

**Sickness Absence
Appeal Stage Checklist**

Date:	
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When is the appeal stage triggered?

The appeal stage of the sickness procedure should be used when the employer has met with the employee at the final stage and the employee lodges an appeal against the decision made by the Headteacher/Chair.

An employee has 10 days following the final stage hearing to appeal. Paperwork should be supplied to all parties at least 5 days prior to the hearing.

Who needs to attend the meeting?

The meeting should be attended by:

- The Headteacher/Chair of original panel at the final stage hearing.
- A representative from HR
- The employee in question
- A trade union official or other colleague (if the employee makes a suitable request)

What notice should be given to the employee?

The employee should be given 5 working days written notice of a meeting (or less by mutual agreement).

The notice should specify the date of the meeting and the issues which will be discussed.

The notice should offer the employee the right to postpone the meeting to another date with 5 working days of the original date if their representative will not be available on the first chosen date (an adjournment may be increased in exceptional circumstances at the Panel's discretion or by mutual agreement).

SECTION 1: Stage 2 Appeal Hearing - pre-meeting preparation

To assist the Chair with the conduct of the appeal hearing, it is advisable to prepare for the meeting beforehand. The following checkboxes should be completed prior to the appeal hearing to ensure that all issues are covered and properly considered.

Employee name:

Chair of the Panel:

Dates / reasons given for absence since Formal Stage 1:

Dates	Reasons

Total days' absence in last 6/12 months:

Having reviewed the case notes and circumstances of the case, do you believe that the employee has been treated reasonably in all the circumstances? If no, please give reasons:

Given the type of illness / injury, and the sickness record of the employee concerned, have the following options been considered?

Making reasonable adaptations to the work, work place, or working arrangements (following the Council's standards on managing change

and job evaluation)

Ill Health Retirement

Redeployment search for a reasonable period

Termination of the employment contract subject to the provisions of a relevant Council scheme

Please give your reasoning for accepting or rejecting **all** of the above options:

Reasonable Adaptations:

Ill Health Retirement:

Redeployment search:

Termination of contract:

Section 2 – Appeal Meeting Agenda

To ensure that the meeting is conducted fairly, Chairs may use the following meeting agenda.

1. Opening remarks

The Chair should explain the purpose of the meeting – namely:

- To discuss the employee's appeal and the reasons for the appeal against the decision made at the final stage formal meeting.
- Discuss any disputes about the procedure followed.
- To discuss the order of the appeal hearing, and set ground rules for the hearing.
- Explain that there is no further right of appeal.

The role of the representative should be explained, namely that they are present to assist the employee, but may not answer questions on his/her behalf.

2. Employee to explain the reason for appealing the final stage meeting decision

The employee should state their case offering the reasons for the appeal, why they consider the decision at the final formal meeting to be unfair, and any other information relevant to the appeal hearing.

3. Chair's response

The Chair should respond to the issues raised by the employee in terms of why they consider the original decision is justified. The Headteacher/Chair of original panel should in their presentation direct the Chair of the Appeal Hearing to the following issues:

Effect on ability to perform the role - Highlight examples where service delivery / the team have been affected by the employee's absence.

Reasonable Adjustments considered: Are there reasonable adjustments to the employee's role which could ensure a better sickness record / earlier return to work?

4. Summaries

Both parties given opportunity to sum up their arguments.

5. Outcome

The Chair of the appeal hearing should give their decision as to whether to dismiss or uphold the appeal. If the decision is to uphold the email confirm any further actions necessary e.g. return to work, reasonable adjustments, redeployment search etc. If the appeal is dismissed, ensure that this decision is given to the employee in writing within 5 days of the appeal hearing.

6. AOB.

SECTION 3: Meeting transcript

Record of an Appeal Sickness Hearing

Location:

Time:

Date:

Present:

MANAGER

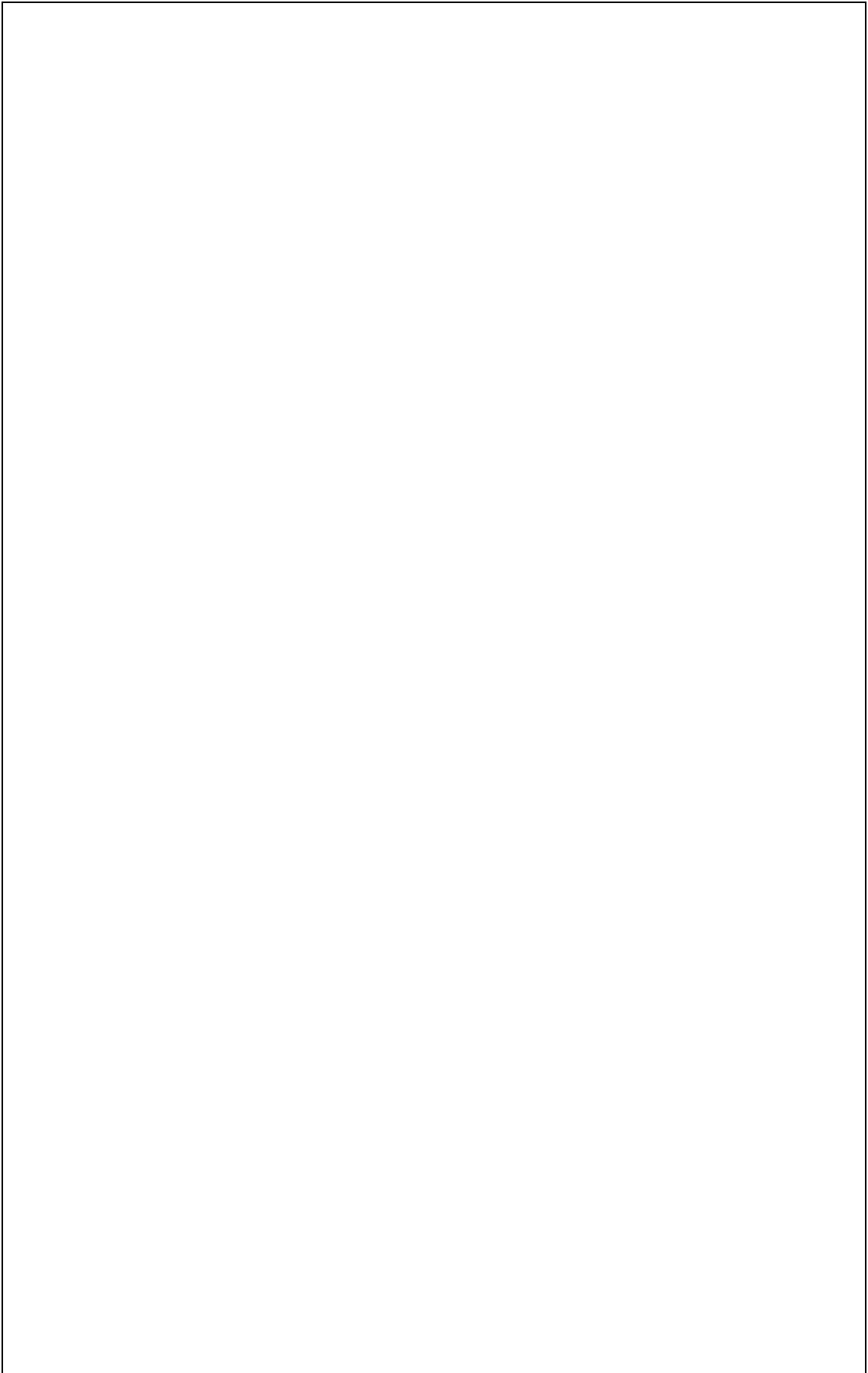
EMPLOYEE NAME

OTHER PARTIES PRESENT

Documents supplied at / referred to at the Hearing:

1. Medical certificates:
2. Occupational Health Reports:
3. Self Certification Forms:
4. Notes from previous meetings:

Notes:



Decision and supporting reasons

Signature of manager: