

# **Absence Reporting Guidance**

**(incorporating Sickness  
Absence, Annual Leave & TOIL)**

**This policy has been approved by Trustees at the Board meeting on 14/10/2021**

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<b>Policy owner</b>	<b>HR</b>

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## Mission Statement

*“To prepare our young pupils to be the adults that they are to become, by encouraging them to reach their full potential academically through high quality teaching of a curriculum including life skills.*

*Additionally, to introduce all pupils to a wide range of potential careers and mentors from the business world both locally and regionally so that they are fully prepared for the world of work when that time arrives.”*

## Values and Principles

The values of respect, manners, listening, motivation, perseverance, cooperation, excellence, independence, enjoyment and organization are central to everything we do at the Skills for Life Trust. The principles of teamwork, support, consistency and high standards underpin these values.

## Sickness Absence Reporting

All absence from work must be reported to the Headteacher / Trust Manager.

### What constitutes absence?

Absence can be defined broadly as any time when you are not at your place of work during normal working hours, or at other times when you are contractually required to be at work.

This encompasses the following:

- Statutory entitled absence, e.g. maternity leave, jury service, trade union duties and activities;
- Absence authorised by the organisation, e.g. approved annual leave, attendance at training courses, compassionate leave
- Absence due to sickness
- Unauthorised absence:
  - failure to return from leave on time
  - taking annual leave without authorisation
  - leaving work early without authorisation
  - late attendance

Unauthorised absence and absence for false reasons constitute misconduct and could lead to disciplinary action.

### What you should do when you are off sick

Notify the Headteacher / Trust Manager on the first day of absence by 7 am, via the numbers below, to say why you are absent and when you hope to return to work. This will allow adequate cover to be arranged if necessary. It is unacceptable for notification to be given to anyone other than the Headteacher / Trust Manager, should they be unavailable at the time of telephoning, a contact number must be left so that they can contact you personally unless there are exceptional circumstances preventing this. Please refer to the HR staff booklet available on the Shared Drive.

If you need to speak to someone urgently and the Headteacher / Trust Manager is unavailable, you can contact Mr Reese or Mr Evans.

Contact the Headteacher / Trust Manager on a daily basis to provide an update on your absence and to indicate when you expect to return to work, except in circumstances of a known long-term nature, e.g. broken leg.

Meet with the Headteacher / Trust Manager upon your return so you may discuss any problems or

issues. This may include a review of your level of absence. Please note these interviews are intended to be helpful and supportive.

You will receive a partially completed 'Self Certification Absence due to Sickness Form' from HR via email, on your return to work, even if you have only been absent for half a day. Once you have completed the reason for absence, please e-sign where applicable. The form will then automatically be sent to your Headteacher / Trust Manager for approval. Once approved the form will automatically be returned to HR.

Obtain a fit note if your absence continues for 7 days or longer (including weekends and rest days or holidays (for both full time and part time employees) and immediately forward it to HR.

On returning to work after a period of absence please ensure you complete a return to work with your line manager.

If you do not report your absence promptly or do not complete the self-certification form when appropriate or do not submit medical certificates where necessary, you may lose pay or SSP, unless there are exceptional circumstances.

## **Covid-19 Related Absences**

All Covid-19 related absences are reported as per the guidance above, this includes NHS track and trace, all Covid-19 test results (whether positive or negative). If a member of staff has any concerns they are to contact HR in the first instance.

## **Long Term Absences**

If you are absent for a continuous period of 6 weeks or more, you will usually be referred to the Occupational Health Advisor. The purpose of this is so that the Headteacher / Trust Manager can get an independent assessment of your condition and an estimation of when and if you will be fit to return to work. It may be necessary to refer an employee before 6 weeks depending on the nature of the illness.

Should any medical reports from your GP be required for this purpose, the Trust is legally bound to ask your permission before requesting them. If you refuse to allow medical reports to be provided, your manager will have to make an assessment based on their knowledge of your circumstances.

Should the Occupational Health Service advise that you are unable to perform the duties of your job on medical grounds, and you wish to remain working for the Trust, the Trust will make every effort to help you find more suitable alternative employment. However, this does not mean that this will be possible in every case.

If the Occupational Health Service has advised that you are unable to perform the duties of your job on medical grounds, and you no longer wish to continue working, you may then be eligible for early retirement on the grounds of ill health or be subject to action under the Managing Absence & Ill Health Policy.

## Annual Leave

Annual leave is applicable to full time support staff. The leave year is from 1 April to 31 March. Holiday entitlement varies based on contractual status and job role, in accordance with the following table. Additional leave, pro rata to service, is granted after five years continuous service.

Grade	Annual Leave Entitlement	After 5 years continuous service. To be granted pro rata in the leave year in which the 5 <sup>th</sup> anniversary falls. Expressed in whole days, rounded down where necessary. (Inclusive of 2 additional statutory days)
E1 – D2	23	27
C1	24	28
C2	25	29
B1 and above	27	30

All employees are entitled to 8 public holidays per year which is pro-rata for part time and hourly paid employees. The Trust normally closes on public holidays. Public holidays are calculated on a pro-rata basis and paid accordingly as part of the salary.

The standard weekly hours per week for all full-time employees are 37 hours with normal working days of Monday to Friday. If an employee works part-time hours, the employee should take holiday based on the number of hours that would normally be worked on the relevant day.

The Trust offers a holiday entitlement and a flexible approach to working hours. Trust Managers are expected to manage the Annual Leave process for their staff, to ensure employees to take regular breaks from work to maintain wellbeing and spend time with family and friends. Trust Managers will ensure fairness in applying annual leave conditions to all employees.

If the employee works on a term time only contract, the number of weeks the employee is required to work per year and the paid holiday entitlement (including public holidays) is stated within their contract.

In the event that the employee is paid under a casual or an hourly rate arrangement, holiday is accrued for each hour that is worked. Holiday pay is paid automatically at the end of each month as an additional amount on top of the hourly rate. The holiday rate is a pro-rata amount based on full time equivalent holidays at the appropriate rate.

## Annual Leave Request

All holiday requests must be made on the Application for Leave form and approved by the Headteacher / Trust Manager before making any firm holiday commitments. As much notice as possible must be given for all holidays wherever possible; at least 4 weeks' notice must be given for holidays of 2 weeks. It may be possible with agreement of the Headteacher / Trust Manager to reduce notice periods.

All employees must agree their holiday dates in advance with their Headteacher / Trust Manager. Employees must liaise with their Headteacher / Trust Manager and team to ensure appropriate cover of staff is maintained, especially at peak times throughout the year.

## Carry Over of Holidays

All employees should plan to take all their holiday entitlement within the year to ensure that appropriate breaks and time off are built into the academy's schedule.

The Trust does not generally allow staff to carry over leave entitlement, however, if due to exceptional circumstances a member of staff is unable to take their full leave entitlement, they may carry over 3 days with prior arrangement / in agreement with the Headteacher / Trust Manager. Any days carried over must be taken before 31 May in the following leave year. Payment in lieu of unused leave entitlement is not permitted, unless in exceptional circumstances, which must be discussed with the Headteacher / Trust Manager in conjunction with HR. All annual leave arrangements must be shared with HR.

## Starting and leaving during a holiday year

Employees joining or leaving the Trust during the holiday year are entitled to a pro rata holiday allowance based on the actual number of days worked. If the Trust owes the employee holiday time then the employee should attempt to take the holiday days, in exceptional circumstances a member of staff may request to receive payment in lieu of holiday. If the employee owes the Trust holiday then the number of days will be deducted from the final salary payment.

## Sickness and Annual Leave

In the event of a fulltime employee falling sick during a period of annual leave, they will be regarded as being sick from the date of their GP's fit note (any costs to be met by the employee) and further annual leave shall be suspended from that date and for the duration of the fit note. If no fit note is produced annual leave will stand. Every reasonable effort should be made by the employee to report any sickness absence during a period of annual leave as soon as practicable to their Headteacher / Trust Manager.

## Christmas Closure

The Trust closes over the Christmas period, unless for a specific reason which must be agreed by the Headteacher/Trust Manager. Staff will be informed of the arrangements, however, the Trust may require staff to use 3 or 6 days of holiday over this period.

## Maternity / Paternity Leave

Holiday entitlements continue to be accrued during Maternity/Paternity leave for Support Staff, see the policy for more details.

The Headteacher/Trust Manager will agree the specific working times with employees. In some circumstances, employees are required to work on a rota basis to ensure that opening hours are covered such as premises, reception, finance & HR.

## Working Time Directive

The Trust does not use the Working Time Directive opt-out agreement.

## Rest Breaks

Under the Working Time Directive all employees must take adequate unpaid rest breaks including during the day, overnight and weekly.

The rest breaks during the day are detailed below:

- After 6 hours of work, the employee must take an unpaid break of at least half an hour during the working hours. It must be taken in one block and cannot be taken at one end



of the working day, ideally, it is taken somewhere in the middle of the period.

- Employees working full time are entitled to an hour's break if preferred, Work patterns and hours to be discussed with Line managers and set in line with business needs.
- Rest breaks are unpaid.
- There is no statutory right to "smoking breaks".
- There are no official tea or coffee breaks.

## Religious Activity Breaks

Employees have the right to take breaks to take part in religious activities such as praying at specific times of day. The time is unpaid and not part of working hours and the additional time must be worked back and added onto the normal working hours.

## Time Off in Lieu (TOIL)

Time Off in Lieu (TOIL) is a form of compensation to grant the employee time off in return for work carried out that is above normal work duties or to support the Trust for activities such as reception, parents evening and open evenings.

TOIL is available to ensure that an employee who is working extra hours is able to take time off on a regular basis to take breaks from work to help prevent stress and tiredness. TOIL should only be used to recognise substantial periods of time, i.e., hours and not for occasional extra 10 minutes. Employees may be expected to work later on some occasions in support of the Trust.

Additional hours that may lead to a request for TOIL should be agreed in advance with the Headteacher/Trust Manager. TOIL should always be recorded and time off should be granted according to the circumstances e.g. if someone has worked late into the evening, a later start time the next day could be appropriate. This should be agreed in advance with the Headteacher/Trust Manager.

In the event TOIL is unable to be taken or accrued, the Trust may offer an overtime payment arrangement. If an employee terminates their employment, all accrued TOIL must be taken before leaving.

Staff must not accrue more than one day of TOIL in each month, except in exceptional circumstances and with prior consent of their Headteacher/Trust Manager, it will stop accruing at that point. A maximum of 2 working days TOIL may be accrued before the employee must take the time off. TOIL should be taken as soon as possible after being accrued and must be taken before the end of the academic year. Any TOIL requests should be booked via an Absence Request form, which must be authorised by the Headteacher / Trust Manager.

## Special Leave

Special, Compassionate and other leave situations are outlined in the Trusts' Special Leave Policy and Procedure.

