21 Staff absence and Return to work Policy

**Our Aim**

We want our employees to be fit for work and recognise that reasonable adjustments maybe required on medical advice. It is important that employees are fit for work and able to carry out their duties effectively.

There will be occasions when employees are unable to attend work due to dependents sickness or no available childcare. We ask our employees that whenever possible they seek alternative forms of childcare to enable them to attend their work place, however; we understand that this is not always achievable and will work with employees to find the best solution for themselves and the pre-school.

All absences MUST be reported to management no later than 7.00am on the first day, updating management by 3pm each day to enable cover to be arranged.

Unauthorised absence will result in disciplinary action being taken.

**Dependents - reasons for absence**

By law, anyone classed as an [employee](https://www.acas.org.uk/checking-your-employment-rights) has the right to take time off work to help someone who depends on them (a ‘dependant’) in an unexpected event. There is no law which states how long an employee can take off work. The law states it needs to be reasonable. Time off can be considered when an employee needs to:

**Who counts as a dependant?**

* spouse, partner or civil partner
* child (under 18)
* their parent
* a person who lives in their household (not tenants, lodgers or employees)
* a person who relies on them to make care arrangements
* arrange care for a dependant who is ill or injured or given birth
* deal with the [death of a dependant](https://www.acas.org.uk/time-off-for-bereavement)
* deal with an incident involving their child during school hours

**Return to work**

If there’s been a long absence or the employee has an ongoing health condition, a meeting will take place to;

* make sure the employee is ready to return to work
* talk about any work updates that happened while they were off
* look at any recommendations from the employee’s doctor
* see if they need any support
* if the employee has a disability, see if changes are needed in the workplace to remove or reduce any disadvantages ('reasonable adjustments')
* consider a referral to a medical service such as occupational health
* discuss an employee assistance programme (EAP), if it's available
* agree on a plan that suits you both, for example a phased return to work

Making reasonable adjustments

If an employee has a disability, by law their employer must consider making 'reasonable adjustments' if needed to help them return to work, such as reduced hours or lighter duties. We offer flexibility based on medical advice to enable our employees to return to work and prevent any further problems.

Definition of lighter duties: **Light duties** are specially created (temporary) **jobs** for staff members with **work**-related restrictions that prevent them from carrying out all aspects of their **job.**

Lighter duties may be required for a short period of time after a long-term illness, serious injury and pregnancy related conditions**.**

The employer and employee will discuss and agree on a plan, agree when the plan can be implemented and how long the plan will be in place for. Management will regularly review the employee’s health and well-being to ensure theirs and the pre-school’s needs are being met.

**Pay during a phased return to work**

If an employee returns to their normal duties but on reduced hours, they should get their normal rate of pay for those hours they work. For the time they're not able to work, they should get [sick pay](https://www.acas.org.uk/checking-sick-pay) if they're entitled to it as long as there is a 4 day gap between being in the setting and off sick. If this is not possible the staff member will be on reduced pay.

**Fit notes and proof of sickness**

Fit notes used to be called sick notes. A fit note is an official written statement from a doctor giving their medical opinion on a person’s fitness for work.

They might also make recommendations for how the employer could support the employee.

Whether you need a fit note depends on the length of sickness absence.

**Off sick for 7 days or less**

If an employee is absent due to sickness for 7 calendar days or less (including weekends), they do not need a fit note. This is called ‘self-certifying’ their sick leave.

**Off sick for more than 7 days**

If an employee has a period of sickness absence for longer than 7 calendar days (no matter how many days they work each week), they will require a fit note from their doctor.

If the employee knows they’re likely to be off sick for longer than 7 days, they should try and get the fit note to their employer on the 7th day of sickness absence. Doctors cannot provide a fit note before the 7th day of absence. If there’s a delay getting a fit note, for example difficulty booking a doctor’s appointment, the employee should contact their employer and explain.

**If off for more than 28 weeks (SSP)**

There has to be a meeting about intentions of coming back to work and if there is anything we can do to help with this. i.e change of working hours etc. There needs to be a assessment by a professional (medical) as to when return to work would be possible if not where do we go from here.

**What a fit note says**

A fit note will say the employee either:

* is not fit for work
* might be fit for work

Where the doctor says the employee might be fit for work, they can give details of what level of work they consider the person is able to do. They might say the employee is fit for work in general, but not for a specific task.

If an employee is absent due to mental health issues, we aim to aid them with their journey and recovery. We take such matters very seriously and understand that mental illness is very specific to individuals.

We will agree with the absent employee how regular we should be in contact during their absence.

**When an employer can ask to see an employee’s medical records**

As an employer we can ask for a doctor’s report about an employee's health but only with the employee’s consent e.g;

* assess whether the employee is fit to carry out their work
* prevent health and safety risks
* prevent disability discrimination

|  |  |  |
| --- | --- | --- |
| This policy was adopted at a meeting of | St Michael’s Pre-School | name of provider |
| Held on |  | (date) |
| Date to be reviewed |  | (date) |
| Signed on behalf of the management committee |  | |
| Name of signatory |  | |
| Role of signatory | Chair Person | |