

Dore Primary School

Disability Leave Policy

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Author	Schools' HR Service
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Section		Page
1	Policy	
1.1	Introduction	3
1.2	Principles	3
1.3	Application	3
1.4	Roles and Responsibilities	4
2	Procedure	5
3	Appendices	
	Appendix One – Disability Leave Request Form	6
	Employee notes for completion	7
	Appendix Two – Process for requesting disability leave	8

SECTION 1 Policy

The Governing Body of **Dore Primary School** adopted this policy for teaching and support staff on **8th February 2018**.

It will review it in **3 to 4 years**.

1.1 Introduction

- Reasonable adjustments are a means of allowing disabled employees to contribute fully to the workforce.
- It is considered a reasonable adjustment under the Equality Act 2010 to allow disabled employees covered by the Act, reasonable paid time off during working hours for assessment, treatment and / or rehabilitation, which is not then counted as sickness absence.

1.2 Principles

- The School will endeavour to create an environment where disabled employees feel comfortable in discussing their need for reasonable adjustments. It is committed to ensuring disabled employees' requests for reasonable adjustments are given priority consideration.
- Headteachers / Managers will have the discretion to authorise leave, having considered the reasonableness of the request for an adjustment. Whilst consideration will be given to the effect on pupils and service delivery in complying with a request for time off, consideration will also be given to the impact on the individual of failing to provide the adjustment

1.3 Application

- This policy is available to all teaching and support staff (including headteachers) if they are covered by the Equality Act 2010 and have discussed their requirements with their headteacher / manager / chair of governors (in the case of headteachers).
- Disability leave may be requested for as little as a few hours but should be no longer than 75 hours (including travelling time if requested) (pro rata) in any 12-month period. This may be extended in exceptional circumstances following discussions between the headteacher / manager and their human resources provider as appropriate. When considering whether an extension may be appropriate, managers may take into account factors such as scheduled clinic dates, as well as the service delivery needs of the school.
- Paid time off will be granted for approved requests for disability leave involving assessment, treatment and / or rehabilitation.
- **Assessment is considered as**
Time off to allow an employee to meet with a medical practitioner or disability specialist to ensure they are receiving the correct medical treatment or therapy

recommended by a medical practitioner, aids or adaptations. For example: To meet with their occupational therapist to be advised of the best adaptations for their home.

- **Treatment is considered as**
Time off to access medical treatment or therapy provided or recommended by a medical practitioner. For example: Regular dialysis treatment or counselling.
- **Rehabilitation is considered as**
Time off to enable an employee to actively achieve their full mental, physical or social potential. For example: Regular physiotherapy treatment,
- Unless it is a day admission, periods of hospitalisation will be classed as sickness but will be recorded as related to a disability if appropriate.
- Where appointments can be made outside working hours this should be the preferred option.
- Time to recover from medical treatment may be classed as disability leave if taken on the same day. Absence extending to the following day will be classed as disability related sickness absence.

Where an employee is unable to attend work owing to a breakdown of usual arrangements at work, for example, travel arrangements or sickness of a personal assistant, flexible ways of working should be considered.

Disability related sickness absence

Disability Leave is not applicable to periods of sickness relating to an employee's disability. This is to be recorded as disability related sickness absence. Disability related sickness absence is still classed as sickness absence, but should be recorded separately for monitoring purposes, as a basis for discussing reasonable adjustments which may be appropriate.

The following school processes and procedures apply to all employees, whether or not the sickness absence is disability related:

- Sickness absence reporting procedure, including the provision of sick notes as required.
- Return to work interviews
- Management of Sickness Absence Procedure

In line with school policy, all employees will have a return to work interview following a period of sickness absence. As part of this process, managers may wish to discuss with the employee how this level can be improved. Managers will assess the reasons for absence, looking at both disability related and non-disability related sickness absence before deciding if any further action is required. They may also discuss reasonable adjustments which may be appropriate.

The trigger points in the school's Management of Sickness Absence Procedure apply to all employees. Headteachers / managers should give due consideration to making a reasonable adjustment for disability related sickness absence.

1.4 Roles and responsibilities

- **Headteachers / managers** will discuss, in confidence, with all employees whether they need to access the Disability Leave Scheme, either during the individual's annual appraisal / individual performance review or at another appropriate time. A similar conversation will also be held with newly disabled or newly appointed disabled employees.
- **Employees** will not be expected to discuss the detail of their health condition with their headteacher / manager but must give their headteacher / manager enough information to allow them to make an informed decision about any time off that might be given. If further information is needed then the advice of Occupational Health can be sought.

SECTION 2 Procedure

Where an employee **knows in advance** they are going to require regular time off for assessment, treatment or rehabilitation, following approval, this request will be authorised and recorded in advance and on a disability leave request form for the whole of the 12-month period.

For an individual to have **occasional time off** recorded as disability leave they need to complete a disability leave request form in advance for each separate leave request. If approved, leave will then be recorded on their timesheet as authorised absence.

Employees should give the completed form to the line manager prior to the appointment being confirmed. Headteachers / managers need to respond within 3 working days.

A disability leave request form may be completed upon return where an employee requests time for **unexpected assessment, treatment or rehabilitation** to be recorded as disability leave. However, the headteacher / manager will need to have been informed verbally at the outset of the leave that such a request would be made upon return.

Where a Headteacher / manager has refused a disability leave request an individual may challenge this via the school's grievance procedure.

Monitoring

The level of disability leave authorised will be monitored to ensure the school is providing a reasonable adjustment. Headteachers / managers will need to balance the needs of the individual with the overall needs of the school.

See attached Disability Leave Request Form

SECTION 3 Appendices

Appendix One

Disability Leave Request Form

Name _____

Post Title _____

School Dore Primary School

Reason For Request

Number of hours requested

Date(s) of leave _____

Employee signature _____ **Date** _____

To be completed by the Headteacher / manager (after consultation with Occupational Health if appropriate)

Request Approved / Not Approved (Delete as appropriate)

Please give reasons if not approved.

Balance of Hours Remaining (Up to a maximum of 75 in total)

Name _____

Post Title _____

Signature _____ **Date** _____

Employee Notes for completion

This form should be completed if you are requesting time off for assessment, treatment or rehabilitation relating to your disability.

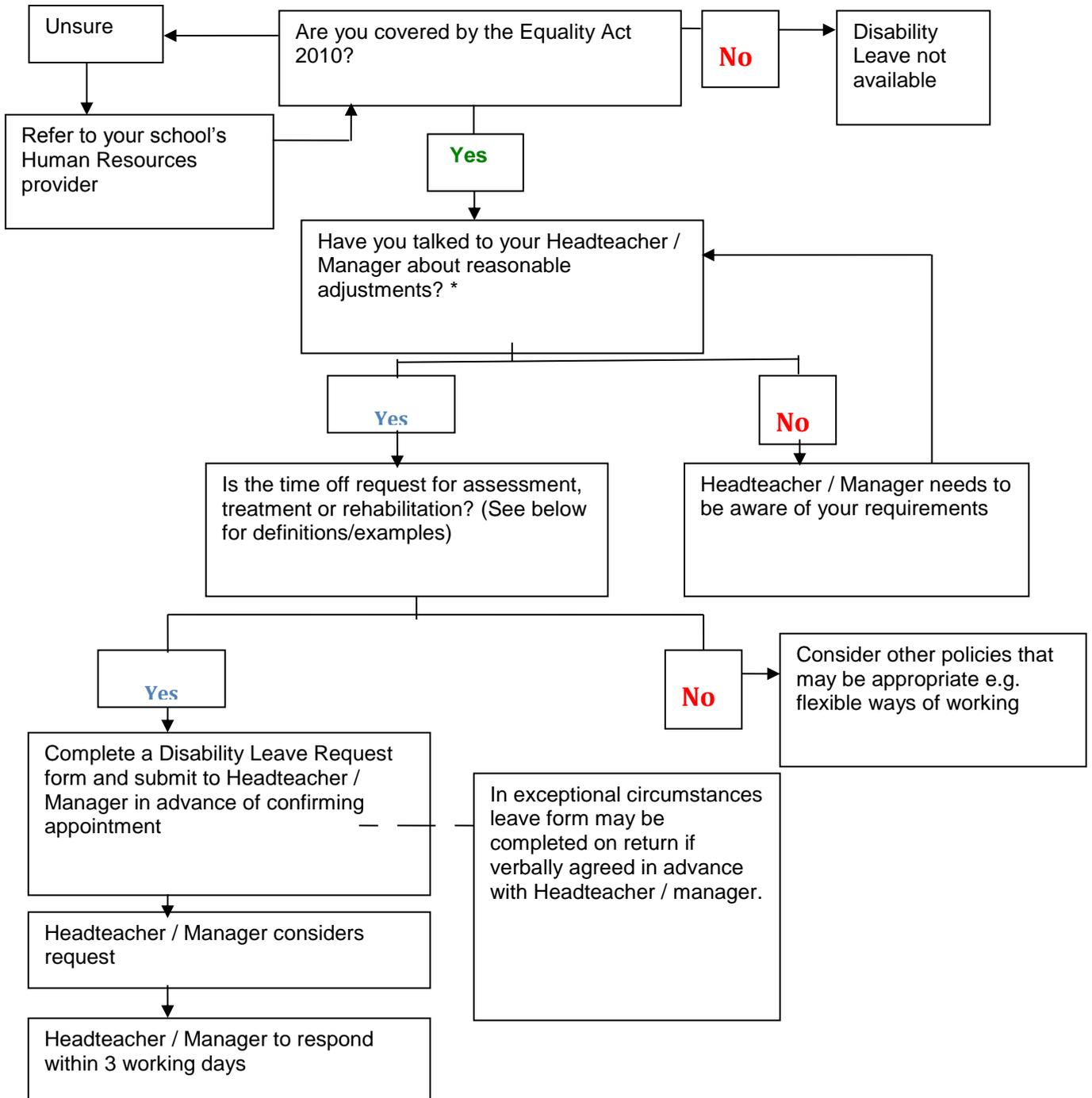
A form should be completed in advance of each separate leave request. However, where you have needed unexpected time off, this form may be completed on return proving you have informed your headteacher / manager verbally when reporting your absence.

Where you know in advance you are going to require regular time off, following approval, this request will be authorised and recorded for the whole 12-month period.

Completed forms are to be kept in a confidential file by the headteacher / manager. You may keep a photocopy for reference purposes

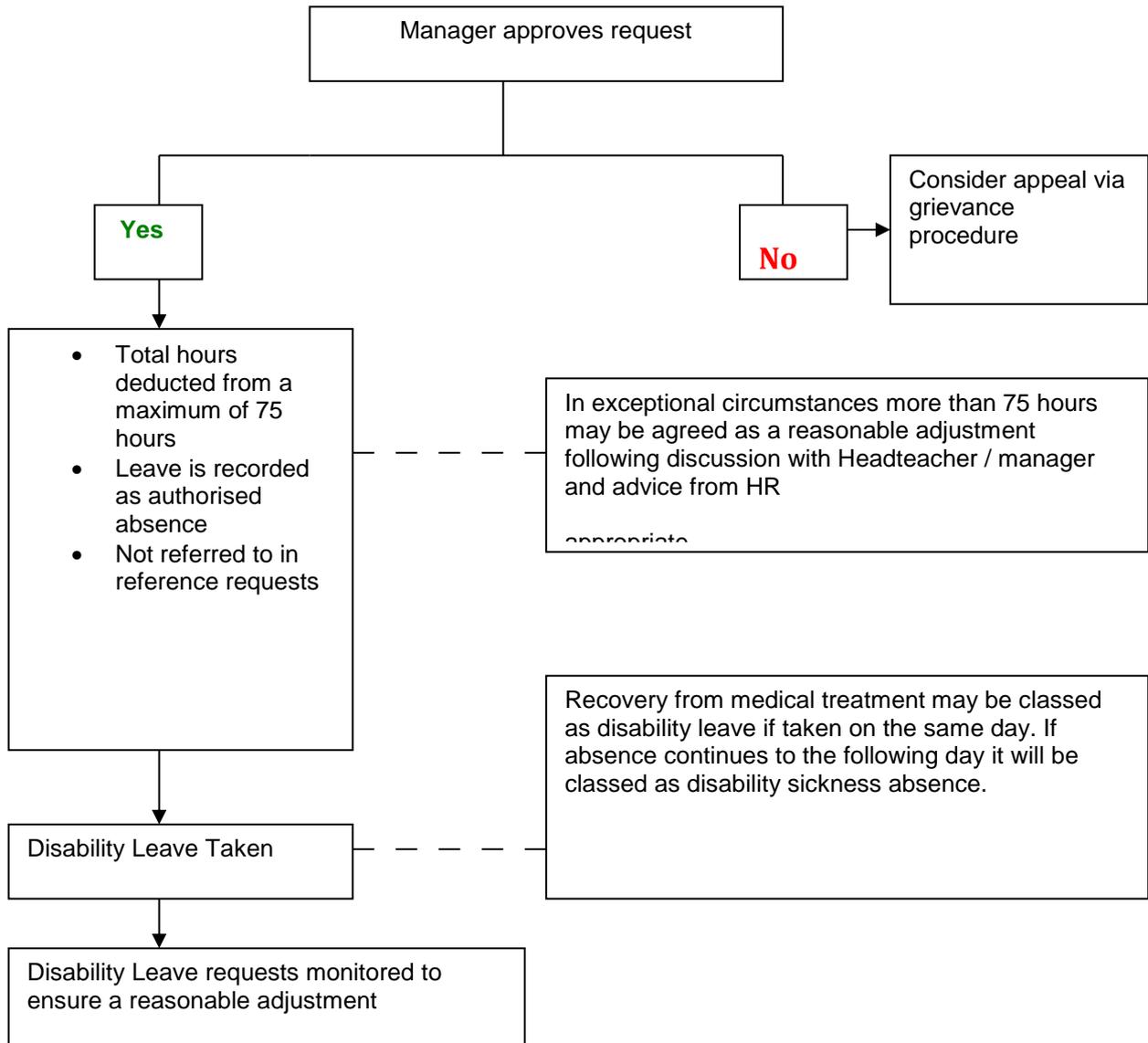
See attached Process for Requesting Disability Leave Flow Chart

Process for Requesting Disability Leave



*Reasonable adjustments are a means of allowing disabled employees to contribute fully to the workforce. Disability leave is an example of a reasonable adjustment as it allows reasonable absences during working time for assessment, treatment and rehabilitation, which are not then counted as sickness absence.

Process for Requesting Disability Leave



Assessment

Time off to allow an employee to meet with a medical practitioner or disability specialist to ensure they are receiving the correct medical treatment or therapy recommended by a medical practitioner. For example: To meet with their occupational therapist to be advised of the best aids or adaptations for their home.

Treatment

Time off to access medical treatment or therapy provided or recommended by a medical practitioner. For example: Regular dialysis treatment or counselling.

Rehabilitation

Time off to enable an employee to actively achieve their full mental, physical or social potential. For example: Regular physiotherapy treatment,

The examples above are not prescriptive or exhaustive. Each case is unique and will differ according to the nature of the person's disability.