This policy was created in Spring 2014 and, following Union consultation, was ratified by the Trust Board in December 2014.

The policy owner is: DIRECTOR OF HUMAN RESOURCES

This policy will be reviewed by the Trust Board in: SEPTEMBER 2017

Version: V1.1
MANAGEMENT OF SICKNESS ABSENCE

The Trust recognises its responsibility for the health, safety and welfare of its staff. This sickness Absence Policy sets out our procedures for reporting sickness absence and for the management of sickness absence in a fair and consistent way. This policy places emphasis on proactive support for staff in the event of ill health difficulties, and sets out the steps that will normally be followed when sickness absence occurs.

Staff absence affects the quality and continuity of teaching and learning and other aspects of the effectiveness of the work of the Academy.

Sickness absence can vary from short intermittent periods of ill-health to a continuous period of long-term absence and have a number of different causes (e.g. injuries, recurring conditions, or a serious illness requiring lengthy treatment). Levels of sickness absence will be monitored (including duration, cause etc.) and will identify areas where the work of the Academy, in particular the continuity of teaching and learning, is being affected by absence levels. The information will be reported to governors on an anonymised basis.

Employee’s Responsibilities

1) Attend work when fit to do so
2) Follow the Notification of Sickness Absence procedures:
   a) An employee in an Academy who is prevented by illness from reporting for duty shall notify the designated person in the Academy as soon as possible by telephone on the first day of absence detailing the reason for the absence, the anticipated length of absence and whether a doctor’s appointment has been made. Wherever possible this contact should be made by the employee. The employee should telephone each day unless the absence is covered by a doctor’s certificate or it has been agreed by a Senior Manager that this is not necessary.
   b) If an employee does not report for work and has not explained the reason for absence then the Academy will try to contact the employee, by telephone text or email. This will not be treated as a substitute for reporting sickness absence.
   c) A Fitness to Work Note must be provided from the eighth day of absence (including Saturdays and Sundays).
   d) In cases where the first Fitness to Work Note covers a period exceeding fourteen days or where more than one Fitness to Work Note is necessary the employee must obtain a final Fitness to Work Note.
   e) Employees must continue to submit Fitness to Work Notes during Academy closure periods. In the event that an employee becomes fit during an Academy closure period then paragraph 2d applies.

Self Certification: All employees must complete a self-certification form detailing the reason for absence for any period of sickness absence up to seven days. The self-certification form must be completed immediately on return to duty.

Occupational Health: An employee shall, if reasonably required by the Academy at any time, attend a medical examination by a registered medical practitioner nominated by the Trust, subject to the provisions of the Access to Medical Reports Act 1988 where applicable.

Ensure medical advice and treatment is obtained and adhered to in order to facilitate a return to work as soon as possible.

Note: Where the Principal requires an additional Fitness to Work Note from an employee, the Academy will reimburse any charge made for the certificate on provision of a receipt.
Illness or Injury Arising from Work

Any accident arising out of or in the course of employment with the Academy must be reported and recorded in accordance with Trust’s procedures. The accident will be subject to investigation and report by an employee authorised for the purpose by the Trust;

Where an employee seeks medical advice about an illness which is suspected or alleged to result from the nature of his or her employment the employee must report relevant information to the Principal or Senior Leader at the first opportunity;

In the case of the first, and any subsequent absence, due to industrial disease or accident an employee shall submit, at any time during such absence, if so required by the Trust, to a medical examination by a registered medical practitioner nominated by the Trust.

It shall be the employer’s responsibility to make a RIDDOR notification in relevant circumstances. The employee shall provide such information as may be necessary for this purpose.

Short and long term absence

Short-term absence generally involves:

- Frequent or persistent short-term periods off work, i.e. taking one or two days off work on a regular basis where employees provide sickness as a reason for absence for health reasons of an unrelated nature; and / or
- Persistent intermittent absence, i.e. taking one or two weeks off work on a regular basis for health reasons of an unrelated nature

Long term absence generally refers to cases where an employee suffers from:

- An acute or chronic medical condition, e.g. a heart condition, which may last for a duration of weeks/months; or
- A particular medical condition which frequently prevents an employee from attending work, e.g. asthma; or
- Absence of either type that arises from an industrial injury or disease
- Persistent intermittent absence, i.e. taking one or two weeks off work on a regular basis for health reasons of a related nature due to an underlying medical condition

Phased returns to work

Where an employee returns to work on a part time basis following long term sickness absence, with the expectation that they will be able to work their full contractual hours within a reasonable period of time, on medical advice provided by the Occupational Health doctor, the following arrangements will normally be made in relation to pay:

1. Where the employee has exhausted sick pay, the salary payment made will be based on the number of hours worked.
2. Where the employee has not exhausted sick pay, the employee will be paid in accordance with the number of hours worked, or the occupational sick pay entitlement that would be payable if the employee remained sick, whichever is the greater amount.

If the employee returns to work with a Fit to Work Note which states ‘may be fit for work’, the advice on the note will be discussed and consideration will be given as to how it impacts upon the job, the workplace, pupils and colleagues. The G.P.’s functional comments, any of the return to work tick boxes, and any other action that could facilitate a return to work will be considered with due regard to the Equality Act. Options may include a phased return to
work, altered hours, amended duties or workplace adaptations. If a return to work is possible the agreed action plan will be documented and implemented. If it is not possible to provide the support suggested by the G.P, the note will be used as if the G.P had advised ‘not fit for work’. The employee will not need to return to their G.P to obtain a revised statement. A Sickness Absence Interview will be held at an appropriate time to review the support in place and the impact of the absence.

Consideration will be given as to whether a risk assessment is required to ensure the health and safety of the employee in light of the reason for their ill health, e.g. a stress, ergonomic or more general risk assessment may be required.

**Attendance at Meetings**

Throughout this procedure, if an employee indicates that they are too unwell to attend a formal or informal meeting they will be given the option to:

1. Meet in a neutral venue or at their home; or
2. Conduct meeting via telephone conference; or
3. Provide appropriate written consent and send a trade union representative or work colleague to represent them; or
4. Provide a written submission; or
5. Request that the meeting takes place in their absence.

If an employee fails to communicate /his/her wishes with regard to the above, the meeting may take place in their absence with the outcome communicated to them in writing. Meetings will not be postponed beyond 5 days unless there is written medical evidence provided by an authorised medical practitioner that the employee is not medically fit to take part by any of the means described above.

Any Senior Leader visiting an employee’s home will be accompanied by another manager; the employee will be entitled to be accompanied by a person of their choice at a home meeting.

**Informal Procedure**

**Return to Work Discussion**

When an employee returns to work following a period of sickness absence, his/her Manager will normally meet with the employee as soon as possible, preferably on the day of return. The purpose of this meeting is to determine the reason for the absence and, where appropriate, offer assistance and support. It is also an opportunity to identify any difficulties that the employee is experiencing in carrying out the duties of the post. A note of the meeting will only be made if there are action points arising from it, and the employee will be provided with a copy.
**Sickness Absence Interviews**

Sickness absence interviews will be arranged with employees whenever it is considered necessary, which may include one or more of the following:

- a total of 4 working days absence within 1 term
- 3 occasions of absence within 1 term; or
- unacceptable patterns of absence

These meetings will consider the individual's sickness absence record, the impact of the absence on the effective working of the Academy, the cause of the absence and, if appropriate, whether any action by the Academy or individual would be likely to lead to a reduction in absence (this could include an Occupational Health referral). The employee will be provided with a copy of any notes of the meeting.

**Monitoring Period Following Sickness Absence Interview**

Absence will be monitored for up to three months after a Sickness Absence Interview. Further interviews may take place during the monitoring period if there is more sickness absence.

During the monitoring period the Principal/Manager may require that any period of absence is covered by a Fitness to Work Note. If the employee has a note which states 'may be fit for work', the process outlined above for 'may be fit to work' as a part of a phased return will also be followed. If the suggested support cannot be reasonably accommodated in order to facilitate the employee’s return to work, a decision may be made to move to the formal part of the procedure.

Where the Manager is of the view that the employee’s attendance has not improved to acceptable standards after the review period, the Manager should either inform the employee that the issue will:

1. be referred to Stage 1 of the formal procedure. A letter requiring attendance at a Stage 1 meeting will be sent to the employee; or
2. if there are exceptional circumstances, extend the review period.

**Formal Procedure**

Before starting the formal procedure, the Manager will satisfy him/herself that sufficient reasonable action has been taken under the informal procedure to:

1. seek medical advice, where appropriate, from Occupational Health;
2. consider whether the employee has a disability under the Equality Act 210;
3. consider any support, training and adjustments that have been requested or implemented and the outcome of these actions;
4. whether there are any other work related issues;
5. ensure that the employee has been consulted throughout the informal process; and
6. consider all of the circumstances and available information.

There are two stages in the formal process. The type of case (i.e. short or long term absence) will determine the need to move either through the stages (short term absence), or, in some circumstances, directly to Stage 2 (long term absence). The procedure can end at any point in the process if there is sustained improvement. If further concerns arise within 12 months of a Stage 1 meeting being held the procedure may resume at Stage 2. Please refer to appendix A.
**Management of Sickness Absence Policy**

Formal procedure: Stage 1 Meeting

The Stage 1 meeting would be held in accordance with the Formal Meetings process set out in the Common Principles. The meeting would usually be chaired by a Senior Leader.

At the Stage 1 meeting the Senior Leader will explain the required standards of attendance, consider the particular circumstances of the individual (including any previous action plan, monitoring period report or notes, and any Occupational Health or other medical reports that should be discussed with the employee), and consider the process followed so far and its impact.

For cases involving long term absence, the meeting will consider whether there has been any improvement in health, the likely duration of the absence, and the possible date of return.

The employee and their representative will be given a reasonable opportunity to state their case and to question the Senior Leader. At the conclusion, following an adjournment for consideration of the facts, the Senior Leader will determine an action plan that clearly identifies:

- the improvements necessary to achieve the expected standards;
- the timescale for improvement;
- how attendance will be measured/monitored;
- additional support/training to be provided; and
- the review period (which would not be less than one month and may extend beyond three months);

Within 5 working days of the formal stage 1 meeting the Senior Leader will write to the employee to:

1. confirm the action plan in writing; and
2. advise the employee that if they fail to achieve the improvements in the review period a Stage 2 meeting will be arranged where dismissal for lack of capability due to ill-health will be considered;
3. confirm the employee’s right to ask that the decision is reviewed at an appeal meeting

Formal procedure: Stage 1 Review Period

The Senior Leader will ensure that during the review period the employee’s attendance is closely and objectively monitored. Supervision meetings will be held between the employee and the Senior Leader at regular and appropriate intervals to ensure:

1. effective monitoring;
2. appropriate support is given to the employee;
3. positive feedback is given where possible; and
4. if further problems in attendance are identified, the reasons are discussed.

Notes of the monitoring process will be kept by the Senior Leader and a copy provided to the employee. The notes may be referred to at Stage 2 of the procedure.
Formal Procedure: Stage 1 Review Period Evaluation

If, at the end of the review period, the employee’s performance has improved to acceptable standards, no further action will be taken under this procedure, unless standards are not sustained during the next 12 months.

The decision to take no further action will be confirmed in writing, within 5 working days, by the Senior Leader. This letter will also confirm that the improved attendance must be sustained consistently during the next 12 months and explain that if there are further issues the Sickness Absence procedure may be invoked at Stage 2. A copy of this letter will be kept on the employee’s personnel file.

An employee, who sustains the improved performance consistently over the 12 month period, will receive a further letter to acknowledge his/her continued efforts and confirm that any future attendance issues will be dealt with informally in the first instance.

If at the end of the review period, the employee’s attendance has not improved to acceptable standards then

1. the issue will be referred to the Principal under Stage 2 of the procedure; or
2. in exceptional circumstances the review period will be extended.

If the employee is in a Pension Scheme, s/he will be given the option to explore eligibility for an ill health pension award prior to convening a Stage 2 Meeting.

Formal procedure: Stage 2 Meeting

A Stage 2 meeting would follow the same process as outlined above for a Stage 1 meeting. Papers for the meeting should include additional information outlining the possible consequences of the meeting, i.e. that it may result in the employee’s dismissal on the grounds of lack of capability due to ill-health.

For cases involving long term absence, where the employee is unlikely to return to work on the grounds of ill-health, the possibility of retirement on the grounds of permanent ill-health should be considered, as should the potential for suitable alternative employment if the employee is declared medically unfit to carry out the duties of their substantive post.

The Principal will Chair the meeting and may be accompanied by an HR Adviser. The Senior Leader will explain the process followed so far and its outcomes, including absence information and reports received from Occupational Health. The impact on the effective working of the Academy and pupils and colleagues will be considered. The employee and/or his/her representative will have every opportunity to answer the points made and to give an explanation or put forward any mitigating circumstances. The meeting may discuss any options regarding the employee’s pension that may be available.

In circumstances where the Principal has assumed the role of Senior Leader, a committee of Governors will assume the role of the Principal as set out above.

Formal procedure: Stage 2 Decision

Following the discussions the Principal will adjourn the meeting to consider the options available:

1. to take no further action under the procedure; or
2. to set a further/final review period to allow for additional monitoring and/or additional management support. A further formal Stage 2 meeting will be held at the end of this
review period. If attendance is not satisfactory by that time then the employee will be dismissed for lack of capability due to ill-health; or
3. to dismiss the employee for lack of capability due to ill-health ensuring that alternative work options have already been explored or will be explored during the employee’s notice period; that there is no prospect of their return within a reasonable timeframe, or that they will be able to achieve or sustain their attendance.

**Dismissal**

If the decision at the Stage 2 meeting is to dismiss, the Principal will inform the employee and his/her representative, orally, that the employee is to be dismissed, with the required contractual or statutory notice, on the grounds of lack of capability due to ill-health.

The Principal will confirm in writing, to the employee within 5 working days:

1. that s/he has been dismissed;
2. the grounds for dismissal and the reasons;
3. the required contractual or statutory notice due and the date the dismissal will be effective;
4. the employee’s right of appeal to an Appeal Committee of the Governing Body against the dismissal and the right to be accompanied at that meeting.

In some cases it may be appropriate for the employee not to work his/her notice, but either to remain at home on authorised paid leave of absence or to be paid salary in lieu of notice. If the employee is sick and remains at home during the notice period, a Fitness to Work Note must be provided that covers the employee’s notice period.

**Appeals against Warnings or Dismissal**

The employee has a right of appeal against written warnings or dismissal decisions. The appeal procedure is set out in the Common Principles.

The Appeal Panel of the Governing Body has the authority to:

1. uphold the appeal (i.e. to reinstate the employee); and/or
2. issue a lesser level of management action, e.g. to:
   - drop the formal process;
   - refer to a lower stage in the formal process; and/or
   - reduce standards of attendance or targets set in the action plan; or
3. dismiss the appeal, i.e. the decision to dismiss remains in force.

The decision of the Appeal Panel of the Governing Body is final. The employee has no further internal right of appeal.
Appendix A

INTRODUCTION - Common Definitions, Roles, and Principles for HR policies

Definitions
Throughout the policies, these terms have the following meanings:

Child Protection Officer: The Senior Leader who is designated to take lead responsibility for dealing with child protection issues.

Business Manager: The member of staff with responsibility for support services, including HR.

Employee / Member of staff: Any individual employed by the Academy Trust.

CEO: Chief Executive Officer of the Trust.

Headteacher/Principal: The Principal of the Academy (referred to as the Principal in the Articles of Association of the Academy Trust).

HR Adviser: The individual or organisation providing support to the Manager, Senior Leader, Principal, Governing Body or staff.

Manager: The Manager of an employee.

Senior Leader: Any member of the Leadership Group, as defined by the Academy Teachers’ Pay and Conditions Document, or the Business Manager in cases involving support staff. (Senior Leaders will only be permitted to issue formal warnings if they have been appropriately trained for that task and have been given delegated authority from the Principal specifically to issue such warnings.)

Support staff/Associate Staff: Those staff employed by the Academy who are eligible for membership of the Local Government Pension Scheme.

Roles and Accountabilities
The Trust is accountable for all policies of the Academy. It will:

4. Approve the staffing establishment for the Academy
5. Approve the HR policies for the Academy
6. Approve the delegations for HR functions
The Principal in each Academy is responsible for the implementation of all policies of the Academy Trust.

All employees appointed to the Academy Trust are subject to these HR policies.

All employees, governors, contractors, volunteers and supply staff are subject to the expectations set out in the Code of Conduct.

The Principal of each Academy will ensure that:

- these policies are available to staff electronically
- new staff are made fully aware of the policies as an integral part of their induction with particular reference to Code of Conduct
any individual who is subject to the formal stages of any policy will receive a copy of that policy within the papers for the first formal meeting under the procedures of the relevant policy

Common Principles

All employment policies are non-contractual and may be varied at any time. Following consultation and negotiation as defined in the Trade Union Recognition and Procedural Agreement.

The following principles apply to all policies:

- **Trade Union Officials**: All staff are equally subject to the policies. Where an employee is an elected trade union representative, wherever possible the circumstances of the case will be discussed with the relevant professional trade union officer or a senior elected officer, before any formal action is taken; such discussion to take place without undue delay.

- **Confidentiality**: All employees must treat as confidential any information relating to a case being conducted under any of these policies, including Appraisal personal documentation. The employee and anyone accompanying the employee (including witnesses) must not make electronic recordings of any meetings or hearings conducted under any of these policies without the written permission of all present. Failure to observe confidentiality will be considered to be serious and may result in disciplinary action.

- **Equalities**: The Academy Trust is an equal opportunity employer and will not discriminate against staff on the basis of age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. Appropriate steps will be taken to accommodate the requirements of different religions, cultures and domestic responsibilities and ensure that our policies are operated and monitored in accordance with Equalities’ legislation.

- **Investigative role of the Principal**: The Principal may delegate his/her investigative role under any policy to another Senior Leader of the Academy where this is considered appropriate and is in accordance with the Scheme of Delegation of the Academy Trust. An external investigating officer may be appointed, if deemed appropriate in the circumstances.

- **Formal Meetings**: If prior to a formal meeting a decision is taken to suspend the employee it should be understood that suspension is not a disciplinary action but one taken to protect the interests of all parties. In normal circumstances suspension will be considered where there is a prima facie case of gross misconduct. The following procedural expectations apply to all Formal Meetings between an employee and Senior Leader /Principal/CEO/Governing Body panel, under the Disciplinary, Sickness Absence, and Capability policies:

  o The employee will be given at least ten working days notice of the meeting; the meeting may be postponed for up to five working days in certain situations (see ‘Right to Postpone’ in this section)

  o The employee will be provided with written information relating to the reason for and purpose of the meeting, a copy of the relevant HR policy under which the
Management of Sickness Absence Policy

meeting is being held, copies of any documentation that will be considered, and names of any witnesses being called by the Academy

- At least two working days before the meeting, the employee will provide copies of any papers to which they intend to refer and the names of any witnesses that they will call
- The employee may be accompanied by a representative of his/her Trade Union or a workplace colleague of choice, whose name and status must be declared to the manager conducting the meeting at least two working days prior to the meeting.
- The meeting will be chaired by someone who has not had previous involvement in the specific case (a Senior Leader, Principal, CEO, or Governor as appropriate), and they may be supported by an HR Adviser. If the Principal is the employee who is subject to the hearing, the Academy’s case will be brought by the Chair of the Governing Body who may remain throughout the meeting if someone other than the Chair of the Governing Body presents the case on his/her behalf.
- The meeting will proceed in the following order:
  - The Academy representative (Investigating Officer, Senior Leader, HR Adviser or Principal) may make an opening address outlining the case. If the Academy’s case is presented by someone other than the Investigating Officer, the Investigating Officer may remain in the hearing throughout with the Academy’s representative.
  - The Academy representative will call each witness in turn so that
    - The witness is asked questions
    - The employee and their representative has the opportunity to question the witness
    - The Academy’s representative may ask the witness questions of clarification
    - The Senior Leader/Principal/CEO/Governor Panel conducting the hearing has the opportunity to question the witness. (HR Adviser advising the decision maker may ask questions of clarification.)
  - Each witness withdraws after giving evidence, except the Academy’s representative who is a witness and/or is presenting the outcome of the investigation.
  - The employee’s representative may make an opening address outlining the employee’s case (if there is no representative the employee will take this role).
  - The employee’s representative will call each witness in turn so that
    - The witness is asked questions
    - The Academy’s representative has the opportunity to question the witness
• The employee’s representative may ask the witness questions of clarification

• The Senior Leader/Principal/CEO/Governor Panel conducting the hearing has the opportunity to question the witness. (HR Adviser advising the decision maker may ask questions of clarification.)

  ▪ Each witness withdraws after giving evidence, except that the employee who has been a witness to their own case has the right to remain throughout the hearing procedure.

  ▪ The Academy’s representative and employee’s representative shall have the opportunity to sum up their case, if they so wish

  ▪ Both parties, including employee and Academy’s representative, then withdraw

  ▪ The Senior Leader/Principal/CEO/Governor Panel conducting the hearing, together with the HR Adviser, deliberate in private, only recalling the parties to clarify points of uncertainty on evidence already given. If recall is necessary both parties are to return, notwithstanding that only one may be concerned with the point under clarification. The HR Adviser shall provide technical and procedural advice and shall not vote on the matter.

  ▪ The Senior Leader/Principal/CEO/Governor Panel conducting the hearing announces the decision to both parties at the close of the proceedings whenever possible. The decision will be confirmed in writing soon afterwards.

  ▪ Where the decision is to dismiss or to give a formal written warning the employee will be advised of their right of appeal against the decision.

• Representation at formal disciplinary meetings: The Employment Relations Act 1999 give workers and employees a statutory right to a “companion” at a formal hearing who can be a representative of his/her trade union or a fellow employee/worker of choice. Although there is no legal right to be accompanied at informal meetings there are times when this will be considered and such requests will not be unreasonably refused by the Trust. An employee may choose to represent themselves, and in this situation the employee may be questioned as a witness.

• Right to postpone formal meetings: An employee may seek to postpone a formal meeting. If an employee’s representative cannot attend on the intended date, the employee must suggest another date within 5 working days of the original date.

• Formal warning and dismissal decisions: The Scheme of Delegation of the Academy Trust delegates the power to dismiss to the Principal, and these policies enable Senior Leaders to issue formal warnings up to and including final warnings. There may be occasions, however, where the Principal considers that it would be more appropriate for either of the following:

  o For formal warnings to be issued by the Principal rather than a Senior Leader. If this is the case, any meeting that may result in dismissal would be heard by a Governor Panel/CEO rather than the Principal, and any appeal would be heard by a Governor Panel consisting of governors who had not been involved in any previous part of the process.
If the formal warnings were issued by a Senior Leader, the Principal may still decide that a meeting that may result in dismissal should be heard by a Governor Panel/CEO rather than the Principal. If this is the case, any appeal would be heard by a Governor Panel consisting of governors who had not been involved in any previous part of the process.

If either of these situations is the case, the Principal shall confirm this to the employee. If the meeting that may result in dismissal is heard by a Governor Panel, the Principal may be the investigating officer and/or may present the case to the Governor Panel. The Governor Panel would normally consist of three Governors (this may be reduced with consent from the employee), and these Governors could not then be involved in any subsequent Appeal Panel.

• **Appeals against formal warning decisions:** The employee has a right of appeal against a written warning. The procedure is as follows:

  - Appeals against formal warnings should be made in writing to the Clerk to the Governing Body within 10 working days of the receipt of the written decision, and must include the grounds for appeal.
  - The appeal hearing will be held as soon as possible after receipt of the appeal. The purpose of the appeal hearing is to review the decision that was originally made and to decide if this decision was reasonable in all the circumstances, to review any procedural irregularities and to consider specifically the stated grounds of appeal.
  - The appeal will be heard by:
    - The Principal, for a First Written Warning issued by a Senior Leader
    - An Appeal Panel of the Governing Body for a First Written Warning issued by the Principal, and for any Final Written Warnings. The number of governors on the Appeal Panel of Governors will normally be three, none of whom shall have had any previous involvement in the specific case.
  - The Panel shall be advised by a HR Adviser.
  - The Panel can either confirm the warning, reduce a final warning to a warning or cancel the warning.

• **Appeals against dismissal decisions:** The employee has a right of appeal against a decision to dismiss. Appeals against dismissal should be made in writing to the Clerk to the Governing Body within 10 working days of the receipt of the written decision, and must include the grounds for appeal. The appeal hearing will be held as soon as possible after receipt of the appeal. The purpose of the appeal hearing is to review the decision that was originally made, to review any procedural irregularities and to decide if this decision was reasonable in all the circumstances, and to consider specifically the stated grounds of appeal. The appeal will be heard by an Appeal Panel of the Governing Body which may be chaired by the CEO of the Trust or his/her nominee. The number of governors on the Appeal Panel of Governors will not normally be less than two (or three where a governor is a nominee of the CEO of the Trust), none of whom shall have had any previous involvement in the specific case. The Panel shall be advised by a HR Adviser. The Appeal Panel may decide to issue a warning or a final warning rather than dismiss, and may decide that any warning may last for a specified period longer than the original twelve months of any previous final warning, if appropriate. There is no right of appeal against such a decision of the Appeal Panel of the Governors. In the event that the Appeal Panel decides not to uphold the decision to dismiss, the notice of dismissal shall be immediately withdrawn, or the employee will be reinstated on terms agreed by the panel, if the dismissal has already taken effect.
Monitoring of operation of policies/procedures: The Academy Trust will work towards developing an equality profile of staff to help it understand key equality issues in the workforce, including any evidence of pay gaps or ‘occupational segregation’ i.e. staff with certain protected characteristics being either under or over-represented in particular roles. In addition, the Trust notes that it is likely to be useful to collect and consider information, appropriately disaggregated, in relation to:

- recruitment and promotion
- numbers of part-time and full-time staff
- pay and remuneration
- training
- return to work of women on maternity leave
- return to work of disabled employees following sick leave relating to their disability
- appraisals
- grievances (including about harassment)
- disciplinary action (including for harassment
- dismissals and other reasons for leaving.