



Thurlaston CE (Aided) Primary School
Teaching and Living the Christian Way of Life
Building Our Lives on Jesus

Therapeutic Return to Work Policy

26th October 2023



**Leicestershire
Traded Services**

Therapeutic Return to Work Guidance

Adopted on: 26-10-23.

This guidance document is intended to support Head teachers and Line Managers when managing any member of staff employed by the School who may benefit from a therapeutic return to work following long term absence.

This document serves as a guide to support managers only and does not form part of employees' terms and conditions of employment and therefore may be subject to change at the discretion of the Trust/Governing Body.

For the purposes of this policy the Head Teacher/Principal will be referred to as 'Head Teacher' and school/academy will be referred to as 'school'.

1. Overview

- 1.1 Where an employee has had a prolonged period of absence, their General Practitioner (GP) and/or other appropriate medical professional may set out recommendations regarding a therapeutic or phased return to work. In such cases a fit note or medical report will be issued which states that the employee is fit to return to work on a *therapeutic or phased basis*.
- 1.2 A phased or therapeutic return involves a gradual return to the workplace and is often considered as a way to support the employee to ensure that the return is a success. This will involve an employee working less than their contracted hours initially, and gradually increasing their hours of work over an agreed period of time (usually up to 6 weeks), until they are back to working their full contractual hours.
- 1.3 During a therapeutic return to work any time that the employee is not in work must be supported by a medical fit note. Any such time will be classed as sickness absence.
- 1.4 It is important to note that each therapeutic return to work will be determined on a case by case basis and dependent on the particular circumstances of the individual employee and medical advice obtained.
- 1.5 During any therapeutic/phased return to work it is also important that consideration is given to and employee's duties and responsibilities as well as their hours of work.

2. Roles & Responsibilities

- 2.1 The attendance of all staff will be managed by either the Head Teacher or another person in a management role or with line management responsibilities within the school.
- 2.2 If the Head Teacher's attendance is being managed in line with this policy, the Chair of Governors will be responsible for overseeing this process.

3. Considering Medical Advice

- 3.1 A therapeutic return to work will usually be one part of a more detailed programme of support e.g. the Support Plan that is put together as part of the strategy to support an individual to make the necessary improvements in their attendance (as set out in the Attendance Management Policy). A therapeutic return to work is usually only considered after a long period of absence.
- 3.2 A therapeutic return to work may be recommended by either the employee's GP or other relevant medical profession including Occupational Health where a referral has been made to seek further information on an employee's current health status.
- 3.3 Following receipt of medical advice the manager and employee should meet to agree a suitable support plan and timetable which outlines the arrangements for the therapeutic return.
- 3.4 Any support plan, including the therapeutic return to work schedule should be kept under regular review to ensure it remains fit for purpose.
- 3.5 Regular weekly meetings should take place throughout the therapeutic return period to ensure that all reasonable steps have been considered and appropriate support implemented to ensure a successful return to full hours and duties. Such meetings will usually take place towards the end of each week to check the employee is able to increase in their hours the following week.
- 3.6 Where an employee is struggling to increase their hours week on week they may require further adjustments to their support plan, therefore regular communication is important. Where an employee is not able to demonstrate some progress towards resuming their contractual hours within a 6-week period, further advice should be sought from HR.
- 3.7 During a therapeutic return to work an employee should be issued with a medical certificate by their GP or other relevant medical professional. All time where an employee is not at work will be considered as sickness absence.

4. Where Attendance Issues Continue

- 4.1 Where the employee is unable to return to their normal hours of work and/or duties by the end of the therapeutic return period, then consideration could be given to an alternative course of action, this may include, but not limited to:
 - Proceeding to the next stages of the attendance management process.
 - A further referral to occupational health to obtain additional information on support/adjustments that can be considered to support the employee,
 - Obtaining further advice from the employee's GP or other relevant medical professional (this will require the employee consent),
 - A temporary reduction in contractual hours to ascertain if this would be beneficial to the employee and enable them to meet their contractual obligations (employee's consent required).
 - A permanent reduction in contract hours (employee's consent required).
 - Redeployment to an alternative position (with the agreement of the employee).

5. Other Arrangements to Consider

5.1 Annual Leave:

Employees should be encouraged not to take annual leave during a period of therapeutic working since it would defeat the purpose of a return to work and may lead to an extension of the plan. Therefore:

- a) School closure periods should not be considered as part of a therapeutic return period for teachers or support staff employed during term time only.
- b) Annual leave which has been booked and cannot be changed should not form part of a period of therapeutic return.
- c) Head Teachers/Principals will need to have regard for the above when considering a therapeutic return during the weeks immediately before a) or b) above.

5.2 Sickness Record:

The school must notify their payroll provider that an employee is returning to work on a therapeutic basis with details of hours to be worked. A Phased Return Plan is available for schools to complete for this purpose (see Appendix A).

For the purposes of the sickness record (and calculating future sick pay entitlements), hours not worked by the employee should be recorded as sick leave on weekly and monthly sickness returns.

During the the Therapeutic Return any periods of sickness will be deemed to be continuous for the purpose of sickness absence recording.

5.3 Funding:

Where a school has been claiming funding in respect of the sickness absence of an employee who returns to work on a therapeutic basis, the school will be able to continue to claim that portion of the special payment which covers hours which are not being worked.

NB. Schools may need to speak to their insurance provider for further advice and guidance regarding the terms of their cover).

5.4 Payment:

A return to work will result in the forfeiture of SSP or sickness benefit. To remove this potential deterrent, the following pay arrangements apply:

Sick pay entitlement at time of return.	Payment for balance of entitlement period*
Full Pay	Full pay
Half Pay	Full pay for contractual hours of the week actually worked. Half pay + (if entitled) SSP/sickness benefit lost for the remaining contractual hours of the week recorded as sickness absence. (The combination of full pay for hours worked and half pay + SSP/benefit for hours not worked will not exceed full weekly pay).
No Pay	Payment for hours worked only and, if entitled, SSP/sickness benefit lost.

*If the employee's entitlement moves from full to half pay or from half pay to no pay during the period of therapeutic working, payment will change accordingly.

Example 1:

Sick pay entitlement at point of return to work: Half Pay (50%)			
Normal working hours: 32½ hours over 5 days (100%)			
		Contractual % Actually Worked	Pay Entitlement (% of weekly contractual hours)
Week 1			
Actual hours worked	13 hours	40%	40% at full pay
Sickness absence	19.5 hours		60% at half pay
Week 2			
Actual hours worked	19.5 hours	60%	60% at full pay
Sickness absence	13 hours		40% at half pay

Example 2:

Sick pay entitlement at point of return to work: Half Pay (50%), and reduces to no pay by week 2 of therapeutic return to work			
Normal working hours: 32½ hours over 5 days (100%)			
		Contractual % Actually Worked	Pay Entitlement (% of weekly contractual hours)
Week 1			
Actual hours worked	6.5 hours	20%	20% at full pay
Sickness absence	26 hours		80% at half pay
Week 2 (pay entitlement reduced to no pay)			
Actual hours worked	13 hours	40%	40% at full pay only
Sickness absence	19.5 hours		

Appendix A: Phased Return to Work Plan

Phased Return Plan for Schools		
Required for Teaching and Support Staff		
School:		
Name of employee:		
Employee No:		

	Date		Date
Start date of sickness absence:		End date of sickness absence:	
Start date of phased plan:		End date of phased plan:	

Date	Normal daily contracted hours	Actual daily hours worked	For EMSS Calculation use only
Total	0	0	