

## **Staff Absence, Sickness & Cover Policy**

### **Aim of The Langley Academy Trust**

To provide an outstanding education for every child in the Trust through high aspirations and through the principles of quality learning using curiosity, exploration and discovery

### **Purposes**

To ensure that all staff are treated with fairness and consistency with regards to absence and cover To provide clarity with regards to the processes that will be followed should the need arise

To provide all staff with clear guidelines regarding what is considered acceptable and the Trusts' expectations.

### **Objective**

The objective of this policy is to manage attendance levels within the context of concern for the wellbeing of genuinely sick staff. This is balanced by an equal concern for those staff who are left to cover for absent colleagues and for students/children and parents who may suffer from reductions in either the level or quality of service through staff absence. This policy is supplemented by detailed administrative arrangements.

### **Guidelines**

The overall responsibility for managing staff attendance levels rests with the Executive Principal/Headteacher, as the knowledge of the circumstances in any case and the ability to act promptly and deal with it most effectively lie at this level.

An essential requirement for the effective management of sickness absence is that appropriate monitoring information is available to the Executive Principal/Headteacher to identify the patterns and length of sickness absence, backed up by guidance for dealing with individual cases.

All levels of the organisation need to recognise that they have a part to play in meeting the Trusts' objectives. Employees need to be aware of the contribution they make to service provision and the effects that their absences have on their students/children, colleagues and on costs. The Executive Principal/Headteacher has a duty to communicate this and to act to remove barriers to attendance. This will include consideration of any extent to which ill health might be work related.

### **Executive Principal/Headteacher's Discretion**

The Executive Principal/Headteacher will exercise common-sense when following these procedures, particularly in cases of recurring or chronic illness, hospitalisation and for staff with disabilities. It is advisable that in such cases professional support and advice should be sought from the Trusts' personnel service provider and/or the Occupational Health Service, particularly when establishing the existence of a disability. All leaders and those with a responsibility have a statutory requirement placed on them not to discriminate against a person who has a disability. With subsequent occurrences the Executive Principal/Headteacher may choose to escalate and start at a higher stage than stage 1.

## Confidentiality

Many of the issues surrounding sickness absence are of an extremely personal and private nature to the employee concerned. The Executive Principal/Headteacher will be sensitive to any employee's difficulties and appreciate the strict confidence of any information provided. Information should only be shared with other staff on a genuine "need to know basis". The Directors/Senior Leadership Teams will, in most cases, be informed, through regular staffing updates, of personnel issues such as these are critical to the quality of leadership and decision making. However, inappropriate breaches of confidence may be considered a disciplinary offence.

## Defining Disability

Under the provisions of the Equality Act 2010 disability is defined as "*physical or mental impairment which has a substantial and long-term adverse impact on his/her ability to carry out normal day to day activities*"

In many cases this will be clear:

- i. there is an impairment, which is not specifically excluded under the Act;
- ii. the impairment has a substantial adverse effect, i.e. more than trivial and represents a limitation which extends beyond the normal differences in abilities which exist among people.
- iii. it is long term. The long term effect is of an impairment which has lasted:
  - 12 months or where the total period for which it is likely to be at least 12 months
  - or which is likely to last for the rest of the life of the person affected.

Once the Executive Principal/Headteacher, Directorate or Line Manager is aware of an employee's disability the Occupational Health Service will be informed, so the Executive Principal/Headteacher, Directorate or Line Manager can fulfil his/her duties under the DDA. On occasions it might be necessary for the Executive Principal/Headteacher or Line Manager to implement reasonable adjustments for a disabled employee without knowing precisely why he/she has to do so. It may be necessary to tell one or more of a disabled person's colleagues (in confidence) about a disability which is not obvious or where special assistance is required. This will depend on the nature of the disability and the reason others need to know. The Executive Principal/Headteacher or Line Manager should in all cases consult with the disabled employee before revealing personal information. (Disclosure could be held to be discriminating if the Executive Principal/Headteacher or Line Manager would not reveal similar information about another person for an equally legitimate management purpose.)

## Procedure Recording Absence

All teaching and support staff who are absent must inform the Cover Manager or appropriate person in each academy and their Line Manager by 7.00am each day by telephone. If due to *severe illness* and the staff member is unable to call, they should ensure their next of kin or appropriate person calls on their behalf. All sickness absences will be recorded in order that payroll adjustments are made as appropriate and that accurate records maintained.

Teaching staff must ensure that their Line Managers have work to set for the classes that need to be covered; work should be e-mailed to the Line Manager by 7.30am.

All staff are required to complete a Return to Work and Self Certification form for each absence up to 5 days. This should be discussed and signed by the Line Manager and handed to the Human Resources Assistant. Absences of more than 5 days require a medical certificate.

Return to work discussions are informal. If there is any reason to believe that formal action is required under alternative procedures the individual should be informed of this and arrangements made for a further meeting in accordance with the appropriate procedure.

The discussion should:

- be held in private, uninterrupted, and non-threatening
- be well-prepared, with the Human Resources Assistant having full details of the absence record to hand
- start with a welcome back to work, and general enquiries regarding health and well being
- reinforce the value given to the employee's contribution to the Trust and each academy
- provide the employee with an update on any key developments during their absence
- ensure they are fit for work and ascertain basic information regarding the nature of the illness; if the individual does not wish to share any personal information relating to their health they may ask to be seen by the Executive Principal/Headteacher or a member of the Occupational Health team.
- consider any support that may be available, particularly in cases of a return following long term absence. A phased return may have been agreed, for example, on the basis of medical advice obtained from Occupational Health

The discussion will be recorded on the Return to Work and Self Certification form which the employee will bring to the discussion, having completed part A.

#### **Triggers for types of monitoring 1 to 3 days of absence**

Staff to complete a Return to Work and Self Certification form following each absence, discuss and have it signed by the Line Manager and hand to the Human Resources Assistant on the first day of their return from absence.

#### **3 to 5 days of absence (one-off or accumulated over a 12-month period)**

Staff must fill out the Self-Certification and Return to Work form and arrange a meeting with the Human Resources Assistant on the first day of their return from absence.

#### **6 to 10 days or more absence (one-off or accumulated over a 12-month period)**

In the case of sickness staff must provide a medical certificate, if more than 5 days and arrange a return from sickness interview with the Human Resources Assistant, Executive Principal/Headteacher on their first day of return. If the absence is not sickness related staff should arrange a return to work meeting with the Human Resources Assistant on their first day of return.

Additional to the above, the Executive Principal/Headteacher, using their discretion, will occasionally meet with staff members to discuss sickness absence if it is thought to be appropriate and supportive. Your right to company sick pay (and in some cases, SSP), as set out in your contract of employment, will be lost:

- If you fail to follow the rules above on notifying us about your absence;
- For any day not covered by a certificate;

- Where certificates are not provided on time;
  - If your manager has not completed a return to work interview form and sent it to the Human Resources Assistant
  - If you do not let us know immediately that your GP has ticked 'may be fit for work' on your medical certificate;
  - If you fail to co-operate with us in implementing any suggestions for temporary adjustments made by your GP or our medical advisers;
  - If you fail to co-operate in providing further medical information; or
  - If you fail to keep in touch with us throughout your absence.
- Sick pay that has been overpaid may be deducted from future pay due.

### **Monitoring Absence**

Absence and sickness levels will be monitored on a daily basis and the Executive Principal/Headteacher will review the monitoring information on a periodic basis, no less than every 6 weeks.

### **Long Term Sickness Absence**

Long term absence is defined as 20 working days or more. Some staff illness will mean that they are absent from work for a continuous period. In such cases, the Human Resources Assistant/Manager will ensure that:

- regular appropriate contact is maintained with the employee. The amount and nature of contact will take into account the type of illness, the staff planning needs of the school and the appropriateness of keeping the employee abreast of school developments.
- sickness certificates continue to be received from the employee
- absence details are recorded on the Trusts' personnel database
- advise the employee in advance when they are running out of full sick pay and half sick pay entitlements
- refer the employee to Occupational Health for a report on their medical condition, their prognosis and an assessment of their fitness for work and advise the employee of this referral
- consider the Occupational Health Team's response and discuss it in confidence with the Executive Principal/Headteacher

Any recommendation from Occupational Health for ill health termination will be fully discussed with the employee concerned with the aim of arranging an appropriate agreed termination date.

### **Formal Action**

It will normally only be necessary to go through stages 1-3 of the procedure when dealing with cases of frequent short term absence which become unmanageable and disruptive. When termination of employment following long term absence is envisaged, it is good practice (where possible) to arrange a meeting equivalent to the Third Formal Discussion. This would precede an invitation to the dismissal hearing which would clearly indicate that a decision can be reached in the absence of the employee or in presence of a nominated representative and a right to appeal the decision.

### **Stage One – First Formal Discussion**

In accordance with the provisions of the Return to Work discussions, if there is no discernible cause or end and the reasons are unrelated then the following level of absence may trigger a First Formal Discussion. The Executive Principal/Headteacher will have discretion over the level of absence necessary to instigate a first formal discussion, although this would normally be prompted by an absence of no less than:

- Three separate occasions, irrespective of length, over a 6-month period; or
- A total of ten days' absence over a 6-month period; or
- Where there are concerns about an employee's absences, absence levels or absence patterns
- Where there appears to be 'no discernible cause or end' the Executive Principal/Headteacher must exercise professional judgment at all times and seek medical advice if appropriate before moving to a First Formal Discussion. For example, there are medical conditions that manifest themselves arbitrarily in the early stages and due consideration will need to be given to this fact.

The formal discussion will be conducted by the Executive Principal/Headteacher and Human Resources Assistant/Manager. The member of staff is entitled to be accompanied by a recognised association/union representative or workplace colleague. The key details of the meeting must be recorded and a written summary provided to the member of staff.

### **Preparation**

The facts of the case should be clearly established.

- How many days absence has the employee taken in the last 12 months?
- How many periods of absence have been taken?
- What type or types of illness or ailment have been reported if any?
- Have the reporting/certification procedures been followed?
- Do the periods of absence follow an identifiable pattern? Is there a correlation between the absence taken and particular work patterns, e.g. adjoining weekends or holidays?
- Has Personnel, Occupational Health or other medical advice been obtained?
- What absence monitoring discussions in the form of Return to Work Discussions have taken place?
- What management action has there been?
- What support has been offered / put in place?

### **Notification**

The employee should receive a letter inviting them to attend the interview giving at least 5 working days' notice. The reasons for the interview should be clearly stated, any factual information e.g. details of dates/type of absence, occupational health reports should be enclosed and they should be informed of their right to be accompanied by a recognised association/union representative or workplace colleague.

Once an employee has identified their representative, it is the Executive Principal/Headteacher's responsibility to ensure that such individuals be released from duties, if necessary, for an appropriate amount of time to prepare and represent their colleague.

### **The Interview**

Although this is a formal interview the discussion should be as relaxed as possible. The objective is to gain an initial understanding of any underlying reasons for the absence and agree targets for improvement.

### **General guidance on the conduct of the interview**

- In order to help the individual feel comfortable, they should be reassured that the purpose of the interview is to investigate management's concern and reach agreement on an appropriate course of action. They should be made aware of the procedure for managing absence.

- The employee should be informed of the information held by the Trust (e.g. absence records, medical referrals and advice).
- The employee or his or her representative should be invited to explain their level of attendance, clarify the facts and be given the opportunity to question and comment.
- The employee should be asked whether there are any personal, domestic or work circumstances that have been affecting their attendance.
- The employee should be encouraged, if appropriate, to seek medical advice from their GP or Occupational Health.
- Discussions should be held, if appropriate, re changes in working arrangements
- Professional problems for the individual caused by poor attendance and the implications for children, parents and staff should be discussed.
- Discussions should be held considering any further support the Trust may be able to give the individual.
- Explain that attendance will be closely monitored for a period of up to 12 working weeks.
- Consider the appropriateness of requesting a GP's certificate on the first day of absence during the monitoring period. The Trust will pay for the certificate if a fee is incurred.
- Make the individual aware that further action may be considered should the attendance not significantly improve. Explain what is considered to be an acceptable level of attendance and seek to obtain the individual's co-operation.
- Confirm the date of the review meeting.

#### **Possible outcomes of the First Formal Discussion**

- The discussion reveals that no further action is required
- There will be a further period of monitoring for a specified time (maximum 12 working weeks) and agreement will be reached to review periodically during the monitoring period.
- The Trust issues a formal warning requiring improvement in attendance over a specified period of time. The employee will be informed how long the warning will remain on file (at least 12 months and not more than 24). Periodic review meetings should be agreed during the period of the warning.

A confidential written summary of the first formal discussion should be given to all parties detailing the outcome and should include where relevant:

- that no further action is required; or
- the nature of the cause for concern; the agreed actions;
- the likely consequences if the level of absence continues to give cause for concern; and
- expectations during the monitoring period; dates of any agreed periodic reviews as well as the 12 or 24 month review meeting

The Executive Principal/Headteacher, together with the Human Resources Assistant/Manager, should review the matter by the date specified.

Action taken under this First Formal Discussion is equivalent to a formal warning under the Trust's disciplinary policy (i.e. to remain active for 12 months).

A right of appeal will be available to the employee under the arrangements already in place for hearing disciplinary appeals.

## **Stage Two – Second Formal Discussion (Review Meeting)**

If the outcome of the first formal discussion was a formal warning it is essential that in the period following the discussion, an employee's attendance is monitored. The Executive Principal/Headteacher must ensure that any advice or assistance which has been offered during the discussion is carried out.

As the end of the monitoring period approaches the Executive Principal/Headteacher should prepare for the second formal discussion in the same way as for the first. It may be appropriate to seek a review of medical/Occupational Health advice in preparation for the second formal discussion.

The second formal discussion will be conducted by the Executive Principal/Headteacher and Human Resources Assistant/Manager and the member of staff is entitled to be accompanied by a recognised association/representative or workplace colleague. Key details of the meeting should be recorded and a confidential written summary provided to the employee.

### **Stage Two Second Formal Discussion**

- Discuss the employee's attendance record during the monitoring period and any Occupational Health recommendations received
- Recognise any improvement that has been made
- If the level of improvement is acceptable, the individual should be told that no further review is required
- Point out that, nonetheless, absence will continue to be monitored as for all staff and should the employee's attendance deteriorate within the period of the formal warning, the procedures could be resumed at the second formal discussion stage.
- Where the employee's attendance has not improved sufficiently during the monitoring period, a further second period of monitoring should be specified for up to 12 working weeks and a date set for the Third Formal Discussion.
- In setting the arrangements for the second monitoring period, further consideration should be given to any previous advice or support that has been offered including advice from Occupational Health and the Human Resources Manager.
- The written summary of the second formal discussion should be sent to all parties. This should state that at the third formal discussion the outcome may move to dismissal proceedings if attendance has not improved significantly. Action taken under the second formal discussion equates to a final warning under the Trust's disciplinary policy. The employee should be informed how long the warning will remain on file (up to 12 months).
- A right of appeal will be available to the employee in accordance with arrangements for appeals under the Trust's disciplinary policy.

### **Possible Outcomes of the Second Formal Discussion**

- Attendance has improved to the required level and the circumstances are such that no further action is required save that attendance will continue to be monitored as for all staff.
- Attendance has improved but concern remains and a further specified period of monitoring will be put in place, in which case a date for a third formal discussion can be determined in advance – this will normally serve simply to review progress.
- Attendance has not improved to an acceptable level and a final warning will be placed on file. This will state that if there is not the required improvement within a specified time then dismissal may have to be considered.

### **Stage Three – Third Formal Discussion**

The Executive Principal/Headteacher should prepare for the Third Formal Discussion in the same way as for the Second Formal Discussion. They will conduct the interview, together with the Human Resources Assistant/Manager, and the member of staff is entitled to be accompanied by a recognised association/union representative or workplace colleague. At least 5 working days' written notice should be given of the meeting. Key details of the meeting should be recorded and a copy provided to the member of staff.

#### **General guidance on the conduct of the interview:**

- Review the process that has led to the third formal discussion
- Discuss the attendance record during the monitoring period
- Review the professional problems for the member of staff and for the Trust caused by an unacceptably high level of absence
- Discuss whether there are any underlying medical reasons why the employee should not be able to maintain a satisfactory level of attendance in the future, discuss recent medical advice where this has been obtained.
- Discuss whether any changes could be made to the current working environment to enable the employee to continue working in their current job
- Discuss the possibility of alternative employment options. Where the employee's absence appears to be linked to the particular requirements of the job they are currently doing, consideration can be given, with their agreement, to seeking alternative employment. Depending on the circumstances of the case a transfer to alternative work could be to another post of the same grade or to a lower graded post, with or without protection in pay.

In the light of the circumstances decide whether:

- the level of improvement is acceptable, in which case the individual should be told that no further review is required and a note made to that effect on the employee's personnel file; or
- there has been some improvement but attendance is still not fully acceptable and an extension of the monitoring period is to be applied; or
- attendance continues to give cause for serious concern and the procedure should continue to the next stage, consideration of dismissal at a formal dismissal hearing

If the procedure is to continue to the next stage, the member of staff should be:

- warned that the procedure could lead to their dismissal
- encouraged, if appropriate, to discuss the possibility of ill health retirement

A final medical review by Occupational Health should take place as close as possible and prior to the hearing date.

#### **Dismissal Hearing**

Once the Executive Principal/Headteacher, in consultation with the Human Resources Manager, has exhausted investigation, consultation and review as set out in these procedures with no satisfactory outcome, or medical advice does not recommend a return to work in the reasonably foreseeable future, the governors/Trustees will be asked, by the Executive Principal/Headteacher, to determine the course of action to be taken.

A panel of at least three governors/Trustees will hear the case presented by the Executive Principal/Headteacher and a further panel of at least the same number of governors/Trustees will be needed to hear any appeal if necessary.

The invitation to the hearing should contain the following information and state that the hearing will replicate that contained in the disciplinary policy:

- Brief outline of the employee's attendance record and the process which has been followed to date.
- Any actions taken by the Trust to remedy the situation and support the individual.
- The reasons for referral to the governors/Trustees.
- The right to be represented by a recognised association/union representative or a workplace colleague
- The date of the hearing (held within a reasonable period of time).
- Details of the conduct of the hearing.
- Arrangements for the exchange of documentation including any medical reports prior to the hearing and notifications of any witnesses to be called.
- Confirmation that a possible outcome of the hearing could be dismissal.

Where it is evident that further information is required before a decision can be reached, or issues have been raised which require further investigation, the hearing will normally be adjourned and reconvened once the necessary information has been obtained.

If the level of attendance is considered to be unacceptable and unlikely to improve, to an acceptable level within an acceptable timescale, the Chair will decide on the appropriate actions to be taken. Such action must always fall within the bounds of 'reasonableness' and have regard to the seriousness of the issue and any previous relevant formal warnings to the employee.

### **Outcome and Communication of the decision**

Where the panel of governors consider that the employee is not meeting the required reduction in absence levels despite being given appropriate support to do so, and/or the levels of absence can no longer be managed successfully by the Academy, one of the following measures can be taken:

- No further action
- A final review period
- Seek suitable alternative work
- Dismissal

The decision, including any actions to be taken, must be relayed to both sides as soon as possible and confirmed to the employee in writing within 5 working days of the hearing by the Clerk to the Governing Body.

### **Appeal against dismissal**

Notice of the appeal, outlining as fully as possible the grounds on which the appeal is being made, should be sent in writing to the Clerk to the Trust within 10 working days of receiving the decision of the Governors panel. The Clerk to the Trust shall convene a meeting of an Appeals Committee as soon as this is practicable. No governor/Trustee who has had prior involvement with the case which is the subject of an appeal may be included on the Appeals Committee.

It is essential, therefore, that members of the Governing Body/Trust Appeal panel have not been previously involved in the case.

The member of staff may be accompanied at the Appeal Hearing by a recognised association/union representative or workplace colleague and shall be afforded the fullest opportunity to state the grounds for their appeal and to question any evidence presented during the appeal.

Where a member of staff has exercised the right of appeal, the action proposed by the governors' panel shall not be put into effect until the appeal has been heard by the Appeals Committee of the Trust Board or respective Governing Body.

### **Review of Formal Records**

Records of formal warnings will normally remain current for at least one year but no longer than two years. After one year, the Executive Principal/Headteacher will determine, at a meeting with the member of staff, whether or not concern over attendance remains as defined by this procedure. If it does not, the employee will be advised in writing that the warning no longer has any currency. The same arrangement will apply at the end of two years where the records were retained on file for this period.

### **Sickness Pay**

Staff who are sick and comply with the sickness procedures are entitled to receive sickness pay. The amount of entitlement depends on their length of service. The Trust applies the entitlements set out in the relevant national conditions of service, and has exercised its discretion to enhance these for staff with at least five years' service as set out in its protected illness scheme.

#### Support Staff Sick Pay Entitlement

Entitlement is calculated by taking into account the length of service on the first day of absence and any sick pay received in the 12 months prior to the first day of each absence:

| Length of Service  | Full Pay | Half Pay                                    |
|--|----------|---|
| During 1 <sup>st</sup> year of service                     | 1 month  | 2 months after completing 4 months' service |
| During 2 <sup>nd</sup> year of service                     | 2 months | 2 months                                    |
| During 3 <sup>rd</sup> year of service                     | 4 months | 4 months                                    |
| During 4 <sup>th</sup> and 5 <sup>th</sup> year of service | 5 months | 5 months                                    |
| After five years' service                                  | 6 months | 6 months                                    |

#### National Teachers' Sick Pay Entitlement

Entitlement is calculated by taking into account the length of service on the first day of absence and any sick pay received in the 12 months prior to the first day of each absence:

| Length of Service                      | Full Pay        | Half Pay  |
|--|-----------------|---|
| During 1 <sup>st</sup> year of service | 25 working days | After 4 calendar months of actual service – 50 days |

|   |                  |   |
|---|------------------|---|
| During 2 <sup>nd</sup> year of service      | 50 working days  | After 4 calendar months of actual service 50 days |
| During 3 <sup>rd</sup> year of service      | 75 working days  | 75 working days                                   |
| During 4 <sup>th</sup> and successive years | 100 working days | 100 working days                                  |

Please note, this entitlement is based on a teacher working a regular 5-day a week pattern. For teachers working less than 5 days per week this will be pro-rated to reflect that.

### **Management Guidelines for considering Special Leave requests**

These notes are intended to provide guidance to the Executive Principal/Headteacher concerning the treatment of requests for special leave with pay. Such requests need to be treated fairly and consistently, and the needs of the employee should be balanced with the requirements of the Trust.

Whilst decisions on special leave should reflect the Trust's role as a caring and reasonable employer, it needs to be emphasised that special leave is at all times subject to the exigencies of the Trust and is entirely at the discretion of the Executive Principal/Headteacher.

As a general guideline special leave should relate to emergency situations, that is serious events of a sudden and unforeseen personal or domestic nature which are beyond the control of the employee and which require prompt attention.

The guidelines recognise that by virtue of the nature of special leave hard-and-fast rules cannot always be followed rigidly. The Executive Principal/Headteacher may sometimes need to apply an element of discretion in individual cases depending on the circumstances.

In determining special leave the Executive Principal/Headteacher should take into consideration all relevant factors:

- nature of the emergency
- the relationship of the person to the employee
- the employee's absence record in particular over the last 12 months
- the employee's length of service
- the employee's work record
- amount of outstanding and uncommitted leave (if applicable)
- the Trust's requirements
- the possibility of unpaid leave
- the possibility of temporary variation in working times

It should be noted that for an extended period of unpaid leave (i.e. exceeding one month) there are implications for pension and accrual of holiday entitlement.

Visits to the doctor, dentist and hospital clinics shall normally be regarded as outside the provisions of special leave. Staff are entitled to paid time off for the purpose of attending pre - natal appointments. In all such cases staff may be required to attach appointment letters/cards to their leave request, and wherever possible employees are expected to make appointments at the beginning or end of the day in order to minimise any disruption at work caused by their absence.

The following guidelines apply in cases of special leave: All references to 'days' below are to be read as 'working days in a 12-month period', usually an academic year.

| <b>PURPOSE</b>  | <b>RECOMMENDATION</b>   |
|---|---|
| Household removal   | 1 day with pay  |
| Attending job interviews  | 2 days with pay in total – 1 day for each interview. If interviews involve 2 days then 4 days would be paid.                                    |
| Attending a wedding (own or close family member)  | 1 day with pay  |
| Investiture with an honour or decoration, or presentation of a degree or diploma  | 1 day with pay  |
| Religious holidays  | 1 day with pay  |
| Serious illness of a close family member (e.g. partner, parent, child or a person for whom the employee has care responsibility), requiring the presence of the employee. This is not intended to cover illnesses of a minor nature (e.g. colds, infections, minor ailments etc.) | Period reasonably necessary, normally not more than 3 days with pay.  |
| Death of persons specified above.   | Period reasonably necessary, but not more than 3 days with pay  |
| Funeral   | 1 day with pay<br>Period reasonably necessary and allowing for journey time, not more than 2 days with pay                                      |
| Serious domestic difficulties caused by the sudden and unforeseen breakdown of childminding/nursery arrangements without the employee being able to make alternative arrangements.  | Period reasonably necessary, but not more than 3 days with pay.   |
| Unforeseen domestic emergency (e.g. burglary, fire, flood) which is beyond the control of the employee.   | Not more than 1 day with pay (may be applied retrospectively on production of supporting information which may be required by the Line Manager) |
| Attendance at children's school for parents' meeting/review/nativity/sports day etc.  | 1 event with pay  |
| Attendance with own child at school or university open day  | 1 day with pay  |

The Executive Principal/Headteacher is permitted to approve special leave up to a maximum of 5 days per individual over a 12 month rolling period. Absence may only be taken when the member of staff has received final approval from the Executive Principal/Headteacher.

The Executive Principal/Headteacher may grant unpaid leave beyond these guidelines depending on the circumstances.

In addition to emergency situations of a personal or domestic nature and the situations listed above, special paid leave may be granted for the following reasons:

- a) for the duration of attendance at court or employment tribunal until such time they are freed by the court or tribunal providing:
  - the employee's attendance must be as a witness on subpoena, witness order or other directions through the court or tribunal or at the request of the police.

- documentary evidence of required attendance is provided.
- b) jury service. Staff required to attend jury service should arrange for the loss of earnings certificate to be forwarded to the school's payroll team. The certificate will be returned to the member of staff to show to what extent the salary will be stopped during their absence. The amount will then be claimed from the court.
- c) sitting sponsored exams and final revision (equivalent number of days to the length of the exam)
- d) acting as an examiner or lecturer to outside authorities (not exceeding an aggregate of one week in any 12-month period)
- e) serving as a member of another local authority (up to 208 hours a year)
- f) election duties
- g) duties undertaken as a school governor, whether within the borough or not (not exceeding 5 days a year)
- h) attendance at summer camp as a volunteer member of the non - regular Forces (up to 2 weeks a year)

Applications for special leave should be made in advance by at least 5 days of the requested absence or on the first day of absence in the event of emergency situations.

At all times the Executive Principal/Headteacher may require confirmation or prove of the need for special leave to be approved.

## **STAFF COVER TO SUPPORT STAFF ABSENCE**

### **AT SECONDARY**

#### **AIMS**

We aim to:

- ensure that students/children have the best possible learning experience in light of staff absence
- support the well-being both of absent staff and colleagues called upon to cover
- have a fair system for deploying staff to cover classes
- ensure that we uphold the principles of the Workforce Agreement
- deploy teachers in the most effective way to achieve higher standards in the Trust

#### **Implementation**

1. A computerised system (SIMS) is used to implement a rota with the aim of giving all staff some protected free time which can be used to demonstrate fairness.
2. Staff will be used for cover on a rota system that will provide clarity, transparency and fairness.
3. All staff receive at least 10% PPA time within the cover system in line with the workforce agreement.
4. Staff will be taken for cover first if they have been released from other teaching commitments (e.g. examinations, trips, cross-curricular days).
5. Staff who wish to leave the premises during non-teaching time have to check with the Cover Manager first and then should sign out.
6. Supply teachers will be used, wherever possible, for 7 or 5 periods per day and registrations. They should report to the Cover Manager by 8.10 am.

7. The list of supply teachers is constantly reviewed.
8. Our supply teachers are engaged in accordance with current legislation including all safeguarding procedures.
9. Cover supervisors are employed by the Trust to support the quality of education received by students/children and to support staff well-being as part of the workforce agreement, including 'rarely cover' arrangements.
10. Higher Level Teaching Assistants may also cover short-term absences.
11. The Directorate will monitor and analyse patterns of absence (planned and unplanned) and levels of cover, including analysis of the student experience.
12. The Cover Manager will keep a record of the amount of cover undertaken and created by each teacher.

### **Conduct of cover lessons**

1. It is the responsibility of the absent teacher and the Head of Faculty to ensure that appropriate work is available to the person covering.
2. Set lists must be provided where registration for the lesson is not practicable on SIMS.
3. A seating plan should be provided where appropriate.
4. It is expected that the supervisor for the lesson will endeavour to ensure that students/children complete the work set and where appropriate help and guidance should be given to the students/children towards this aim.
5. Comments on the lesson should be noted on the cover sheet provided or emailed to the regular class teacher.

### **Cover for attendance at Inset**

1. As professionals we must be able to justify the impact of attending INSET against the quality of the lesson experienced by those students/children we would otherwise be teaching.
2. Typically no more than **two staff** will be allowed to attend INSET on the same day. It will be a case of prioritising needs of the whole Academy taking into account first come, first served.
3. Typically no two members of staff from the same department will be allowed on INSET – unless it is an absolute necessity. Attendance at INSET must be agreed by the line manager and the Directorate link. It must be clearly linked to either the Academy Improvement Plan, the Faculty Improvement Plan or PM objectives.
4. Feedback from attendance at INSET is essential and should form part of professional development for other colleagues where possible.
5. Colleagues will only receive travel expense claims once the feedback document has been completed.

### **Moderation/Examination meetings**

Moderation meetings or compulsory meetings called by examination boards will be covered where necessary.

### **Meetings**

The teaching of our students/children must be our priority. Therefore, meetings should not be arranged when people would otherwise be teaching unless it is absolutely unavoidable e.g. A child protection issue

### **Trips**

There is a separate policy for trips. A Future Event request form should be completed and submitted in good time to the future event team.

## **Gained time**

Staff may gain 'free' time throughout the year e.g. when Year 11 have mock exams. Any gained time can be used in the following ways:

1. Cover
2. Team teaching
3. Intervention work, mentoring
4. Curriculum planning e.g. Schemes of Work, assessment models, lesson plans, creating resources
5. Any other option as agreed

## **Staff with light timetables**

The way in which the timetable is produced will almost always mean that some staff will be lighter on their timetable than their agreed load linked to their level of responsibility in the Trust. If a member of staff is light on their timetable these 'free' lessons can be used in the same way as for gained time.

## **Staff who are not House Tutors/6<sup>th</sup> Form tutors**

Cover for the pastoral system is critical in supporting the ethos of the Trust. Consequently, any member of staff who is not a house or 6<sup>th</sup> Form tutor, typically a part-time member of staff or a member of the leadership team may be asked to cover a house or 6<sup>th</sup> Form tutor. A rota system would be used to provide clarity, transparency and fairness.

## **Rarely cover**

The Trust recognises the need to safeguard staff well-being and recognises work load and balances that with the needs of the Trust and the quality of the student experience. It is very difficult to place an exact number as a maximum on how many covers a member of staff might be expected to complete over the course of the Academic year but as a guideline we would suggest no more than 10 over and above gained time or those with a light timetable.

## **STAFF COVER TO SUPPORT STAFF ABSENCE**

Absence of staff causes disruption for pupils and we aim to minimise this disruption by ensuring that class teachers are covered internally wherever possible. Due to our high staff:pupil ratio, we do not have any provision for supply cover. We are unable to cover support staff in the event of absence.

**Date of Review: October 2018**

**Ratified date: 10 October 2018**

**Author: Gillian Jarman**

**Date of Review: October 2021**