

Code of Conduct	Leave of Absence Policy for Support Staff
Disciplinary Policy	Staff Expectations
Grievance Procedure	Whistleblowing Policy

1.8. As part of the application of this policy, the Trust will collect, process and store personal data and special categories of data in accordance with our data protection policy. We will comply with the requirements of the Data Protection Legislation (being (i) the General Data Protection Regulation ((EU) 2016/679) (unless and until the GDPR is no longer directly applicable in the UK) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then (ii) any successor legislation to the GDPR or the Data Protection Act 1998, including the Data Protection Act 2018), in relation to how we collect, hold and share special category personal data. Records will be kept in accordance with our Staff Privacy Notice, our Retention Policy and in line with the requirements of Data Protection Legislation.

2. Scope

2.1. This policy has been agreed in consultation with the recognised trade unions and covers all employees at all levels and grades regardless of status

2.2.

6.2. If you are taken ill or injured while at work, you should report this to your line manager, AOM, HR Lead or a First Aider. Managers should ensure arrangements are made for anyone who is unwell to be accompanied home and to receive medical treatment where necessary.

6.3. If you cannot attend work because you are ill or injured, this should be reported as early as possible but in any case before 7.30am on the first day of the absence. The absence, unless impossible, should be reported by the absentee and not through a third party.

6.3.1 For Academy based Trust staff sickness absence should be reported to the Principal, AOM or HR Lead.

6.3.2 For Trust based staff sickness absence should be reported to their Line Manager/CEO.

6.4. The following details should be provided:

6.4.1 The nature of your illness or injury.

6.4.2 The expected length of your absence from work.

6.4.3 Contact details.

6.4.4 Any outstanding or urgent work that requires attention, including information in relation to student work that needs covering.

Managers should ensure that:

6.5.1 Any sickness absence that is notified to them is recorded and reported to the Principal, AOM or HR Lead as appropriate, as soon as possible.

6.5.2 Arrangements are made, where necessary, to cover work and to inform colleagues (while maintaining confidentiality).

You should expect to be contacted during your absence by your line manager, HR Lead, AOM or Principal who will want to enquire after your health and be advised, if possible, as to your expected return date.

appropriate measures cannot be taken, you will remain on sick leave/associated leave of absence dependant on the situation and we will set a date to review the situation.

- 7.4. Where we are concerned about the reason for absence, unusual pattern of absence frequent shortterm absence, we may require a medical certificate for each absence regardless of duration. In

agreement with the employee. In the case of a short term absence contact will be daily in the first instance.

- 10.2. If you have any concerns while absent on sick leave, whether about the reason for your absence or your ability to return to work, you should feel free to contact your line manager, AOM or HR Lead any time.
- 10.3. We offer access to confidential counselling, which is available on request. Each member of staff must be registered by their Academy, or the Trust for centrally employed staff, access the services. For details on how to access this service call the Schools Advisory Service on 01773 814402 or email nurse@uksas.co.uk
- 10.4. Medical examinations
 - 10.4.1 We may, at any time in operating this policy, ask you to attend a medical examination by our Occupational Health provider (at our expense).
 - 10.4.2 You will be asked to agree that any report produced in connection with any such examination may be disclosed to us and that we may discuss the contents of the report with our advisers and the relevant doctor.
 - 10.4.3 Failure to agree to a reasonable request may result in decisions being made in the absence of any medical information. In some circumstances disciplinary action may be taken where you do not cooperate with the sickness absence process.
 - 10.4.4 This process is in line with our Staff Privacy Notice which sets out how we will gather, process and hold special category personal data of individuals during employment.

11. Return to Work Discussion

- 11.1. An appropriate senior manager must hold a return to work discussion with the employee after every period of absence. Where possible this should take place on the day the employee returns. If this is not possible the discussion must take place as soon as possible thereafter.
- 11.2. The return to work discussion is an important part of absence management. Depending on the circumstances it may range from a brief 'chat' to a more formal meeting. The discussion can help to identify issues which could not be addressed at an early stage, cause further short or long term absence. It is an opportunity for the manager to start or continue a dialogue with the employee about any underlying issues which may be causing absence and any changes or support that may be appropriate.
- 11.3. Depending on the circumstances the purpose of the discussion may include to:
 - x confirm the reason for the absence and provide an opportunity for the employee to give any other details. If the employee is unwilling to disclose the reason for their absence to their manager (see 7.3), the manager will be limited in the support they are able to provide.
 - x check that the employee is fit to return to work

- x give the employee an opportunity to raise any concerns or questions they may have and to bring any relevant matters to the manager's attention
- x consider whether there may be any underlying health issue that should be investigated further, or determine whether the employee may have developed a disability, or consider any other issues that may be affecting the employee's ability to attend work
- x provide an opportunity to discuss any changes or reasonable adjustments needed to facilitate/support the return or, if appropriate, consider completion of a stress action plan
- x ensure that the employee has an appropriate level of support, if required, e.g. referral to Occupational Health
- x update the employee on work related matters

11.4. Depending on the level and pattern of previous absence, advise the employee that the formal absence management procedure is to be invoked or that further absence could lead to the formal procedure being invoked.

11.5. The return to work discussion will be recorded and signed by both the employee and manager and a copy kept by the manager on the employee's file.

12. Returning to Work from Long term sickness absence

12.1. We are committed to helping employees return to work from long term sickness absence. As part of the sickness absence discussions will, where appropriate and possible, support returns to work by:

12.1.1 Obtaining medical advice

12.1.2 Making reasonable adjustments to the

- 13.2. If you become sick or injured while on annual leave such that you would be unfit for work you may ask us to treat the period of incapacity as sick leave and reclaim the annual leave.
- 13.3. To be able to claim Trustsick pay you must notify your line manager, AOM or HR Lead of your incapacity immediately, and the usual requirements for medical evidence in this policy will also apply, even if you are abroad.
- 13.4. If you are on sick leave you may choose to cancel any pre-arranged annual leave that would otherwise coincide with your sick leave. You should notify your line manager, AOM or HR Lead as soon as possible that you wish to do this.
- 13.5. If your period of sick leave extends into the next holiday year, there is not enough time left in the current holiday year to make it practicable to take your remaining holiday entitlement, you can carry any unused holiday entitlement over to the following leave year up to a maximum of 5 days

14. Sickness Absence Procedures

- 14.1. In managing short term absence any action taken should be fair, reasonable, and justifiable in the particular circumstances. Advice and support is available from Human Resources at any stage.

Note: If a manager has cause to believe that an employee's absence is not due to sickness the disciplinary procedure should be invoked.

- 14.2. On each occasion an employee is absent the manager should consider (having reviewed the employee's previous absence record and taking account of previous return to work discussions) whether the level of absence is unacceptable.

- 14.3. Each individual case should be considered carefully by the line manager, AOM or HR Lead and an assessment of the individual's absence record should first be undertaken to determine whether:

- x their record indicates the likelihood of future absences, for example apparent general poor health with a variety of ailments
- x their record indicates a disabling health problem
- x their absences could have been attributable to work related incidents or stress
- x their absences result from a disability or a common ailment that may have exacerbated an existing disability
- x their record indicates a discernible pattern
- x there are other mitigating circumstances

- 14.4. Where the manager considers that the level of absence is unacceptable, at the return to work discussion following the latest absence (subject to anything revealed in that meeting), they should advise the employee that the formal absence management procedure is to be invoked. The manager should explain the procedure to the employee and the potential consequences if their attendance does not improve to an acceptable level.

- 14.5. Unless mutually agreed, we will give you five working days written notice of the date, time and place of a sickness absence meeting. We will put any concerns about your sickness absence and the basis for those concerns in writing or otherwise advise why the meeting is

- 19.4. You will be provided with written details of any new information which comes to light before an appeal meeting. You will also be given a reasonable opportunity to consider this information before the meeting.
- 19.5. Where practicable, an appeal meeting will be conducted by a Manager, AOM or HR Lead senior to the individual who conducted the sickness absence meeting.
- 19.6. Depending on the grounds of appeal, an appeal meeting may be a complete rehearing of the matter or a review of the original decision.
- 19.7. Following an appeal, the original decision may be confirmed, amended or replaced with a different decision. The final decision will be confirmed in writing, if possible, within five working days of the appeal meeting. There will be no further right of appeal.
- 19.8. The original decision will be confirmed in writing, if possible, within five working days of the appeal meeting. However, if the appeal is successful, the decision to dismiss will be revoked with no loss of pay or pension rights.