



Sickness Absence Procedure

November 2025

Approved by the Trust Board: 19th December 2025

To be reviewed: December 2027

1. Introduction

The Sickness Absence Procedure applies to all staff within Derby Diocesan Academy Trust (DDAT). The procedure is not contractual and may be varied by the Trust through consultation with recognised Trade Unions. It has been implemented following consultation with all recognised Trade Unions.

The main purpose of the Sickness Absence Procedure is to provide staff with an understanding of expectations and to allow the schools and Trust leaders a fair and consistent means of managing sickness-related absence from work.

Sickness absence, whilst often unavoidable, creates disruption for colleagues and pupils. DDAT is fully committed to the health and welfare of all employees, and it is not the intention of this procedure to deter those who are genuinely sick from taking appropriate sick leave. It is an opportunity to facilitate a return to work as soon as appropriate and to support employees in maintaining attendance at work.

Sickness absence cases will be reviewed, monitored and recorded sensitively and confidentially within this procedure.

The employee must make every effort to attend meetings within this procedure and any failure to attend, without good reason, may be treated as misconduct under the DDAT Disciplinary Procedure. If the employee fails to attend without good reason, or if they are persistently unable to do so (for example for health reasons), the School/Trust may hold meetings in their absence and make a decision based on the available evidence.

2. Local Trust Committee (LTC) members duties

This procedure should be adopted by the LTC. The Trust retains the right to appoint a member of the Trust to sit on any panel in relation to any hearing outlined in this process.

3. The right to be accompanied

The employee has a right to bring a companion to any meeting within the formal stages of this procedure, hearing or appeal hearing. The companion may be a Trade Union representative or a work colleague. The employee must tell their Line Manager/Executive Headteacher/Headteacher/Head of School who their chosen companion is, in good time before the meetings/hearing.

A companion is allowed reasonable time off from duties without loss of pay, however there is no obligation to act as a companion.

If the employee's chosen companion is unable to attend the scheduled meeting, the employee is entitled to propose a reasonable alternative date and time for the meeting, normally no later than 5 working days after the date and time of the original scheduled meeting. If the employee's companion is not available for more than five working days, the School/Trust may require them to choose someone else.

An employee, companion or any other person attending a meeting under this policy must not make electronic recordings of any meetings or hearings without prior written authorisation from the school/Trust.

4. Disabilities

Sickness absence may result from a disability or develop into a disability.

If an employee declares they have a disability, ensure this is reflected in SAMpeople.

The Equality Act 2010 provides a single consolidated source of discrimination law and covers the disability provision.

An individual is disabled under the Equality Act 2010 if they have a physical or mental impairment that has a 'substantial' and 'long term' negative effect on their ability to carry out normal daily activities.

Line Managers/Executive Headteachers/Headteachers/Heads of School and LTC members/Trustees have an obligation under the Equality Act 2010. The Act places a duty on the Trust and the LTC not to discriminate against current employees on the grounds of disability. Line Managers/Executive Headteacher/Headteachers should give consideration at each stage of the Sickness Absence Procedure as to whether there are reasonable adjustments that could be made to the requirements of the job, or practices to ensure as far as reasonably possible, that a disabled person can be supported at work or to assist them to return to work.

If an employee considers themselves to be impacted by a disability or any medical condition which affects their ability to undertake their work, they should inform their Line Manager/Executive Headteacher/Headteacher/Head of School to ensure that the right support is put in place to assist them in maintaining their attendance at work.

5. Sickness absence reporting procedure

If an employee cannot attend work because they are ill or injured, they should make every reasonable effort to telephone their Line Manager/Executive Headteacher/Headteacher/Head of School in accordance with the school's/central team's locally agreed Sickness Absence Reporting Procedure available at the school/Trust.

Employees have a responsibility to report their absence as set out below.

Day 1

The employee should ensure that their line manager is notified of their absence.

Day 4

If the absence continues after the third day, the employee will ensure further notification is provided as to the nature and the probable duration of their absence. At this point, the employee should be informed of the need to provide a fit note if the absence continues beyond seven calendar days (see clause 6 below).

Day 8

If the employee is still absent on, or after, day 8, they will be required to submit a fit note to their line manager, if one has not already been submitted.

The employee must keep the school/central team informed of ongoing absence as agreed with their Line Manager/Executive Headteacher/Headteacher/Head of School, and regular contact will be agreed at mutually convenient times.

If an employee is fit to return to work at any point, they will need to inform their line manager.

Failure to follow such reporting procedure may result in misconduct under the DDAT Disciplinary Procedure and may result in the withdrawal of any sick pay entitlement.

Executive Headteachers/Headteachers should follow the Executive Heads and Headteachers Notification of Sickness Absence Procedure.

6. Evidence of incapacity

For sickness absence of up to seven consecutive calendar days, an employee must complete a self-certification form available electronically on SAMpeople which is completed as part of the return-to-work meeting.

If an employee returns to work for part of a shift and this is unsuccessful within the first seven days, then this absence will be classed as continuous and they may self-certify for the remaining days up to a maximum of seven days. See clause 7 for more information on partial day absences.

For sickness absence of more than seven calendar days, employees must obtain a Statement of Fitness for Work note (fit note) from a registered healthcare professional stating that they are not fit for work and the reason(s) why. This should be forwarded to their Line Manager/Executive Headteacher/Headteacher/Head of School immediately. If an employee's absence continues, further fit notes must be provided to cover the whole period of absence. A statement of Fitness for Work note must also be obtained for continued absence of more than seven calendar days over the school holiday closure periods, and failure to do so may result in the withdrawal of any sick pay entitlement.

If a fit note states that an employee "may be fit for work", the employee should inform their Line Manager/Executive Headteacher/Headteacher/Head of School immediately, so that consideration can be given to any additional measures that may be needed to facilitate their return to work. It may be necessary to arrange a phased return meeting or a return-to-work interview where appropriate.

If an employee is suffering from an infectious or contagious disease or illness, they must not report for work without clearance from a registered healthcare professional. Employees should report any contact with persons suffering from an infectious or contagious disease to their Line Manager/Executive Headteacher/Headteacher/Head of School immediately upon becoming aware of such contact.

7. Partial day absences

If less than $\frac{1}{4}$ of the employee's normal hours for that working day have been worked, this must be recorded as a full day of absence. If more than $\frac{1}{4}$ of the employee's normal hours for that working day have been worked, this must be recorded as a partial day absence and the actual hours lost will be recorded on SAMpeople to reflect the absence hours lost accordingly.

Employees are responsible for determining their own fitness to attend work. It is not the role of the Line Manager/Executive Headteacher/Headteacher/Head of School to make such decisions.

8. Unauthorised absence

Absence that has not been notified according to the Sickness Absence Reporting Procedure will be treated as unauthorised absence. Cases of unauthorised absence will be dealt with under the DDAT Disciplinary Procedure.

9. Medical examinations

The school/Trust may, at any time in operating this procedure, require an employee to attend a medical examination by a Doctor or Occupational Health Physician nominated by us at our expense. You will be asked to agree that any report produced in connection with such examination will be disclosed to us and we may discuss the contents of the report with our advisers and the relevant Occupational Health Professionals.

Failure to attend a Doctor or Occupational Health appointment arranged by the Trust on an employee's behalf, may result in no further appointments being offered.

Where an employee refuses to attend a medical examination, they will be advised that a decision about their future employment may have to be made based upon the information the School/Trust already holds.

Advice and support will be provided by the Trust's Central HR team following receipt of a doctor's or Occupational Health Physician's report.

10. Keeping in touch

If an employee is absent on sick leave, they must inform their Line Manager/Executive Headteacher/Headteacher/Head of School as set out in section 5 above and, where appropriate, signpost them to any work which may need to be covered by a colleague in their absence.

Employees should expect to be contacted from time to time during their normal working hours by their Line Manager/Executive Headteacher/Headteacher/Head of School during their absence to discuss their wellbeing and expected length of continued absence from work. Such contact is intended to provide reassurance.

It is expected that employees will be available during their normal working hours to attend meetings in line with this procedure. If, for any reason, an employee is unavailable for a prolonged period and therefore unable to attend meetings, they should inform their Line Manager/Executive Headteacher/Headteacher/Head of School, giving the reasons why.

It is good practice to agree early within the process the most appropriate method for keeping in touch and the frequency. Employees may wish to appoint a nominated representative or friend/family member to communicate on their behalf if they are unable to do so due to their illness. Employees may also submit written evidence, should they not be well enough to verbalise the information.

11. Ill Health Retirement

Ill Health Retirement can be considered at any stage of the procedure as appropriate for an employee who is contributing to the Local Authority Pension or Teachers Pension scheme. Employees can find out more information via the respective websites and it is recommended that they seek independent advice as appropriate.

In cases of terminal illness with a short life expectancy where the employee has identified and confirmed their wish to apply for ill health retirement, the procedure may automatically move to the appropriate step of the procedure.

12. Medical suspension

The Trust, Executive Headteachers, Headteachers and LTC members, following HR advice from the Central Team, have the power to medically suspend a teacher at any stage within this procedure, who is in work and where they have concerns that the teacher may have become medically incapable of safely performing teaching duties and/or their condition poses a risk to the health, safety and wellbeing of pupils or colleagues (DfEE (Department for Education and Employment) circular 4/99 – Physical and Mental Medical Fitness of Teachers to Teach). Medical suspension should only be carried out after seeking advice from an appropriately qualified medical professional and the Central HR Team. Medical suspension will be on full pay and, during the period of suspension, sickness entitlement will not be used.

Under regulation 7 of the Education (Health Standards) Regulations 2003, the school must give the teacher concerned the opportunity to submit medical and other evidence and to make representations. Consideration must be given to whether reasonable adjustments may enable the teacher to continue to perform effectively.

Further, the Trust retains the discretion to require any member of non-teaching staff to remain absent from work if that individual is not medically capable of carrying out their role. Medical suspension should only be carried out after seeking advice from an appropriately qualified medical professional and the Central HR Team. Medical suspension will be on full pay and, during the period of suspension, sickness entitlement will not be used.

13. Return-to-Work Interview

Following each period of absence due to sickness or injury, an employee's Line Manager/Executive Headteacher/Headteacher/Head of School will conduct a return-to-work interview on their first day back at work or, where this is not possible, at the earliest convenience. The return-to-work form will be submitted and recorded via SAMpeople. An Executive Headteachers/Headteachers return-to-work will be conducted by a nominated Senior School Improvement Officer. The meeting will explore the reason(s) for absence, any medical advice, any reasonable adjustments or additional measures that may be needed to facilitate a return to work and support future attendance at work, and any other related matters.

14. Sick Pay Entitlement

If an employee is absent from work, the Trust shall pay:

- Statutory Sick Pay (SSP); and
- Occupational Sick Pay (OSP) as detailed and set out in the employee's contract of employment.

Statutory Sick Pay (SSP) is payable from the first day of absence and will be at the current rate (currently £118.75 per week) or 80% of your weekly wages whichever is lower. This is paid up to a maximum of 28 weeks.

15. Short-Term Intermittent Sickness Absence Procedure

Note that employees can move from the short-term intermittent sickness absence procedure to the long-term sickness absence procedure and vice versa.

The aim of this procedure is to provide employees with a clear understanding of what is deemed unacceptable absence levels to the Trust. The focus will be to promote the highest possible levels of attendance and is intended to help both the individual and Trust/school/Line Manager establish what support is needed to maintain attendance at work.

Following any sickness absence, the Line Manager/Executive Headteacher/Headteacher/Head of School should consider whether an individual has triggered the Sickness Absence Procedure as identified on SAMpeople, and this should be communicated to the employee at the return-to-work interview.

Formula for Determining Absence Level Points Score

N = Number of days absent

T = The number of separate incidences of absence (times)

The trigger for initiating Absence Control Procedure is 35 points.

A score is reached by $N \times T =$ in a 12-month rolling period from the start of the current period of absence

Examples of calculating absences for trigger purposes	Outcome
1. Absences of 4 days, 2 days, 1 day Number of days = 7 number of incidences 3 $7 \times 3 = 21$	No absence monitoring interview has been triggered.
2. Absences of 4 days, 4 days, 4 days, 4 days Number of days = 16 number of incidences 4 $16 \times 4 = 64$	Absence monitoring interview triggered
1. Absences of 1 day, 1 day, 1 day, 1 day, 1 day, 1 day Number of days = 6 number of incidences 6 $6 \times 6 = 36$	Absence monitoring interview triggered

Absences related to maternity-related illnesses or absences granted through the Leave of Absence Policy will not count towards any trigger calculation.

Those employees identified as having triggered, will be invited to an informal Step 1 meeting by the appropriate Line Manager.

Step 1 meeting:

Purpose:

- Confirm accuracy of individual's absence record.
- Discuss the individual's absence record.
- Clarify the reason for each period of absence.
- Ascertain whether or not the absences are related.
- Ascertain if the absences are work related.
- Consider any disability.
- Consider a referral to Occupational Health.
- Signpost to Schools Advisory Service, Westfield Health (for Derby Cathedral School), Education Support, and/or Mental Health First Aider if appropriate.
- Where available, provide counselling support service details.
- Consider means of prevention and support.
- Consider any reasonable adjustments that could be made to aid an improved attendance record in the future.
- Confirm agreed actions, monitoring period and next steps.

Next steps may include:

- Inform the employee that their absence will be monitored for a defined period. The standard monitoring period should be set at two months, however an extended monitoring period can be set at the School's/Trust's discretion following discussion with the Trust's Central HR team on a case-by-case basis.
- If appropriate, request the production of a fit note from the first day of each period of sickness absence during the two-month monitoring period (costs incurred will be reimbursed in full by the school/Trust).
- If appropriate, complete a referral to Occupational Health.
- If appropriate, signpost to counselling support services or a Mental Health First Aider.
- Arrange any support/reasonable adjustments and arrange to monitor and review the impact of such actions during the monitoring period.

Two-month monitoring period:

Further sickness absence of two days within the two-month monitoring period would result in the next stage of the process being triggered. A further return to work interview will be held, at which stage the employee should be informed they have triggered an informal Step 2 meeting.

Should there be no episodes of sickness within the two-month monitoring period, a review interview should be arranged at the end of the two-month period to inform the employee that they have reached a satisfactory level of attendance, and to review whether the support/reasonable adjustments are still appropriate or require adjusting and if there is any additional support required.

Further, consideration may be given to a further review period to ensure that the attendance levels can be sustained and/or to allow for further support.

Step 2 meeting:

This meeting will follow the same purpose as the above informal Step 1 meeting with the additional considerations as follows:

- Consider options of a temporary or permanent variation to contractual hours if appropriate
- Consider the possibility of redeployment in the school or Trust as appropriate
- If it is considered that the absences are not genuine, the DDAT Disciplinary Policy should be followed.

The priority of each meeting will be to identify and initiate practical steps to support the employee's sustained attendance and to set expectations for improvement in the future if applicable.

If, therefore, the relevant level of improvement in attendance is not met within the two-month monitoring period then the procedure will move to the next step.

Step	Action	Outcome
Step 1 – following a return-to-work employee has hit the trigger level	First informal meeting with the Line Manager/Executive Headteacher/Headteacher/Head of School and the employee	<ul style="list-style-type: none"> • Two-month monitoring period • If reached a satisfactory level of attendance, the process may stop or following HR advice be extended to ensure sustainability. • Further sickness absences of 2 days within the two-month monitoring period will result in moving to Step 2. • Complete a Reasonable Adjustment Passport, where appropriate
Step 2 – further instances of absence	Second informal meeting with the Line Manager/Executive Headteacher/Headteacher/Head of School and the employee	<ul style="list-style-type: none"> • Two-month monitoring period • If reached a satisfactory level of attendance, the process may stop or following HR advice it may be extended to ensure sustainability. • Further sickness absences of 2 days within the two-month monitoring period will result in moving to Step 3.
Step 3	First formal meeting with the Line Manager, Executive Headteacher/Headteacher/Head of School or relevant SLT member and the employee, and/or their representative. The Trust's Central HR Team may support at the meeting.	<ul style="list-style-type: none"> • Two-month monitoring period • If reached a satisfactory level of attendance, the process may stop or following HR advice it may be extended to ensure sustainability. Agree an appropriate programme of support for sustaining attendance. • Further sickness absences of 2 days within the two-month monitoring period will result in moving to Step 4. • Consideration of ill-health retirement.

		<ul style="list-style-type: none"> ● Issue formal warning letter.
Step 4	Second formal meeting with the Line Manager/Executive Headteacher/ Headteacher/Head of School or relevant SLT member and the employee, and/or their representative, and a representative from the Trust's Central HR Team. A representative of the LTC may also be invited.	<ul style="list-style-type: none"> ● Two-month monitoring period ● If reached a satisfactory level of attendance, the process may stop or following HR advice it may be extended to ensure sustainability. Agree an appropriate programme of support for sustaining attendance. ● Further sickness absences of 2 days within the two-month monitoring period will result in moving to Step 5. Consideration of ill-health retirement. ● Issue formal warning letter.
Step 5	Third formal meeting with the Line Manager/Executive Headteacher/Headteacher/Head of School or relevant SLT member and the employee, and/or their representative, and a representative from the Trust's Central HR Team. A representative of the LTC may also be invited.	<ul style="list-style-type: none"> ● Two-month monitoring period ● If reached a satisfactory level of attendance, the process may stop or following HR advice it may be extended to ensure sustainability. Agree an appropriate programme of support for sustaining attendance. ● Further sickness absences of 2 days within the two-month monitoring period will result in moving to either a repeat Step 5 or an ill-health dismissal hearing. ● Consideration of ill-health retirement. ● Issue final warning letter.
Ill Health Dismissal Hearing	Invite to a formal hearing giving at least 10 working days' notice (see Dismissal Hearing section)	<ul style="list-style-type: none"> ● Repeat Step 5 meeting. ● Dismissal on the grounds of ill-health.

Once an employee has reached the acceptable level of attendance and the process has stopped, any further absences will trigger step one of the process.

An absence of 28 days or more during the monitoring period would trigger the Long-Term Sickness Absence Procedure at the next step.

All formal steps can be repeated, with advice from the DDAT Central HR Team.

16. Long-Term Sickness Absence Procedure

Note that employees can move from the long-term sickness absence procedure to the short-term intermittent sickness absence procedure and vice versa.

The purpose of this procedure is to ensure early intervention to offer reasonable adjustments to assist a return to work at the earliest opportunity. The priority of each step is to consider supportive measures and reasonable adjustments. The Line Manager/Executive Headteacher/Headteacher/Head of School should, however, be mindful of their responsibilities and obligations to pupils and other staff as well as its duty to ensure the effective and efficient management of the school/Trust. If, therefore, an expected date for return and appropriate work schedule is not agreed and the absence continues for a further month, the procedure will move to the next step.

The purpose of both the informal and formal meetings will be to:

- Confirm accuracy of individual's absence record.
- Discuss the individual's absence record.
- Clarify the reason for the absence.
- Ascertain if the absence is work-related.
- Consider any disability.
- Consider a referral to Occupational Health.
- Signpost to Schools Advisory Service, Westfield Health (for Derby Cathedral School), Education Support, and/or Mental Health First Aider if appropriate.
- Where available, provide counselling support service details.
- Ascertain a likely date of return to work, and where appropriate agree a return-to-work date.
- Consider any reasonable adjustments or support that could be made to aid an earlier return to work, if possible.
- Consider options of a temporary or permanent variation to contractual hours, if appropriate.
- Consider the possibility of redeployment in the school or Trust, as appropriate.
- Confirm agreed actions, further monitoring period and next steps.

Next steps:

- If appropriate, complete a referral to Occupational Health.
- If appropriate, signpost to counselling support services or a Mental Health First Aider.
- Arrange any support/reasonable adjustments and arrange to monitor and review the impact of such actions during the monitoring period.
- If a return to work is agreed, it may be necessary to arrange a phased return to work.
- If there is no likely return to work, explain the process and next step within the procedure.
- Agree date and time of next meeting.

STEP	ACTION	OUTCOME
Step 1 – Continuous absence of 28 days from day 1, as per	First informal meeting with the Line Manager/Executive Headteacher/Headteacher/Head of School and the employee	<ul style="list-style-type: none">• Agree expected date of return, support and, if appropriate, reasonable adjustments.• Agree further assessment in one month.

ACAS guidance		<ul style="list-style-type: none"> • Complete a Reasonable Adjustment Passport, where appropriate.
Step 2 – Continuous absence of one calendar month since Step 1	Second informal meeting with the Line Manager/Executive Headteacher/Headteacher/Head of School and the employee	<ul style="list-style-type: none"> • Agree expected date of return, support and, if appropriate, reasonable adjustments. • Agree further assessment in one month.
Step 3 – Continuous absence of one calendar month since Step 2	First formal meeting with the Line Manager/Executive Headteacher/Headteacher/Head of School or relevant SLT member and the employee, and/or their representative. The Trust's Central HR Team may support at the meeting.	<ul style="list-style-type: none"> • Agree expected date of return, support and, if appropriate, reasonable adjustments. • If there is no likely return to work, agree further assessment in one month. • Consideration of ill-health retirement. • Issue a formal warning letter.
Step 4 – Continuous absence of one calendar month since Step 3	Second formal meeting with the Line Manager/Executive Headteacher/Headteacher/Head of School or relevant SLT member and the employee, and/or their representative, and a representative from the Trust's Central HR Team. A representative of the LTC may also be invited.	<ul style="list-style-type: none"> • Agree expected date of return, support and, if appropriate, reasonable adjustments. • Agree further assessment in one month. • Consideration of ill-health retirement. • Issue a formal warning letter, if not already issued.
Step 5 – Continuous absence of one calendar month since Step 4	If a formal warning was issued at the previous review this <u>may be</u> a final formal meeting with the Line Manager/Executive Headteacher/Headteacher/Head of School or relevant SLT member and the employee, their representative, and representative of the Trust's Central HR Team. A representative of the LTC may also be invited. In these circumstances, if the absence continues, a further assessment period may not be set, and the employee may be issued with a further (final) warning letter.	<ul style="list-style-type: none"> • Agree expected date of return, support and, if appropriate, reasonable adjustments. • If further medical evidence is required or a return to work is likely, agree further assessment in one month (repeat Step 5). • Consideration of ill-health retirement. • Issue a final warning letter. • Inform, where appropriate, the case will be referred to a panel at an ill-health dismissal hearing.
Ill Health Dismissal Hearing	Arrange an independent panel. Invite to a formal hearing giving at least 10 working days' notice (see Dismissal Hearing section)	<ul style="list-style-type: none"> • Repeat Step 5 assessment meeting. • Dismissal on the grounds of ill-health. • Offer an appeal hearing.

If upon returning to work an employee has a further long-term sickness episode within a reasonable time period, as agreed with the Trust's Central HR Team, the sickness absence process will resume at the same stage they were at when they returned to work. Should an

employee have short-term sickness absence within a two-month period, they will resume at this same stage but following the intermittent procedure.

Absences related to maternity-related illnesses or absences granted through the Leave of Absence Policy will not count towards any trigger.

All formal steps can be repeated, with advice from the DDAT Central HR Team.

17. Dismissal Procedures

All outlined steps within this procedure must have been completed prior to consideration of dismissal, except in cases of terminal illness with a short life expectancy (See Clause 11).

17.1. Dismissal procedure for Trade Union Representatives

If the employee is an accredited TU Representative, it is necessary to discuss/inform the full-time district or area official before action is taken.

Where the case is referred for consideration of potential dismissal, advice will be sought from the Trust's Central HR Team and an agreed dismissal procedure will be followed, and will include:

17.2. Delegation of the responsibility for hearing the case

Within schools:

- a) Executive Headteacher/Headteacher/Head of School - if the procedure so far has been conducted by another SLT member. It is advised that even where the LTC has decided the Executive Headteacher/Headteacher/Head of School will hear the case and consider the outcome, at least one LTC member should be included in the process at the hearing, if dismissal is a likely outcome.
- b) Executive Headteacher – if the procedure so far has been conducted by the Headteacher/Head of School or another SLT member. It is advised that even where the LTC has decided the Executive Headteacher will hear the case and consider the outcome, at least one LTC member should be included in the process at the hearing, if dismissal is a likely outcome.
- c) Local Trust Committee (LTC) (normally made up of 3 independent LTC members or Trust nominated member, but at least a minimum of 2) - where the Executive Headteacher/Headteacher/Head of School has conducted the procedure to this point. The deciding committee should not include any LTC member who has been involved in any previous stage of the procedure.

In the case of an Executive Headteacher/Headteacher's sickness absence, the procedure will be managed by an assigned Senior School Improvement Officer in conjunction with one nominated LTC member (normally the Chair) and any potential hearing will be held by a panel to include Trust representation and LTC members as identified in clause 17.2 (c).

Within the Central Team:

- d) Executive Team's responsibility - if the procedure so far has been conducted by the employee's line manager. It is advised that even where the Board of Trustees has decided delegated members of the Executive Team will hear the case and consider the outcome, at least one Trustee should be included in the process at the hearing, if dismissal is a likely outcome.
- e) Trustees' Committee responsibility (normally made up of 3 independent Trustees', but at least a minimum of 2) - where the Executive Team or CEO has conducted the procedure to this point. The committee should not include any Trustee who has been involved in any previous stage of the procedure.

In the case of the DCEO, CFO or COO's sickness absence, the procedure will be managed by the CEO and any potential hearing will be held by a Trustees' Committee.

In the case of the CEO's sickness absence, the procedure will be managed by one nominated Trustee (normally the Chair) and any potential hearing will be held by a Trustees' Committee.

17.3. Process

The person who has been managing the sickness absence case and steps within this procedure will produce a statement of case to be considered at the hearing. They will be the 'Presenting Officer' for the hearing. This statement will detail the employee's employment details and all relevant information in relation to the sickness case, including any medical evidence. This person will be the Presenting Officer at the hearing and will present the facts and evidence of the case. This information can be downloaded from SAMpeople.

At least ten working days' notice will be given, in writing, for the ill-health dismissal hearing and documentary evidence will be provided at least five working days before the hearing.

Hearing Agenda:

- The Presenting Officer will present the case.
- The employee and/or their representative will have the opportunity to ask questions.
- The deciding panel members will have the opportunity to ask questions.
- The employee and/or representative will present their response.
- The Presenting Officer will have the opportunity to raise any points for clarification.
- The deciding panel members will have the opportunity to ask questions.
- The Presenting Officer will sum up.
- The employee and/or representative will sum up.
- The Presenting Officer of the case, the employee and representative will withdraw from the meeting.
- The deciding panel members will consider all the evidence and decide the outcome.

Possible outcomes:

- i) A further review period with any appropriate warning (repeat stage 5)
- ii) Dismissal on the grounds of ill-health, giving appropriate contractual notice

The outcome of the hearing and the right of appeal will be communicated to the employee within five working days of the hearing.

18. The Right of Appeal to remaining LTC members/Trustees

The employee must lodge an appeal within ten working days of receiving written notice of the outcome of the initial hearing and detail the grounds of the appeal.

The appeal will be heard by LTC members/Trustees who were not members of the original deciding panel at the hearing and who were not involved in previous stages of the procedure. At least five working days' notice, or an alternative time period if mutually agreed, will be given for the appeal hearing to be held and all documentary evidence will be provided at least five working days before the hearing.

The Chair of the deciding panel at the hearing also needs to attend the appeal hearing in order to respond to any relevant questions.

The appeals panel will consider all the evidence and decide the outcome of the appeal. The options will be:

- i) To uphold the appeal and advise on a further review period with any appropriate warning.
- ii) Not to uphold the appeal and uphold the decision to dismiss the employee.

The decision of the appeals panel will be final and communicated, in writing, to the employee within five working days of the hearing.

The order of business in the appeal hearing may begin with the appellant stating their case, rather than the Presenting Officer, depending on the grounds of the appeal.

19. Helpful contacts

Fit for Work Services (FFW) is a government-funded Occupational Health service designed to work alongside (not replace) existing Occupational Health services and employer sickness absence procedures, to assist employees return to work. More information can be found at <http://fitforwork.org/employee/>

Mental Health First Aiders - The Trust recognises that there are many different types of mental health disorders and that there is a growing need for mental health support within the workplace. Each school has at least one Mental Health First Aider. There are also a number of qualified staff within the DDAT Central Team. Details can be obtained from the DDAT Central HR Team at HR@ddat.org.uk.

The DDAT Stress Management Policy should be referred to in cases of personal and work-related stress.

Line Managers may also want to refer to the ACAS guidance for managing work-related stress:
[Understanding the law - Managing work-related stress - Acas](#)