

General Welfare Requirement: Suitable People

Providers must ensure that adults looking after children, or having unsupervised access to them, are suitable to do so.

Employment

2.1.3 Sickness and absence (including the impact of industrial action)

Policy Statement for St Joseph's Pre-school

St Joseph's Pre-school recognises that employees may be absent from the organisation for a variety of reasons. To ensure that all staff are treated in a consistent and equitable manner, this document provides the framework for dealing with such circumstances.

Absence: whether due to illness or any other circumstances¹ is defined (for the purpose of this document) as the non-attendance of workers when they are contracted to attend.

Procedure

- Any sickness/absence should be reported to the member of staff's line manager² by 7.30am, by telephoning his/her personal mobile (**all staff should take a note of this**) giving a clear indication of the nature of the illness/absence and a likely return date. The individual member of staff must make the call unless they are physically unable.
- The Treasury Administrator will contact the Treasurer to inform him/her of the illness/absence and likely return date.
- **It is the responsibility of the member of staff to ensure their absence has been received by the Lead Practitioner (or Chair in the case of the Lead Practitioner) – so a left message or a text message is unacceptable.**
- The Lead Practitioner should report the absence of Early Years staff to the Chair or in his/her absence a committee member by 7.45am. The Lead Practitioner, or the Chair in the case of the Lead Practitioner's absence, is required to make every effort to ensure cover for the Pre-school. This will primarily be by using our qualified bank staff who are on call.
- The Treasurer will inform the Chair and Lead Practitioner of the Treasury Administrator's absence on the day it was first reported.
- We have contingency plans to cover staff absences as follows³:
 - Deputy Practitioner will cover for Lead Practitioner;
 - Practitioner will cover for Deputy Practitioner;
 - Treasurer, with the support of other Committee Members, will endeavour to cover for the Treasury Administrator.
- At the end of each day, the Lead Practitioner contacts any Early Years staff who is absent to catch up and check on how they are. The Chair and Treasurer will do likewise with regards the Lead Practitioner and Treasury Administrator respectively.
- Any sickness absence of less than seven days (including non-work days like weekends and Bank Holidays) requires an employee to complete a 'Self Certification' Form (see Appendix 1).
- Sickness absence which exceeds seven days (including non workdays – see above) requires an employee to obtain a 'Fit Note'. A fit note can be got from the following healthcare professionals:

¹ Both physical and mental health problems can count as sickness.

² Deputy Practitioners/Practitioners/Bank Staff to Lead Practitioner; Lead Practitioner to Chair; Treasury Administrator to Treasurer

³ The Pre-school use their WhatsApp group to organise cover

- a GP or a hospital doctor;
- registered nurse;
- occupational therapist;
- pharmacist; or
- physiotherapist.

The healthcare professional needs to assess the employee's fitness for work before giving a fit note. Fit notes are free if the employee has been ill for more than 7 days when they ask for one. The healthcare professional might charge a fee if the employee has been ill for 7 days or less.

- A 'back to work' discussion with the staff member's line manager will take place after each period of sickness/absence. This is to establish the reason for and cause of the absence, to consider whether there is anything the Lead Practitioner or St Joseph's Pre-school can do to help and to confirm that the employee is fit to return to work.
- The Lead Practitioner's 'return to work' discussion should take place with the Chair or another committee member, as nominated by the Chair.
- The Treasury Administrator's 'return to work' discussion should take place with the Treasurer or another committee member, as nominated by the Treasurer.
- A more formal review will be triggered by:
 - frequent short term absences, eg. three periods of absence in a six month period;
 - or after a long term absence.
- In exceptional circumstances, eg. after a long term absence, we may ask the employee's permission to ask for a report from their GP. This request will be made in writing requesting the employee's counter signature.
- Longer absences will require a phased return to work schedule to be implemented. This will be discussed and agreed at the 'return to work' meeting. This will help the Pre-school plan workloads.
- Absences of one to three days will be considered as a 'short term' absence.
- Absences of four days or more will be considered as a 'long term absence.'
- If an explanation for the absence is not forthcoming or considered to be unsatisfactory, disciplinary procedures will apply.
- All records relating to staff sickness/absence will be stored confidentially and securely.

Sick pay

- Permanent employees will continue to receive pay in the case of sickness absence up until the normal statutory sick pay (SSP) applies to those staff who qualify.⁴ Staff to refer to their individual contract of employment.
- Fixed term contract and/or Bank staff will be treated in the same way as for permanent employees.

Home workers

Employees who work from home can feel pressure to work while ill (this is sometimes called 'presenteeism'). St Joseph's Pre-school will encourage them to take sick leave when they are ill.

Employees should make sure they:

- know what sick pay and leave they're entitled to;
- take sick leave if they are not well enough to work.

Maternity

- Absence relating to pregnancy will be recorded separately from sickness records. Employees are entitled to have reasonable time off with pay, to attend antenatal clinics.

⁴ www.gov.uk/statutory-sick-pay

Statutory Maternity Pay will apply as appropriate. Staff to endeavour to make routine appointments outside of work time where possible.

Neonatal Care, Leave and Pay

St Joseph's Pre-school has a separate Neonatal Care (Leave and Pay) policy⁵.

Disability

- Absence relating to disability will be recorded separately from sickness records. We work within the framework of the Equality Act 2010 to ensure an inclusive and anti-discriminatory approach.
- If an employee is disabled or has a physical or mental health condition that makes it hard for them to do their job, they can get extra help via an Access to Work (AtW) grant, including mental health support. However, before applying for the grant the employee should talk to their line manager first about any 'reasonable adjustments' that can be made to assist them in their role. An AtW grant can pay for:
 - special equipment, adaptations or support worker services to help the individual do things like answer the phone or attend meetings;
 - help getting to and from work.

Time off for dependents

- In emergencies, where normal childcare arrangements break down (this would include schools closing, ie. for industrial action or severe weather) or where an employee is primarily or solely responsible for a child, dependent relative or partner who becomes ill or incapable, then an employee has the right to take time off work to help a dependent, however, this will be unpaid. The employee can request unpaid leave to organise appropriate care, this is limited to a maximum of two days in any single instance. Requests should be made to the Lead Practitioner or Chair as soon as the problem is identified. Whilst there is no specific limit to the number of separate instances, repeat instances will be reviewed and abuse of this policy will result in disciplinary action.
- For non emergencies, such as planned hospital treatment for said dependent, an employee can request unpaid parental leave. This is limited to a maximum of two days in any single instance. Requests should be made to the Lead Practitioner or Chair as soon as possible. Whilst there is no specific limit to the number of separate instances, repeat instances will be reviewed and abuse of this policy will result in disciplinary action.

Note that in mitigating (emergency) circumstances the Committee could agree to a discretionary payment – this would be on a case by case basis.

Carer's Leave

In line with the Carer's Leave Act 2023 which came into force on 6 April 2024, an employee is allowed up to 1 week of unpaid leave per year to provide care or arrange care for a dependant with long term care needs. This is a day 1 right.

A dependant is classed as:

- husband/wife, civil partner or partner;
- child;
- parent;
- a person who lives in the household (not tenants, lodgers or employees).

⁵ See Policy 2.1.9

The employee can choose to take the leave as:

- half days – this is the minimum they can take;
- full days;
- a whole week.

An employee is entitled to a period of leave that is equal to their usual working week. For example, if someone works 3 days/week, they can take 3 days of carer's leave. If an employee has been working for their employer for less than a week, then in this case, a "week" is the number of days or hours they would normally work in that week.

For Bank staff we will

- add up the total hours they worked in the previous 12 months;
- divide that total by 52 weeks – or by the number of weeks they have worked if they have worked for the Pre-school for less than a year.

If an employee carers for more than one dependant, then in these circumstances, they can still only take one week of carer's leave. But they can use the week of leave for more than one dependant.

If an employee is a parent, they can take up to 18 weeks' unpaid parental leave⁶ (see below) to look after their child. This is instead of or in addition to carer's leave.

Note that in mitigating circumstances the Committee could agree to a discretionary payment – this would be on a case by case basis.

Notice periods for Carer's leave

Employees must give notice to St Joseph's Pre-school before they start the leave. The minimum notice they give will depend on how much leave they wish to take.

Number of Days Requested	Minimum Notice Required
half a day to 1 day	3 days' notice
1.5 to 2 days	4 days' notice
2.5 to 3 days	6 days' notice
3.5 to 4 days	8 days' notice
4.5 to 5 days	10 days' notice
6 days (if an employee works 6 days/week)	12 days' notice

The employee does not have to give their request for leave in writing or give evidence of their dependant's care needs.

St Joseph's Pre-school acknowledges that sometimes an employee needs to take carer's leave at short notice. We will endeavour to be as flexible as we can be in this respect. If an employee cannot give the minimum notice for carer's leave, they could take time off for dependants.

As an employer, St Joseph's Pre-school cannot refuse an employee's request for carer's leave. But we may ask them to take it at a different time should the employee's absence cause serious disruption to the Pre-school. Should we need to delay the leave, we will:

⁶ Also known as Ordinary Parental Leave

- agree another date within 1 month of the date the employee originally requested leave for; and
- explain in writing within 7 days of the request or before the leave starts (whichever is the earlier), why we need to delay the leave.

If the employee needs to cancel their request for carer's leave, they should do this as soon as possible. St Joseph's Pre-school will consider this request but we do not have to agree to it.

Employees taking carer's leave have the right to:

- return to the same job;
- all the same terms and conditions.

It is against the law for an employer to dismiss someone or cause them detriment because of something related to carer's leave.

Unpaid parental leave

Parents have the right to unpaid time off work when they need to look after their children. Parental leave is additional to other types of time off employees are usually entitled to.

Note that in mitigating circumstances the Committee could agree to a discretionary payment – this would be on a case by case basis.

Examples of parental leave include (but not limited to):

- providing care when usual childcare arrangements are disrupted and the time off can be planned in advance;
- spend more time with them;
- care for them when they are off school sick;
- go to school open days or events with them;
- visit grandparents or other relatives with them.

To be eligible for parental leave the parent must:

- be legally classed as an employee;
- have worked for the employer for 1 year or more.

They must have parental responsibility for the child. This means they must be named on one of the following:

- the child's birth certificate;
- the child's adoption certificate;
- a parental order, for surrogacy;
- a legal guardianship.

Step-parents can also have parental responsibility where it is agreed between all parents.

If someone is separated from the other parent or does not live with their child, they still have the right to parental leave if they have parental responsibility for their child.

Taking parental leave

Each parent can take up to 18 weeks of parental leave for each child until each child is 18 years old. If an employee takes it, it must be:

- in blocks of weeks;
- a maximum of 4 weeks a year for each child.

Employees still accrue (build up) their holiday entitlement as usual while on parental leave.

An employee can take parental leave in blocks of days or hours if they are entitled to one of the following for their child:

- Disability Living Allowance; or
- Personal Independence Payment.

Notice for parental leave

The employee must give St Joseph's Pre-school:

- 21 days' notice before the date they want to start a block of parental leave; and
- the exact dates they plan to start and finish the block of parental leave.

St Joseph's Pre-school cannot refuse or completely cancel parental leave. But we can postpone it if it is going to cause problems at the setting. The postponement period is up to 6 months after the date the employee originally asked for. We will ensure that the employee is able to take the leave before their child's 18th birthday.

Should we need to postpone parental leave, we will write to the employee within 7 days of their request to:

- explain why the leave needs to be postponed; and
- give other suitable dates after consultation with the employee.

Taking less than a week off to look after a child

In an emergency or unexpected event an employee might need a day or 2 to look after their child. In these situations, we recommend that they use "time off for dependants". If the child has long-term care needs then "carer's leave" may be more appropriate.

It is against the law for an employer to dismiss someone or cause them detriment because they have asked to take parental leave.

Time off for medical appointments

- Where possible, appointments for Doctors, Dentist, Optician or Hospital etc. should be made outside normal working hours.

Compassionate and emergency leave

- Compassionate leave is time away from St Joseph's Pre-school to deal with the arrangements and/or matters relating to a trauma, possibly of a close relative, or an urgent domestic matter.
- A "close relative" may (but not exclusively) include:
 - the spouse, partner, child, parent, sibling, grandparent, uncle or aunt of a member of staff, or
 - the parent, sibling, child, grandparent, uncle or aunt of the spouse/partner of a member of staff.
- In the event of a trauma involving a close relative, an employee may be granted up to 3 days paid compassionate leave in any one year. This will be confirmed by the relevant line manager. The Pre-school committee should be notified accordingly.
- A member of staff can request emergency leave in order to deal with urgent domestic problems such as burglary, fire or flooding. The appropriate line manager should normally grant one day's paid leave, and the Pre-school committee should be notified accordingly.
- It is not always possible to give notice of the need for compassionate or emergency leave, staff should agree the time required as soon as reasonably possible, with the appropriate line manager, who shall inform the Pre-school committee accordingly.

Bereavement leave

St Joseph's Pre-school has a separate Bereavement Leave policy⁷.

Annual leave/holiday entitlement

- St Joseph's Pre-school's staff take their holiday breaks when the Pre-school is closed. Where staff need to take time off for any reason other than sick leave or training, this is agreed with the Lead Practitioner or Chair with sufficient notice, unless covered within this procedure. This will be unpaid unless the manager agrees it is possible to make up the hours (ie. swapping days with another member of staff).

Further Guidance

- www.acas.org.uk
- www.gov.uk
- www.nhs.uk

Associated policies and procedures

- 1.13 Valuing diversity and promoting equality
- 2.1 Employment and staffing
 - 2.1.1. Disciplinary
 - 2.1.2 Grievance
 - 2.1.6 Bereavement leave
 - 2.1.7 Capability procedure
 - 2.1.9 Neonatal Care (Leave and Pay)

Version Number	Author	Purpose of change	Date
1.0	K Coupe	Formatted and page numbered	Sept 2015
2.0	Committee	Reviewed	Oct 2016
3.0	K Coupe & H Elliott	Reviewed, updated and version controlled	10/07/2019 AGM
4.0	K Coupe & A Hitchings	Reviewed and updated. <ul style="list-style-type: none">• Reference to Bereavement leave taken out and put into a new policy: 2.1.6 Bereavement leave.• Reference to the Access to Work grant	18 May 2022 Cttee Mbr (M Montgomery)
5.0	L Farrer	Inclusion of an Addendum re 2022-23 COVID-19 and staff	13 Sept 2022 Cttee Mbr (G Ind)
6.0	L Farrer	More clarification – after Committee discussion – on “Time off for dependents”	14 Mar 2023 Cttee Mbr (S Webb)
7.0	K Coupe	The reviewed and updated as follows: <ul style="list-style-type: none">• in line with guidance from www.gov.uk , www.nhs.uk and www.acas.org.uk ;• “Further Guidance” section plus hyperlinks.• References to COVID and the Addendum removed.	3 Feb 2025 Chair (A Hitchings)
8.0	K Coupe	Updated with reference to 2.1.9 Neonatal Care (Leave and Pay) which is compliant with	5 May 2025 Committee

⁷ See Policy 2.1.6

Version Number	Author	Purpose of change	Date
		The Neonatal Care (Leave and Pay) Act 2023 which came into force on 6 April 2025	Member (B Wheeler)
9.0	K Coupe & Committee	Updated in line with the <ul style="list-style-type: none"> • Carer's Leave Act 2023 which came into force on 6 April 2024; and • more information on Parental Leave Updated to reflect decisions at Committee Only meeting held on 15 May 2025	13 July 2025 Committee Member (L Finn-Powers)

Appendix 1**St Joseph's Pre-school
Self-Certification Form**

This form should be completed immediately upon return to work, by all employees following an absence from work. If the sickness absence has been for 7 calendar days or more, a 'Fit Note' is required.

Name:	
To whom did you report your sickness?	
Date reported:	
Date of first day of incapacity (including non-working days):	
Date of first day of absence from work:	
Date of return to work:	
State briefly why you were unfit for work/unable to come to work:	

	Yes	No
Have you consulted a doctor?		
If absent for more than 7 calendar days, have you submitted a fit note?		
If absence was not due to illness, please state which of the following it was due to: <div style="text-align: right;">Urgent family leave: Parental leave: Authorised unpaid leave: Other (please state below):</div>		

I declare that the information given is true, to the best of my knowledge. I understand that false information may result in loss of sick pay/company pay and/or disciplinary action.

Signature of Employee: **Date:**

Signature of Manager: **Date:**