



Health and Wellbeing Policy

Version 1.0

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| <p>Important: This document can only be considered valid when viewed on the Trust website. If this document has been printed or saved to another location, you must check that the version number on your copy matches that of the document online.</p> <p>Name and Title of Author:</p> | |
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BRIGHTER FUTURES LEARNING PARTNERSHIP TRUST (BFLPT)
HEALTH AND WELLBEING POLICY

1. INTRODUCTION AND POLICY ISSUES

1.1 Principles

Our employees are the most important resource in providing quality services and, as such, it is vital that their attendance at work is managed effectively.

The Brighter Futures Learning Partnership Trust (BFLPT) has a clear written policy for handling staff sickness absence and for taking decisive action to reduce sickness absence levels which disrupt the provision of services. This includes clear procedures for the monitoring of staff absences, for taking appropriate responding action and for encouraging the promotion of good health and supporting staff who become ill.

1.2 Aims

This policy and procedure aims to:

- Encourage staff to take responsibility for their own health and attendance.
- Ensure that employees remain in work or are supported with a return to work wherever possible.
- Support staff with appropriate advice and well-being initiatives
- Ensure that the Health and Wellbeing policy is managed effectively to help minimise the impact sickness absence may have on staff, students and the day to day running of the school/UTC.

Effective monitoring and management of attendance will help to:

- Make a positive contribution to the health and well-being of the workforce;
- Reduce costs;
- Enhance service provision;
- Identify factors in the workplace which may be affecting employee attendance.

Absence may occur for the following reasons:

- (a) Physical or mental incapacity
- (b) Disability
- (c) Long term ill health
- (d) Short term sickness

At the appropriate point in this procedure an employee may be asked to attend a Welfare meeting so that information can be gained to help manage issues of health and attendance. Any referral to Occupational Health must be done by the HR/Business Manager in agreement with the individual, and approval from the Headteacher/Principal.

An employee has the right to be accompanied by his/her Trade Union or a colleague **at every formal stage of the procedure**. Employees must be informed of this right throughout the procedure.

1.3 Scope

The policy applies to **all** employees in the Trust. It is intended to provide a fair and consistent framework of good practice which will help managers to deal with the issues related to absences from work, and encourage attendance, by looking for solutions to underlying problems. However, it is important to take account of the circumstances surrounding each individual case in deciding appropriate action and if the Headteacher/Principal is in doubt, they should consult Central Trust HR for advice.

Health or any other physical or mental issues which are leading to problems with attendance, should be dealt with under this policy.

This procedure does not deal with health or any other physical or mental issues which are leading to performance problems.

This policy will not apply to matters relating to conduct. The Disciplinary Procedure will be used in such circumstances.

2. MONITORING

2.1 In the first instance, the appropriate manager will:

- Ensure every employee knows what is expected of them in relation to sickness notification;
- Inform new starters, during their induction, of the importance of maintaining regular attendance;
- Monitor attendance on an on-going day-to-day basis.

Subsequently, as part of normal duties, managers will:

- Take action in line with this policy when an employee is absent from work;
- Undertake return to work discussions every time an employee returns from sickness absence;
- Conduct or participate (as appropriate) in the various stages of the Short-term Absence Review Process outlined in Section 3; which is first “triggered” when an employee has been absent for a total of 8 working days (where an employee works less than a 5-day working week then the 8 day trigger point should be pro rata-ed) or

3 separate periods in any 'rolling' 12 month period, or has a pattern of absence which is causing concern;

- Conduct or participate (as appropriate) in the various stages of the long-term absence review process, outlined in Section 4 of this procedure.

2.2 Reporting sickness absence

A clear reporting process is key to helping the school/UTC make the necessary arrangements to cover staff sickness absence. This could be short-term supply cover or longer term arrangements if an employee is absent for a longer period.

The school/UTC has a reporting procedure which must be followed by all staff in the event that they are absent due to sickness.

- On the first day of sickness absence the employee must telephone **add details** by no later than 8.00am or as soon as reasonably practicable given your hours of work.
- The employee has a duty to maintain contact with the school for the duration of their absence and will follow the procedures set out for their school.
- A self-certification note is required for all absences up to 5 working days. (This will be completed along with a return to work form during a return to work meeting with the employee and their line manager or HR/Business manager).
- If the absence persists for longer than 5 working days, the employee must submit a doctor's fit note to the school and if necessary, subsequent fit notes must continue be provided throughout the full absence period (including over school holiday periods).
- If the employee becomes fit for work on a day that is not part of their normal working week e.g. weekend or an off work day, they must notify the designated person as above, of the exact day that they became fit for work, otherwise it will be recorded as the next working day they return to work. The accuracy of these records is important to ensure that pay is correct and that trigger points are recorded correctly.

2.3 Failure to notify

Failure to notify, or delay in notifying sickness absence may result in a colleague attempting to make contact in a supportive capacity to ensure all is well from a welfare aspect.

If an employee fails to provide appropriate sickness certification, a discussion should take place with the employee to determine why they have not complied with the procedure. If the explanation is satisfactory then no action will need be taken however, if the explanation is not satisfactory then disciplinary action may be taken which may result in a variety of sanctions one of which may be the stopping of pay. **To ensure fairness and consistency of the outcomes, the Headteacher/Principal will work in consultation with Central Trust.**

On return to work from absence of 5 working days or less

The employee should meet with their line manager or HR/Business Manager to complete a Self-Certification and Return to Work form (see appendix 1 and 2).

2.4 Absence due to Industrial Injury

When an employee is absent from work due to an industrial injury, this will still form part of the absence review trigger points and will be included as part of the normal monitoring process to ensure that any necessary support is identified and provided.

Where absence is due to an industrial injury, and appropriate documentation has been completed, sickness pay will not be reduced to half pay and will remain at full pay for the length of sickness pay entitlement.

2.5 Absence related to a Disability

When an employee is absent from work and the absence is related to a disability the school/UTC needs to consider whether any reasonable adjustments are necessary to assist a return to work, limit future absence and support the employee in achieving an appropriate level of attendance.

Consideration of reasonable adjustments for employees with disabilities is a legal requirement of the Equality Act 2010. However, as an employer we will also extend the consideration to other employees who may not meet the definition of disabled but are either permanently or temporarily unable to undertake their job for health reasons.

If reasonable adjustments are being considered, guidance and support should be sought from Occupational Health and other external, qualified professionals. This will be taken into consideration to determine reasonable adjustments Where advice is provided by Occupational Health then, except in exceptional circumstances, this should be followed. Examples of reasonable adjustments could be:

- extending trigger points;
- providing specialist equipment;
- modifying days or hours of work;
- modifying duties;
- providing additional classroom assistance

Some of these may be temporary or permanent, depending on the needs of the school/UTC.

2.6 Keeping in touch during absence

Keeping in touch is designed to support the employee as well as get updates on prognosis and the likelihood of a return to work. The level of contact will be dependent on the anticipated duration of the absence. For long term absence, contact

arrangements with the employee in terms of timing, frequency and method will be discussed during welfare meetings to ensure this is appropriate for both parties concerned. Employees are strongly advised to engage with the school/UTC throughout this process to ensure that relevant, reasonable support can be offered in order to support the employee with a return to work as soon as practicably possible.

2.7 Return to Work Discussions

Where at all possible, within 24 hours of the employees return to work, the employee's line manager or HR/business Manager will arrange to see the employee for a return to work discussion. This will be an informal, supportive discussion to provide an opportunity for the line manager or HR/Business Manager to:

- Welcome the employee back to work.
- Enquire after the employee's health.
- Give the employee an opportunity to draw their line manager's, HR/Business manager's attention to any particular problems of either a work or domestic nature, which may affect their attendance. (The Headteacher/Principal **must** be made aware of any concerns to allow for further guidance to be given).
- Offer appropriate help and support e.g. access to counselling, temporary workload adjustments etc.
- Update the employee on any developments of work during their absence.
- Ensure a self-certification and return to work form are completed.
- Remind employees of the policy and procedures.

A brief record should be kept of this meeting (see Appendix 2), which should be agreed and signed as a true record by the employee and the line manager, or HR/Business manager conducting the discussion. If not agreed a record will be kept of both parties' views. Individual records and information about sickness absence will be managed appropriately and treated as confidential personal data in accordance with the General Data Protection Regulations (GDPR).

The HR/Business Manager will record and monitor all sickness absence and if, as a result of either the length or frequency of the employee's sickness absence they hit a trigger point, the HR/Business manager, will liaise with the Headteacher/Principal and commence with the appropriate absence review as outlined below:

Short term Absence Review Trigger Point is defined where an employee's record shows:

- 8 working days of absence, in any 'rolling' twelve month period (where an employee works less than a 5-day working week then the trigger point should be pro rata);
- 3 periods of absence in any 'rolling' twelve month period;
- a pattern of absence which is causing concern, for example, regular Friday or Monday absences or absences regularly occurring on a particular day of the week.

Long term Absence Review Trigger Point

- any period of continuous absence of 4 weeks or more.

2.8 Welfare Meetings (Informal meetings to be held prior to beginning a formal process, or during formal proceedings to provide additional support to the employee).

As a Trust we model positive wellbeing behaviours to send a clear message to staff that their wellbeing matters.

The whole purpose of a welfare meeting is to have a discussion with the employee and offer support before the issue escalates. A successful welfare meeting can unlock concerns and enable both parties to map out a way forward, and where possible, prevent any impact on the employee's ability to effectively undertake their role.

A welfare meeting will be held with an employee and the HR/Business Manager for the following reasons:

- If a member of staff divulges any concerns.
 - if a member of staff raises concerns about a colleague's welfare or feels they may be struggling
 - if one more absence is likely to trigger formal proceedings within the Health and Wellbeing policy
 - if an employee is on long-term absence, wellbeing meetings will be held throughout the Health and Wellbeing process to review Occupational Health reports and assess the employee's current health status, alongside formal meetings.

3. SHORT TERM ABSENCE REVIEW PROCEDURE

When an employee has exceeded the short-term absence trigger points, and if no action had been previously taken, the following process will be adopted.

Note: In operating this process, care must always be taken to comply with the Equality Act 2010.

Also note that the Headteacher/Principal and HR/Business Managers may exercise appropriate discretion in relation to progression through the stages of the process. Where managers exercise this discretion then approval of this will need to be given by Central Trust.

3.1 Summary of Short Term Absence Review Procedure

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| Informal Welfare Meeting If there are any concerns towards an employee's welfare, or they are | <ul style="list-style-type: none">• Letter sent to employee requesting attendance (no representation required but permitted if employee wishes)• discuss any concerns and establish if any support is |
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| <p>approaching a stage 1 first formal review trigger point, a welfare meeting will be scheduled with the HR/Business Manager. Reasonable support will be offered to help the employee maintain regular attendance.</p> | <p>necessary</p> <ul style="list-style-type: none"> • explain that a further absence may trigger formal procedures within the Health and Wellbeing Policy • if necessary, keep regular welfare contact with the employee to ensure that any reasonable support provided is being effective. |
| <p>Stage 1*: First Formal Absence Review Meeting If no action previously taken and first time employee has reached trigger point</p> | <ul style="list-style-type: none"> • employee should be strongly advised to contact and be represented by their trade union • discuss absences with employee and identify underlying reasons • see if any assistance can be offered • advise employee of the next stages of the process • note kept on personal file • the employee will be given a hard copy of the policy |
| <p>Stage 2*: Second Formal Absence Review Meeting If attendance level is still unacceptable and has not improved significantly i.e. 4 days or more in the subsequent 6 months</p> | <ul style="list-style-type: none"> • letter sent to employee with sick record requesting attendance at formal interview, with Headteacher/Principal, Senior Leader and/or HR/Business Manager • advice should be sought from Central Trust HR • employee should be strongly advised to contact and be represented by their trade union • discuss absences with employee and identify any underlying reasons • see if any assistance can be offered • options available <ul style="list-style-type: none"> - continued monitoring - consideration given to adjusting trigger points if reasonable adjustments are required - referral to Occupational Health - workplace assessments and adaptations - written warning/appeal explained at meeting |
| <p>Stage 3*: Third Formal Absence Review Meeting If attendance level is still unacceptable i.e. 4 days or more in the subsequent 6 months</p> | <ul style="list-style-type: none"> • letter sent to employee with sick record, requesting attendance at formal meeting with either Headteacher/Principal, Senior Leader and/or HR/Business Manager, with representation if so wished • advice sought from Central Trust HR and external HR provider • employee should be strongly advised to contact and be represented by their trade union • discussion similar to previous meeting • options available |

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| | <ul style="list-style-type: none"> - continued monitoring - consideration given to adjusting trigger points if reasonable adjustments are required - referral to Occupational Health - workplace assessments and adaptations - First/final written warning; containing advice that employee may be dismissed if attendance fails to improve |
| <p>Stage 4: Attendance Hearing If attendance level is still unacceptable i.e. 4 days or more in subsequent 6 months</p> | <ul style="list-style-type: none"> • Letter sent to employee with sick record, requesting attendance at formal hearing, with Hearing Manager. Employee should be strongly advised to contact and be represented by their trade union • HR Adviser will normally be in attendance • designated manager reviews attendance record and puts forward case for dismissal on grounds of failure to maintain acceptable level of attendance • employee given opportunity to respond and/or offer mitigation • CEO, or delegated representative considers alternatives to dismissal • if decision to dismiss, employee dismissed with notice, and action confirmed in writing including right of appeal |

*Stages 1, 2 and 3 may be repeated as appropriate.

At the appropriate point in this procedure an employee may be asked to attend an Occupational Health appointment so that information can be gained to help manage issues of health and attendance. Any referral to Occupational Health must be done by the HR/Business Manager in agreement with the individual. The employee will have the right to give their written permission for OH to request a medical report from the employee's doctor.

An employee has the right to be accompanied by his/her Trade Union or a colleague **at every formal stage of the procedure**. However, if the employee chooses a colleague to support them, they will only be in attendance to support, not represent the employee or be permitted to comment throughout the process. Employees must be informed of this right throughout the procedure.

3.2 Monitoring Periods

Following either an informal or formal attendance meeting, the individual will be advised that their absence will be monitored over the following 6 months. They will also be advised that should their absence levels reach the level equivalent to half the annual

trigger point i.e. 4 days or 1 occasion, then they may be required to attend an attendance review meeting at the next stage of the procedure, or this could be an informal review.

If the employee’s attendance during the 6-month monitoring period improves significantly and they do not reach the 4-day or 1 occasion trigger point, their absence level will be considered to have reached a satisfactory level. However, their absence will continue to be monitored over the following 12 month period and if they reach a trigger point during that 12 month period they will automatically re-enter the procedure at the same stage. If it can be objectively justified, for example to demonstrate a continuing and sustained improvement in attendance, managers may consider extending monitoring periods.

4. LONG TERM ABSENCE REVIEW PROCESS

The long term sickness absence trigger point is any period of continuous absence of 4 weeks or more, depending on the nature of the absence.

4.1 Summary of Long Term Absence Review Process

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| <p>Informal Welfare Meeting A welfare meeting will be held with the employee prior to a Stage 1, First Formal Absence Review Meeting. If the absence does become ‘long term’, welfare meetings will continue to be held 4 weeks after each formal trigger point meeting, to ensure regular contact with the employee and enable the school/UTC to continue with welfare support</p> | <ul style="list-style-type: none"> • After an employee has been absent for 2 weeks- Letter sent to employee requesting attendance at an informal welfare meeting (no representation required but permitted if employee wishes). This may be done over video Teams if the employee is not well enough to attend • A member of the Senior Leadership Team will conduct the meeting. The HR/Business Manager will be in attendance to take notes. If an employee does not wish to involve their union, they can be supported by a friend or colleague. • Establish if a return to work is likely before the employee reaches the long term, formal stage 1 trigger point (4 weeks) • discuss any concerns and establish if any support is necessary • inform the employee that if a return to work is not possible by the end of week 4, a letter will be sent out to the employee, inviting them to a Stage 1, First Formal Absence Review Meeting |
| <p>Stage 1: First Formal Absence Review Meeting If employee has been absent for a period of 4 weeks</p> | <ul style="list-style-type: none"> • HR/Business Manager contacts the employee and holds discussion either face to face or via telephone • employee should be strongly advised to contact and be represented by their trade union • discuss state of health of employee • line manager or designated person explains that a continuous fit note is needed if long term absence |

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| | <p>continues</p> <ul style="list-style-type: none"> • action agreed (may include): <ul style="list-style-type: none"> - supported return to work plan - Occupational Health referral - risk assessment (if appropriate) - workplace adaptations/reasonable adjustments - redeployment (temp or perm) <ul style="list-style-type: none"> - continued monitoring and timescales and date of next meeting - arrangements for maintained welfare contact with colleagues • record made of meeting, including agreed action, sent to employee |
| <p>Stage 2: Second Formal Absence Review Meeting Where all agreed actions have been met and the individual does not return to work</p> | <ul style="list-style-type: none"> • letter requesting formal meeting with employee to discuss relevant information received to date with HR/Business Manager • advice sought from Central Trust HR • employee should be strongly advised to contact and be represented by their trade union • discuss state of health of employee, Occupational Health reports and any other medical advice available • see if any assistance can be offered • action agreed (may include) <ul style="list-style-type: none"> - supported return to work plan - Occupational Health referral - risk assessment (if appropriate) - workplace adaptations/reasonable adjustments - redeployment (temp or perm) <ul style="list-style-type: none"> - continued monitoring and timescales, and date of next meeting - ill health retirement • record made of meeting, including agreed action, sent to employee |
| <p>Stage 3: Third Formal Absence Review Meeting If individual does not return to work as a result of agreed actions</p> | <ul style="list-style-type: none"> • letter requesting further formal meeting with employee to discuss progress • advice sought from Central Trust • employee should be strongly advised to contact and be represented by their trade union • discussion similar to previous meeting • explore all options, including re-deployment • If the employee is likely to return to work: agree action to enable this to happen • If the employee is unlikely to return to work or be able to undertake their duties in the foreseeable future: employee informed in writing that if alternatives such as redeployment are not successful, they may be |

| | |
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| | <p>dismissed for incapacity</p> <ul style="list-style-type: none"> • record made of meeting, including agreed action, sent to employee • If at this stage there is mutual agreement that termination is the most appropriate solution, termination may be arranged without the need for an attendance hearing |
| <p>Stage 4: Attendance Hearing If employee does not return to work as result of the agreed actions</p> | <ul style="list-style-type: none"> • Letter sent to employee requesting attendance at formal meeting. Employee should be strongly advised to contact and be represented by their trade union, to consider options outlined previously, which may include dismissal on the grounds of incapacity • HR adviser will be in attendance or suitably qualified personnel • HR/Business Manager reviews attendance record and outlines actions taken so far • Employee given opportunity to respond and/or offer mitigation • CEO and Headteacher/Principal Panel considers alternatives to dismissal • If decision is not to dismiss, agree future actions • If decision to dismiss, employee dismissed with notice, and action confirmed in writing including right of appeal |

If at any stage during the short or long-term absence review process, the employee's medical adviser states that they are not well enough to attend a meeting then it may be appropriate to postpone this meeting. However, alternative attempts should be made to gather information in order to help the HR/Business Manager manage the absence appropriately. This may include meeting with, or speaking to, the individuals representative; contacting the employee in writing to ask for a written update; or seeking information via Occupational Health.

Where employees do not attend, the Trust will review whether the meeting will go ahead or not based on individual circumstances.

The employee will be advised that it is in their best interest to engage with the managing attendance process to allow for the best offer of reasonable adjustments and support to be provided, in the hope of the school/UTC being able to support a return to work for the employee as soon as is feasibly possible.

5. REFERRAL TO OCCUPATIONAL HEALTH

Making a referral to Occupational Health at the appropriate time is essential to ensure timely provision of medical information to support effective management of employee absence/attendance at work. Employees who are being referred to Occupational Health must be informed by the Headteacher/Principal or HR/Business

Manager prior to a referral form being submitted. The outcome of the report will be discussed at the next Health and Wellbeing meeting.

Reason for referral

- They hit a trigger point under the short or long term absence review process
- **They have a pattern of absence which is causing concern, for example, regular Friday or Monday absences**
- **They appear to have an ongoing medical condition which is causing regular absence but not necessarily causing trigger points to be hit**
- **It is known that an employee is going to require time off work for health related issues, e.g. elective surgery**
- **Your job requires some health surveillance to take place, e.g. for hand/arm vibration syndrome**
- **Employees with illness related to mental health (e.g. stress, anxiety, depression) may be referred as soon as this is established as reason for absence.**

6. PHASED RETURN TO WORK

During the review process for long-term absence, it may be recommended that a phased return to work would be beneficial. The Headteacher/Principal will decide whether this phased return should be with normal pay or pro-rata pay. A phased return to work may include modification to days or hours of work **or** adjustment to duties.

7. RIGHT OF APPEAL

Employees have the right of appeal against any formal written warning and against the decision to dismiss. All possible alternatives to dismissal will be thoroughly explored with the employee and their trade union.

Appeals should be put in writing within 15 working days of receiving notification of the decision. Appeals should be sent to the CEO and will be heard by Trustees, Members and Governors as per the Scheme of Delegation, who have had no previous involvement with the case.

The appeal letter should contain the following:

- action being appealed against;
- reason for the appeal;
- the name and address of their representative (where applicable).

If the appeal letter does not contain the above, the Trust HR Manager will write to the employee requesting the information.

Where applicable, the appeal will represent the first meeting under the statutory grievance procedure to consider any grievance submitted by the employee (or former

employee) associated with the action taken about which they have a statutory entitlement to raise a grievance.

Following the appeal hearing the employee should be informed of the decision, in writing, and that this is the final stage of the procedure.

Policy Agreed: March 2022

Signed CEO of BFLPT – Helen-Redford-Hernandez:



Date: March 2022

Signed – Chair of BFLPT – Marcus Isman-Egal:



Date: March 2022

Policy to be reviewed : March 2024

Created: March 2022 (Version 1)

Revised:



Return to Work Form

(Appendix 2)

Employee details

| | |
|-----------|--|
| Full name | |
| Role | |

Absence details

| | |
|--|--|
| First day of absence | |
| Last day of absence | |
| Total days of absence | |
| Was the correct procedure followed by the employee to report the absence? | Yes / No |
| Doctor's certificate attached? | Yes / No |
| Instances of absence in the past rolling 12 month period To be filled in by HR/Business Manager prior to meeting | Number of instances: Details of absences: 1) DATE to DATE (no. of days: ...) Reason: 2) DATE to DATE (no. of days: ...) Reason: 3) DATE to DATE (no. of days: ...) Reason: |

Meeting details

| | |
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| Date of meeting | |
| How are you feeling? | |
| Do you feel well enough to return to work and carry out your normal hours and duties? | |
| What was the reason for your absence? Was it related to an ongoing or underlying health condition? Was it related to any factors in the work environment? | Yes / No <i>Details:</i> |

| | |
|--|------------------------------------|
| Date of meeting | |
| Was any medical treatment required? (If yes: will you require follow-up treatment? If so, how often and when are the next appointments?) | <i>Yes / No</i> <i>Details:</i> |
| Are you on any medication following your absence which may affect your role? | <i>Yes / No</i> <i>Details:</i> |
| If the absence was work-related, can we make any adjustments to the work environment to prevent it happening again? | <i>Yes / No</i> <i>Details:</i> |
| Is a follow-up meeting required for further action? If so, when? | <i>Yes / No</i> <i>Details:</i> |

Employee's name: _____ Employee's signature: _____

Line manager's: _____ Line manager's name: _____

To be returned to the HR/Business Manager