- 13.4. All reasonable steps should be taken to support the employee to return to work when fit to do so. It will normally be appropriate for an employee who has been absent long term to have a phased return to work. See appendix 4 for further details.
- 13.5. Where the employee has a health condition that could fall within the definition of a disability under the Equality Act, the school should explore and implement reasonable adjustments which would allow the employee to return to work (see appendix 3). This may include consideration of redeployment within the school (and the local authority if the council is the employer).
- 13.6. Where appropriate a notice of improvement will be issued that the employee's continued employment will be at risk if he/she does not make a successful return to work within a specified period.
- 13.7. The Headteacher/manager may cease the formal procedure at any point if they are satisfied that the employee will return to work within a reasonable period (with or without adjustments). This must be confirmed to the employee in writing.

- 13.8. If it becomes clear that the employee is unlikely to return to work due to their health condition, the Headteacher/manager should discuss with them the potential for ill health retirement, if they are in the pension scheme, or dismissal on the grounds of lack of capability due to ill health.
- 13.9. Teachers who are unable to continue working because of illness or injury can apply for ill-health benefits under the Teachers' Pension Scheme if they are members. Schools must take advice from their HR provider on the application process.
- 13.10. Members of the Local Government Pension Scheme will be eligible for ill-health retirement benefits if they meet the requirements of the scheme. Schools must take advice from their HR provider on the process for assessing eligibility.

14. Stage Three – Consideration of dismissal

Where the conclusion of a previous Stage Two is that a Stage Three formal hearing is required. The outcomes of Stage Three could be any of the following:

- No further action
- Action plan updated and review period extended
- A written advice note indicating expected improvements in attendance
- Final written advice letter explaining next steps
- Redeployment on ill health grounds
- Dismissal on grounds of lack of capability
- 14.1. If the formal procedure for managing short term absence has been followed and the employee fails to reach and maintain the target level of attendance within an acceptable timescale, the Headteacher/manager may decide that a hearing should be convened to consider the termination of employment.
- 14.2. If the formal procedure for managing long term absence has been followed and the employee fails to return to work within an acceptable timescale, the Headteacher/manager may decide that a hearing should be convened to consider the termination of employment.
- 14.3. Arrangements for dismissal on the grounds of lack of capability will be made under the Dismissal and Dismissal Appeal Procedure for Schools.

15. Other considerations

- 15.1. Long term sickness absence and annual leave: Where absence is due to long-term sickness and the annual leave is in excess of the carry forward allowance at the end of the leave year, the member of staff will be able to carry forward remaining annual leave.
- 15.2. <u>Unauthorised absence</u>: If a member of staff does not attend work or report an absence, the line manager will make every attempt to contact them. Contact will be attempted via telephone, next of kin or visiting home. If the line

manager is unable to make contact, the absence may be recorded as unauthorised absence.

- 15.3. <u>Reporting absence as sickness following refusal of an annual leave</u> request: Following an investigation, disciplinary action may be taken.
- 15.4. <u>Annual leave taken during a period of sickness absence</u> must be authorised and recorded in the usual way. Employees on long term sick leave who have exhausted their full sick pay entitlement will be paid full pay during authorised annual leave
- 15.5. <u>If an employee is certified as unfit to work during their annual leave</u>, the days covered by the certificate can be claimed back and taken at a later date.
- 15.6. <u>Pregnancy related illness</u>: time off work due to pregnancy related illness will not be counted towards any absence monitoring. All notified sickness absence, including pregnancy related, will be paid in line with conditions of service.
- 15.7. <u>Disability related absence</u>: Absence related to a disability must be recorded. Managers may need to consider reasonable adjustments (including amended trigger points) to support staff.
- 15.8. <u>Medical suspension:</u> If the health and wellbeing of an employee poses a risk to the safety and wellbeing of children or colleagues then the employee should be encouraged to be off sick and to visit their GP Surgery. Should this not be possible then the headteacher has the right to consider the option of medical suspension until such time as the employee is able to be assessed by Occupational Health. Medical suspension would be on full pay.

| Appendix | 1 – | Sick | Pay | Entitlements |
|----------|-----|------|-----|--------------|
|----------|-----|------|-----|--------------|

| PERIOD OF SERVICE | ALLOWANCES | | | |
|---|--|--|--|--|
| | TEACHERS (WORKING DAYS) | SUPPORT EMPLOYEES (MONTHS)* | | |
| During 1st year (and after 4 months) | 25 days' full pay (50 days' half pay) | 1 month's full pay (2 months' half pay) | | |
| During 2nd year | 50 days' full pay 50 days' half pay | 2 months' full pay 2 months' half pay | | |
| During 3rd year | 75 days' full pay 75 days' half pay | 4 months' full pay 4 months' half pay | | |
| During 4th and 5th year | 100 days' full pay 100 days' half pay | 5 months' full pay* 5 months' half pay | | |
| After 5 years | As above | 6 months' full pay 6 month's half pay | | |

* one month is deemed to be equivalent to 26 working days where Saturday is reckoned to be a working day.

These allowances are to be regarded as a minimum and may be extended at the discretion of the governing body.

Calculation of allowances

Period of service

Support employees

The period during which sick pay shall be paid and the rate of sick pay, in respect of any period of absence shall be calculated by deducting from the employee's entitlement on the first day the aggregate of periods of paid sickness absence during the twelve months immediately preceding the first day of absence. For the purpose of ascertaining the appropriate period of benefit, all periods of continuous service shall be counted.

Teachers

For the purposes of calculating entitlement to sick leave the year shall be deemed to begin on 1 April of each year and end on 31 March of the following year.

In the case of a teacher whose service commences on a date other than 1 April, such service shall be deemed to have commenced on the preceding 1 April, subject to the completion of four calendar months actual service before half pay can be claimed.

In the case of a teacher who is absent owing to illness on 31 March of any year, such teacher shall not begin a new entitlement to sick leave in respect of the following year until he/she has resumed teaching duties.

For an employee transferring from another authority, any sick pay paid during the current year by the previous employing authority shall be taken into account when calculating the amount and duration of sick pay payable by the new authority.

Amount of payment

In the case of <u>full pay</u> periods sick pay will be an amount which when added to Statutory Sick Pay receivable will secure the equivalent of normal pay.

In the case of <u>half pay</u> periods sick pay will be an amount equal to half normal earnings plus an amount equivalent to Statutory Sick Pay, so long as the total sum does not exceed normal pay.

Normal pay includes all earnings that would be paid during a period of normal working, but excluding any payments not made on a regular basis, such as casual overtime or standby payments.

Further advice on the calculation of allowances can be sought from your HR and/or Payroll provider.

Other conditions relating to sickness absence and pay

a. Contact with infectious diseases

An employee who is prevented from attending work because of contact with an infectious disease shall be entitled to receive normal pay. The period of absence on this account shall not be reckoned against the employee's entitlements under the scheme.

Where a teacher is absent due to pulmonary tuberculosis, and is undergoing approved treatment, twelve months of full salary shall be paid, with further half pay at the discretion of the governing body.

b. Industrial injury or disease

Support employees

Periods of absence in respect of industrial disease, accident or assault arising out of or in the course of employment with the school shall be treated as entirely separate from normal sickness absence (providing the conditions below have been complied with). Periods of absence in respect of one shall not be set off against the other for the purpose of calculating entitlements under the scheme.

Any accident arising out of and in the course of employment with the school must be reported and recorded in accordance with the laid down procedures, and may be investigated by Health & Safety. Absence arising out of industrial disease or accident should be reported and certificated as for other sickness, and the employee should notify the school/Local Authority if seeking medical advice about an illness which is suspected or alleged to result from the nature of his/her employment.

Teachers

In the case of absence due to an 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 school/Local Authority or participation in any extra-curricular or voluntary activity connected with the school, full pay shall in all cases be allowed. Such pay being sick pay for the purposes of calculation and entitlement, subject to the production of selfcertificates and/or doctors statements from the date of the accident up to the date of recovery, but not exceeding six calendar months, after which the case will be reviewed before an extension of the sick pay period 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 SSP.

c. Victims of crimes of violence

Where an employee is absent from work because of an injury in respect of which a claim will lie to the Criminal Injuries Compensation Board (CICB) and the employee is otherwise qualified to receive sick pay in accordance with this scheme, such sick pay shall be made to him/her without his/her being required to refund any proportion of it from the sum which the CICB may award. The school has the discretion to discount wholly or partly any sick leave occasioned by the injury when calculating the employee's entitlement to sick pay.

d. Sickness and school holidays

(Applies to staff not required to attend work during school closure periods)

<u>Teachers</u>

When a teacher is ill immediately before a period of school closure, the rate of sick pay applicable to the teacher during closure is the rate applicable to him/her on the last day before the closure. Where a teacher is in receipt of half pay or nil pay and recovers during the closure period, normal pay will be restored from the date of a doctor's certificate which certifies the teacher's fitness to return to work.

Sickness during school holidays shall not count against a teacher's entitlement to sick leave.

Other employees

For staff employed on term-time only contracts, sickness during school closure periods counts against entitlement to sick leave. For an employee sick during a closure period, normal pay will be restored from the date of a doctor's certificate which certifies the employee's fitness to return to work.

e. Sick pay and public holidays

Where an employee is receiving sickness pay he/she should continue to receive such pay if a public holiday occurs during sick leave. Where an employee has exhausted his/her entitlement to sickness pay, no payment should be made (other than SSP if applicable) in respect of a public holiday occurring during his/her period of sick leave.

f. Sickness during annual leave

(Applies to staff who are employed on a 52 week contract only).

An employee who falls sick during the course of annual leave shall be regarded as being on sick leave from the date of a doctors certificate and shall be entitled to take

the balance of holiday at a later date, provided the holiday is taken before 31 March following the absence.

g. Termination of employment

Where notice is given by the school/Local Authority of termination of employment, on the grounds of incapacity or some other reason, to an employee who has exhausted his/her entitlement to full or half pay, he/she shall be paid full salary for the notice period.

h. Third party claims

If an employee is unable to work following an accident off duty involving a third party and will receive sickness allowance, any claim made against the third party should include an amount in respect of loss of earnings, the amount to be advised by the payroll department. If the employee receives compensation, the sickness allowance paid to the employee must be repaid to the school/Local Authority, subject to the amount recovered shall not exceed the amount of the compensation or damages paid.

i. Disqualification from sickness allowance scheme

The employee may be disqualified from receiving sickness allowances under the scheme where sickness absence is attributable to;

- active participation in professional sport.
- the employee's own misconduct.
- injury whilst working in the employee's own time for private gain, or for another employer.
- where it is reported to the school/Local Authority that the employee has engaged in action likely to hinder his/her recovery, subject to proper investigation of the report.

Disqualification may also occur if the employee has failed to comply with the notification requirements of the scheme.

j. Medical examination during a period of sickness absence

The school/Local Authority may at any time require an employee who is unable to perform his/her duties as a consequence of illness to submit to an examination by a medical practitioner nominated by the school/Local Authority subject to the provisions of the Access to Medical Records Act 1988 where applicable. Any expenses incurred in connection with such an examination shall be met by the school/Local Authority (in practice the costs will be met from the school budget).

Appendix 2 – model return to work record form

| PRIVATE AND CONFIDENTIAL | | | | | |
|--|------------------------|-------------------------------------|--|--|--|
| RECORD OF RETURN TO WORK DISCUSSION | | | | | |
| NAME | | | | | |
| POST | | | | | |
| SCHOOL | | | | | |
| DETAILS OF AB | SENCE | | | | |
| | | | | | |
| | | | | | |
| PREVIOUS ABS | ENCES (DETAILS, (| COMMENTS, REMARKS) | | | |
| | | | | | |
| | | | | | |
| NOTES OF DISC | USSION | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| ACTIONS/RECOMMENDATIONS | | | | | |
| / | | | | | |
| | | | | | |
| | | | | | |
| EMPLOYEE | Signed | Dated | | | |
| MANAGER | Signed | Dated | | | |
| | ee's signature confirm | s that the discussion took place as | | | |

Appendix 3 – Disability and reasonable adjustments under the Equality Act 2010

What is classed as a disability?

In the Equality Act a disability means a physical or a mental condition which has a <u>substantial</u> and <u>long-term</u> impact on your ability to do normal day to day activities.

<u>A long-term effect</u> means something that has affected you or is likely to affect you for at least a year. For example, if you had an operation that will make walking difficult for at least a year, that's long term. Your impairment will still be considered to be long term if the effects are likely to come and go. These are known as 'fluctuating or recurring' effects.

<u>A substantial effect</u> on your day-to-day activities means one that's 'more than minor or trivial'. The effect on your normal day-to-day activities might be substantial if you have more than one impairment

You are covered by the Equality Act if you have a progressive condition like HIV, cancer or multiple sclerosis, even if you are currently able to carry out normal day to day activities. You are protected as soon as you are diagnosed with a progressive condition. You are also covered if you have a severe long term disfigurement, such as facial scarring. You may also be covered if you have a learning difficulty, dyslexia or autism that meets the definition above.

You are also covered by the Equality Act if you had a disability in the past. For example, if you had a mental health condition in the past which lasted for over 12 months, but you have now recovered, you are still protected from discrimination because of that disability.

An addiction to alcohol, nicotine or any other substance isn't a disability. But you might be disabled if your addiction caused an impairment. For example if you have liver disease or depression caused by alcohol dependency, that would be an impairment.

Failure to make reasonable adjustments

Under the Equality Act employers and organisations have a responsibility to make sure that disabled people can access jobs, education and services as easily as nondisabled people. This is known as the 'duty to make reasonable adjustments'.

Disabled people can experience discrimination if the employer or organisation doesn't make a reasonable adjustment. This is known as a 'failure to make reasonable adjustments'

What is reasonable depends on a number of factors, including the resources available to the organisation making the adjustment. Schools should be guided by the experience of their HR provider and/or Occupational Health, or other relevant adviser.

Reasonable adjustments could include:

• changing the recruitment process so a candidate can be considered for a job

- doing things another way, such as allowing someone with social anxiety disorder to have their own desk instead of hot-desking
- making physical changes to the workplace, like installing a ramp for a wheelchair user or an audio-visual fire alarm for a deaf person
- letting a disabled person work somewhere else, such as on the ground floor for a wheelchair user
- changing their equipment, for instance providing a special keyboard if they have arthritis
- allowing employees who become disabled to make a phased return to work, including flexible hours or part-time working
- offering employees training opportunities, recreation and refreshment facilities

Some examples of what the courts consider to be 'reasonable adjustments' emerging from case law in this area include;

- Reallocation of a duty a disabled employee cannot do
- Providing a nearby parking space for a disabled worker
- Providing a piece of equipment or swapping one type of equipment for another
- Redeploying a disabled person to another role
- Allowing for regular breaks to cope with a disability
- Providing a disabled employee with a mentor
- Amending the employer's policy on companions at certain meetings
- Retaining an employee temporarily in an alternative post

Access to Work https://www.gov.uk/access-to-work

Employees who are disabled or have a physical or mental health condition that makes it hard for them to do their job, may be able to get extra help from <u>Access to</u> <u>Work</u>, including mental health support.

Employees will be offered support based on their needs, which may include a grant to help cover the costs of practical support in the workplace.

An Access to Work grant can pay for:

- special equipment, adaptations or support worker services to help do things like answer the phone or go to meetings
- help getting to and from work

It is the responsibility of the employee to apply to Access to Work for support.

Appendix 4 – phased return to work

A phased return to work will be agreed with the manager and member of staff following advice from OH and would normally be no longer than 28 days.

If a phased return to work is expected to go beyond 28 days a formal review must take place, and a HR advice should be sought on a potential extension to the phased return or alterative arrangements.

The manager and the employee will discuss and agree how the return to work plan will operate. This decision must be made in consideration of the needs of the school as well as the benefit to the individual.

The employee will not be expected to carry out any overtime during their phased return.

If it is agreed that a temporary reduction in hours worked each week is to be part of the agreed phased return, for up to 28 calendar days full pay will be paid for the actual hours worked with sick pay for the hours not attending work.

A note of the arrangements for the phased return should be made and retained for reference. A copy must be provided to the employee.

The Headteacher should advise payroll of the actual hours worked and the hours noted as sick pay.