WHOLE HUMAN EDUCATION

Wellbeing policy

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1. Purpose of the policy

At Whole Human Education (WHE) we value our team members highly and are committed to supporting them as wholly as possible. This policy sets out the ways that WHE seeks to improve your safety, health and well being, work-life balance and subsequently your performance and attendance at work.

This policy is divided into these main areas:

- Managing ill-health related absence
- Work-life balance
- Special leave
- Health promotion and management

In accordance with our Dignity policy, this procedure will not discriminate, either directly or indirectly, on the grounds of age, disability, gender reassignment, marriage/civil partnership, pregnancy/maternity, race, religion or belief, sex, sexual orientation, trade union membership, or any other personal characteristics.

Throughout this policy the organisation "Whole Human Education" will be referred to as WHE.

The policy and procedure will be reviewed periodically giving due consideration to any legislative changes.

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2. Managing ill-health related absence

We realise that everyone will be ill on occasions and we are sympathetic and supportive of all our team members during these periods, whether it be one day or more. As a small business we are dependent on our whole team, so it is important that we strike a balance between being sympathetic and ensuring that WHE continues to be a successful organisation for the benefit of everyone who works here, and most especially our students.

We will always respect the confidentiality of all information relating to your illness or personal circumstances. This policy will be implemented in line with all data protection legislation and the Access to Medical Records Act 1988.

2.1 Reporting absence

If you are ill, speak to one of the Directors on the morning of the first day of absence, preferably by the time you would normally be expected to work. If a Director is unavailable, speak to our Executive Coordinator. Explain the nature of your illness and a likely return date. You should also bring to our attention any urgent current work or tasks which might need to be completed in your absence and, if possible, provide any session plans and resources that a substitute for your role might need during your absence. You must do this yourself unless there are extreme circumstances that make it impossible.

If you continue to be absent from work for longer than the period originally stated, or on the fourth day of your absence, whichever is sooner, speak to one of the Directors again to discuss how you are getting on and a likely return date. If you are signed off work after the initial seven days it is important that you keep in touch with us throughout your period of absence.

2.2 Keeping in contact

If you are away from work with a longer term sickness (for longer than two calendar weeks), we expect you to discuss your situation with a Director regularly and to keep us informed of your progress. We will telephone you at least every fortnight and may visit

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you at home, with your agreement, to discuss with you the reason for your absence, whether there is anything we can do to help, and to make sure that you are fit to return to work at the appropriate time.

2.3 Certification

A Medical certification from your doctor now comprises a Fitness for Work Certificate or 'fit note'. The 'fit note' enables your doctor to be more flexible about your fitness for work and they will be able to suggest alternatives to absence from work e.g. they might suggest that, although you are not fit to undertake your full role, you might be fit to undertake alternative work or to work reduced hours. For the purposes of this policy the new Fitness for Work Certificate / 'fit note' will be the medical certification required for periods of absence of more than 7 days. For the remainder of this policy this will be called a medical certificate.

If you are away from work ill for seven days or fewer, on your return complete a self-certification form (appendix A) explaining the reasons for your absence. This will be counter-signed by a Director. You must also complete a Statement of Sickness form in order to claim Statutory Sick Pay (HMRC SC2 form which can be found here: https://www.gov.uk/government/publications/statutory-sick-pay-employees-statement-of-sickness-sc2)

Any false declaration of sickness will be treated as gross misconduct. If you are away from work for longer than seven days, you must obtain a medical certificate. This should be received by a Director no later than the tenth day of absence, covering the absence from the eighth day. These records will be kept on your personal file.

If your absence continues beyond the period covered by the initial medical certificate, you must submit medical certificates to give continuous cover for the period of absence. On eventual return to work you must complete a self-certification form in respect of the first seven days if they were not covered by a medical certificate. If the medical certificate does not specify the period of absence covered, it will be classed as covering a period of only seven calendar days.

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In the case of persistent short term absence, WHE reserves the right to request a medical certificate for periods of absence of less than seven days. If you have to pay for a certificate in these circumstances we will reimburse you.

Failure to follow any of the above procedures could result in your absence being considered unauthorised and thus not qualifying for sickness payment and in some cases might lead to disciplinary action. In circumstances where you have been absent from work without making contact or providing a medical certificate, we will make reasonable attempts to contact you. If you fail to respond to letters and phone calls, after a reasonable length of time we will take disciplinary action against you, up to and including dismissal.

If you are taken ill while at work you must notify a Director, or member of the senior leadership team (SLT), as soon as possible and where reasonable and practicable before leaving the office.

2.4 Return to work interviews

On returning to work, after any ill-health absence, you might be required to attend a return to work interview with a Director to discuss your absence. The discussion allows for an exchange of information in a frank and open way preventing any misunderstandings concerning the nature of the absence. This will also enable the Director to identify any assistance that you might need to enable your return to work or prevent further absence occurring. A record of the interview will be kept on your personal file, the template for which can be found as appendix B.

2.5 Pay during ill-health absences

To ensure your continued wellbeing WHE provides occupational sick pay in excess of your statutory entitlement once you have completed your introductory period (usually 6 months). Your statutory entitlement is (providing you qualify) to be paid Statutory Sick Pay (SSP) when you are absent from work due to sickness. This entitlement begins after the first three days (which are unpaid), and lasts for a maximum of 28 weeks. The SSP weekly amount is reviewed by the government each year, so we suggest that you follow this link to view the most up-to-date figure (https://www.gov.uk/statutory-sick-pay/overview).

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At WHE we provide a period of full pay as a 'top-up' to the statutory payment made by the government. The period of full pay to which you are entitled depends on your length of service, as follows:

Service	Initial unpaid period	Full pay period	SSP period
Introductory period	N/A	3 working days	28 weeks
Up to 2 years	N/A	10 working days	26 weeks
2 to 4 years	N/A	15 working days	25 weeks
5 years or more	N/A	20 working days	24 weeks

At the end of the period in which you are entitled to SSP, if you are unable to work, you might be entitled to apply for other state benefits. If two periods of sickness are separated by less than six weeks, they are linked for the purposes of sick pay.

The sick pay regulations and this section of the policy are financial provisions indicating an entitlement to sick pay. They in no way indicate the amount of sickness absence to which an employee is entitled. There is no entitlement to any fixed period of leave for sickness and WHE is fully entitled to take action under WHE's Dignity policy (either capability or disciplinary) up to and including dismissal, while you are receiving sick pay entitlement, if it is otherwise fair to do so.

Occupational Sick Pay

Occupational sick pay is entirely at the discretion of the Directors of WHE but will not be unreasonably withheld as long as you have complied with the notification requirements and have produced any necessary medical certificates, including self-certificates.

2.6 Illness during annual leave

Due to the term-time nature of our settings, your statutory entitlement to annual leave is wholly covered by out-of-term holidays, and as such you have no further entitlement to

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annual leave. Due to your not being required in your role during the holidays, if you are ill during this time, you are not entitled to claim any time back as annual leave.

2.7 Monitoring

WHE operates an accurate method of recording and monitoring levels of absence. If your sickness absence or your general health is giving cause for concern, one or both of the Directors will discuss this with you at your return to work interview.

Circumstances that usually cause concern include:

- You have had more than 3 separate periods of absence in 6 months
- Absences occur regularly on specific days, for example Fridays and Mondays
- You have been unable to work due to sickness for more than 2 consecutive weeks
- You appear to be struggling with your role while at work, due to a health problem.

This is not an exhaustive list and the Directors reserve the right to meet you to discuss your absence from, or health at, work for any other reason, in order to understand any particular problems you are experiencing, and to explore whether there is anything we can do to help you improve your health and attendance record.

2.8 Persistent short-term illness

If absence levels continue to cause concern, you will be asked to have a review with your GP and/or a doctor commissioned by WHE to assess whether there are any underlying medical conditions that need to be considered.

If there is an underlying issue, medical advice will be sought to identify how your health can be improved, any reasonable adjustments we can make and/or assistance that we can provide to improve your attendance at work. If we have put all reasonable measures in place and non-attendance continues we might consider invoking the capability procedure, found in the WHE Dignity policy, which might ultimately lead to dismissal on the grounds of capability.

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If there is no underlying medical condition, continued non-attendance might result in disciplinary action being taken. This will follow the disciplinary procedure as stated in the WHE Dignity policy. As part of this process you will be given the opportunity to improve your attendance, but if improvements are not made, the process could ultimately lead to dismissal on the grounds of conduct.

2.9 Long-term illness

If you have been off work for longer than 2 consecutive weeks it will be considered a long-term absence. In this case you will be asked to meet with a director to discuss the reasons for your continued absence, and to identify any possible course of action that could be taken to aid your return to work. If you are not well enough to attend the meeting at work, other arrangements will be made such as a home or hospital visit, Zoom meeting, or meeting at another appropriate location. This will always be agreed by both parties in advance.

Medical advice

If absence continues after the meeting above, medical advice will be sought from an independent doctor. You will be asked to attend medical appointments and you must make yourself available for this. The purpose of the assessments is to establish:

- What is preventing you from being able to work
- Any medical treatment that can improve your condition and your health
- Any adjustments we could reasonably make to help you to return to work on a permanent basis
- Whether you will be able to return to work within a reasonable period of time.

Returning to work

Wherever possible we will help you to return to work on a permanent basis. This might include making reasonable adjustments to your job, allowing a phased return to work, or allowing you to return to work on a reduced or alternative hours basis.

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Where a phased return to work is recommended by a medical professional as the best option to ensure you can return to work, you will be able to return to work on an incrementally increasing part-time basis. You will be paid for the hours that you are working and this can be "topped up" with sick pay, up to a maximum of full pay. If you are not entitled to sick pay under this policy at the time of your phased return, you will be paid for the hours worked, and must take unpaid leave for those hours you cannot work. If you request a phased return to work but it is not directly recommended by a medical professional you must take the time using unpaid leave for the hours that you do not work.

If you are disabled, or become disabled while working for us (as defined in the Disability Discrimination Act 1995), we will consider all reasonable adjustments to help you to return to work and to allow you to do your job, or another suitable job, when you return. If you have a condition or disability covered by the DDA, this must be noted when recording sickness absence that is directly related to the condition/disability which is covered by the DDA.

For the purposes of recording, and when considering formal monitoring of absence, any absence due to pregnancy-related illness will be disregarded. If you are pregnant and cannot attend work due to a pregnancy-related illness or condition in the last 4 weeks of your pregnancy, you must start your maternity leave early. For full details please refer to the WHE Family policy.

Redeployment

If the medical advice is that you are unfit to return to your former role, the possibility of alternative employment will be considered. However, depending on the availability of alternative posts, this might not be possible and is entirely at the discretion of the directors.

Ill-health retirement

If the medical advice indicates that you will be permanently unfit to work, you might have the option of applying for early retirement on the grounds of ill health, in line with the provisions of your pension scheme. This option will be discussed with you if appropriate.

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Resignation

At any time during this process you might choose to resign from your employment with WHE. In this case you will be paid in lieu for one week more than your statutory notice period (please bear in mind that you will remain on sick leave for this period and your payment will include only any sick pay that you are entitled to during that period).

Dismissal

If it becomes clear that you cannot return to work due to your health within a reasonable period, we might have no choice but to dismiss you, although this will only be done as a last resort. The point at which this will be considered will depend on the nature of your work, your medical condition and the difficulty caused to WHE by your continued absence. If this is what we are considering, we will convene a formal capability hearing in which the Directors will consider all the facts including any relevant medical information, options for alternative working arrangements that have been explored and your views. You have the right to be accompanied by a work colleague or trade union representative at this meeting.

The meeting will adjourn for a short period and a decision will be made. If the decision is to dismiss you *on the grounds of capability*, you will receive a letter confirming the reason for dismissal, the date of dismissal, and the details of any payment in lieu of contractual notice and any other outstanding payments to which you are entitled.

You have the right to appeal this decision by following the appeals procedure as detailed in the WHE Dignity policy, under the section entitled "Capability support procedure".

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3. Work-life balance

Maintaining a healthy balance between your work and the rest of your life is important. We recognise that you will be happier, healthier and more productive if this balance is managed effectively and have been mindful of this when considering your entitlement to appropriate benefits, leave, and hours of work.

3.1 Working days

The first and most important part of maintaining your work-life balance is how your working week is managed in a way that allows you to perform your role effectively and to your satisfaction, whilst remaining physically and mentally healthy.

In mainstream education environments the standard is for working time to be 195 days. At WHE we consider a whole time equivalent (WTE), representing a "full-time" contract, to be 180 days per annum over 36 weeks. This reduction reflects that we recognise a need for a better work-life balance.

Our settings will be open to students for 35 weeks every year, 5 days per week (175 days total). The additional week (5 working days) of the full year at WHE is the first week in September each academic year in which team training, planning and preparation will take place.

The Directors will provide the dates of work as "term dates" at least 12 months in advance. These will be available on the setting website. Your whole time equivalent is stated in your statement of particulars and where appropriate, your days of work will also be specified there.

3.2 Working hours

The working day constitutes a period of 8 hours, in which you are required to work 7.5 hours and must take a 30 minute break, timed in a way that facilitates appropriate supervision of students and the balancing of team members' needs.

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The normal working hours at a WHE setting is 8:30am to 4:30pm Monday to Friday. In addition all team members will be expected to attend the team circle which will occur between 4:15pm and 5:30pm one evening per week during term time. Any variation to this for your specific role and circumstances will be specified in your statement of particulars.

The core learning day is 9:30am to 3:30pm Monday to Friday, though some settings might be open to students from 8:45am to 4:15pm for additional wellbeing and learning opportunities. Team members are expected to either be working directly with students or using this time for planning and preparation and other work related activities. We expect employees to leave the site at 4:30pm, except in the case of team circles, to ensure they manage their work-life balance.

3.3 Part-time contracts

As mentioned above, not everyone will have a full-time contract that is aligned to the days and hours of work described above. Part-time contracts will be expressed as a decimal of the WTE. For example, someone working 3 days per week will have a 0.6 WTE contract. All part-time team members will have their days and hours of work specified explicitly in their statement of particulars (contract of employment).

3.4 Zero-hours contracts

Zero-hours contracts will only apply in appropriate circumstances in which both WHE and the team member agree that this is the right type of arrangement. This will usually be at the request of the team member for the purpose of their own flexibility.

Rights and responsibilities

Any team member with a zero-hours contract does not have a right to be provided with work, and does not have a responsibility to perform a specific role or work any hours. It is entirely at the discretion of WHE whether to offer work and we are under no obligation to do so. Equally, the team member is under no obligation to accept work when it is offered.

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Continuity

Each offer of work by WHE that is accepted by the team member shall be treated as an entirely separate and severable engagement, for which the terms of this policy shall apply each time. The fact that WHE has offered you work, or offers you work more than once, shall not confer any legal rights on you and, in particular, should not be regarded as establishing an entitlement to regular work or conferring continuity of employment.

Arrangements for work

Offers and arrangements of work may be made in person but will be confirmed by text or email. Work will be arranged by a "half-day" or "session", which will be either morning or afternoon and consist of 4 hours at a time. If two working sessions are undertaken on the same day (a full day) then a half hour paid break is included.

3.5 Annual leave

The first and most important part of maintaining your work-life balance is managed through your entitlement to leave. At WHE your leave is limited to the out-of-term holidays, which are specifically the 16 weeks that we are closed. There is no entitlement to annual leave outside of these times. Your annual leave is paid as part of your salary.

Zero hours annual leave

If you are a worker on a zero hours contract you are still entitled to paid annual leave. As per statutory guidance, annual leave entitlement is calculated by multiplying the hours worked by 12.07%. These hours are added in each pay period and paid at normal rate. For instance:

48 hours worked x 12.07% = 5.79 hours holiday (round up to 6 hours)

Base rate:	12 x £65 = £780
Holiday pay:	6 x £16.25 = £97.5
Total pay for period:	£877.50

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3.6 Flexible working

At WHE we always want to be as flexible as possible, meet individual human needs, and assist everyone in balancing their work and home lives in a positive and empowering way. We are therefore willing to consider requests for flexible working that may include varying hours and days of work, or working away from settings. Such requests will be considered taking into account the impact on the organisation, other team members and most particularly students.

In many roles at WHE, adjustments to working arrangements that are possible in other types of workplaces make our work impossible, and this needs to be taken into account. However, we will always look at requests with an open mind and on a case-by-case basis.

Any team member with at least 26 weeks service with us may make a formal written request for flexible working arrangements to a director. Please note that only one such request may be made in any 12 month period and that flexible working arrangements are completely at the discretion of the directors and are not an automatic or statutory entitlement.

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4. Special leave

It is expected that the out-of-term holidays will make it possible for you to accommodate regular appointments without needing any additional leave. However, we are aware that unexpected or unavoidable and necessary appointments occasionally arise, as well as domestic emergencies. Special leave covers a range, listed and detailed below, of leave that supports you with these circumstances. If the need for leave is related to a dependent (child or adult) or to family-building appointments (antenatal or fertility), refer to the WHE Family policy.

All requests for absence should be made to a Director who will make arrangements for any necessary pay adjustments and ensure that appropriate records are kept on your personal file. You should also note any planned leave in your work diary for the benefit of other team members, and work alongside leadership to ensure that your duties are covered.

4.1 Emergency leave

You might have an emergency that cannot be dealt with outside your working hours and days. This might include a breakdown of travel arrangements, a more serious domestic emergency or another substantial reason that is unrelated to a dependant.

In these circumstances, we will be as accommodating as possible but expect that you will be able to resolve any issues within 3 days. Emergency leave will not be granted for longer than this and will be unpaid. For any emergencies related to dependants (adult or child) refer to the WHE Family policy.

4.2 Jury duty

Jury service is a public duty. Jurors usually try more serious criminal cases such as murder, assault, burglary or fraud. Unless someone is disqualified, has the right to be excused or has a valid reason for discretionary excusal, they must serve. All jurors are selected at random by computer from the electoral register. Everyone on the electoral register from

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the ages of 18 to 70 may be selected even if they are not eligible to serve on a jury. Some people never get called; others get called more than once.

There is no prohibition against any employees in our settings being called upon to perform jury service. If you are selected for jury service you have the right to time off and not to be dismissed or treated detrimentally because you serve on a jury. You also have the right not to be selected for redundancy, where the reason is connected to your jury service.

WHE will not pay you for this leave but the courts pay for loss of earnings, travel costs and a subsistence rate during jury service. It is your responsibility to ensure that you submit a claim to be paid these expenses. Jury service is an average of ten working days but might be longer or shorter depending on the case for which you are selected.

If you are selected for jury service, tell a Director as soon as possible, confirming when you will need time off and if possible how much. If you report for jury service and are not called upon to serve, you will be expected to attend work on that day if reasonably practicable.

You can apply to defer your jury service by writing to the service including details regarding why you want to be deferred, e.g. going on holiday. You also need to supply the court with other dates when you are not available within a twelve month period. A jury officer will make a decision on the deferral and may arrange new dates. You may defer jury service only once, up to a maximum of twelve months from the original date.

4.3 Compassionate leave

Should an immediate family member of a team member die, compassionate leave will be granted for up to five calendar days to assist you with managing your emotional wellbeing, during which time you will be paid in full. For the purposes of this policy, an immediate family member is defined as:

- A child
- A parent
- A sibling
- A spouse (either by marriage, civil partnership or long-term relationship).

We are aware that team members will have close relationships that fall outside this definition (e.g. grandparents, friends and in-laws) and are sympathetic that your distress in these situations will be equally real. In these circumstances, or as an addition to the paid entitlement in this section, you might consider requesting discretionary leave.

4.4 Discretionary leave

Discretionary leave is for circumstances that are not covered by other sections in this policy or other policies. You are not entitled to this, but you can request it if you feel that you need time off for any substantial reason. We will consider all requests sympathetically and in accordance with the WHE Dignity policy, but reserve the right to refuse this type of leave for any reason and will consider only reasonable requests. Discretionary leave is usually unpaid, other than in exceptional circumstances, and any payment is entirely at the discretion of the directors.

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5. Health promotion and management

5.1 Income protection

We recognise that team members might want to prepare financially for unforeseen circumstances of long-term ill health and therefore offer all team members the opportunity to pay into an income protection policy directly from their salary. If you are interested in this, discuss it with a Director.

5.2 Private medical insurance

In the future we intend to offer, as part of our comprehensive benefits package as outlined in the WHE Involvement policy, all team members basic private medical insurance. This policy is currently in development. We believe this is an excellent way of ensuring team wellbeing and health. We will notify you immediately when we are going to start this insurance.

5.3 Medical appointments

WHE recognises that some team members might have long term health issues that do not normally interfere with their work when managed properly and that management of this requires attendance at medical and/or therapeutic appointments. If attendance at these appointments cannot be accommodated outside working time, unpaid leave will be granted as long as the following provisions are put in place:

- The team member has discussed their medical condition with the directors
- The appointments are directly related to improving or managing the condition
- The appointments are reasonable in nature and in regularity
- Attending appointments does not interfere with the team member's performance
- WHE can reasonably cover the team member's duties, and maintain classroom ratios.

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6. Policy administration

7.1 Monitoring and review

The WHE directors monitor the effectiveness of this policy on an ongoing basis and review the policy at least annually. The Human Needs director is responsible for ensuring that this policy is compliant with employment legislation and represents the best interests of both the business and all team members.

7.2 Record keeping

WHE keeps a variety of records in regard to the health and wellbeing of our team members. All absences are monitored and logged in a secure document which is only accessible to relevant leadership. All medical and health details of team members are recorded securely in the team member's personal file and are kept highly confidential.

7.3 Related policies, procedures and documents

- Dignity team policy
- Health and safety policy
- Family team policy
- Team handbook

Appendices

Appendix A Self certification form

Appendix B Return to work interview record template

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APPENDIX A Self certification form

This form must be completed and discussed with the team member by a director or appointed member of the leadership team for every episode of sickness and retained on the team member's personal file.

Name of team member: _____ **Job role**: _____

First date of absence: _____ **Return to work date:** _____

Total number of work days absent due to ill health : _____

Reason for absence:

State why you were unfit to work. Note that words such as illness/sickness are not enough. If absence is related to an injury, give brief details of the injury and cause. Ensure that any accident at work is entered in the Accident Book.

Providing false information on this form, or giving false information to the leadership team regarding your absence from work, will be considered gross misconduct and will result in termination of your employment. In signing below you are confirming that the above is a true and complete statement.

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Team member signature: _____ **Date:** _____

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APPENDIX B Return to work interview record template

This form must be completed and discussed with the team member by a director or appointed member of the leadership team for every episode of sickness and retained on the team member's personal file.

Name of team member: _____ **Job role**: _____

First date of absence: _____ **Return to work date:** _____

Date of return to work interview: _____ **Conducted by:** _____

Reason for absence _____

Is the absence work related? (check if an incident form has been done) **Yes** ☐ **No** ☐

Is the absence pregnancy related? **Yes** ☐ **No** ☐
(if yes, a risk assessment must be undertaken)

Could this absence be related to a disability? **Yes** ☐ **No** ☐
(if yes, consider whether any reasonable adjustments would help)

Is the team member now fit to undertake all duties? **Yes** ☐ **No** ☐

If not; what duties are they able to undertake?

Did the team member seek advice from their GP/ have they been referred to a consultant?

If so are they receiving any medication and/or require further treatment?

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Is the team member returning to a temporary or modified role? **Yes** **No**

Describe temporary or modified role and location

Anticipated date of return to full duties in substantive role _____

Does the team member have any underlying health problem which might be contributing to their recent illness and result in further absences?

Is the team member aware of their personal responsibility to maintain their health?

Have you discussed any health awareness information or signposted the team member to further information?

Agreed Actions by the team member	Timescale/ Review Date
Agreed Actions by the director	**Timescale/ Review Date**

Does the team member have any concerns about any work-related issues which might have a bearing on their sickness absence?

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Has the team member been referred to an outside Occupational Health advisor? If so, what was the advice? If not, consider whether a referral is required.

Has the employee had an influenza (flu) vaccine in the past 12 months?

Any other comments/recommendations/actions required? –

Total no. of working days absent: _____ Total no. of episodes in the last 12 months: _____

Does this episode require any further action under the wellbeing policy Yes ☐ No ☐

☐ No action ☐ Initial discussion ☐ First formal

☐ Second formal ☐ Final formal

Please use for any additional information :

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This section must be signed by both the director and the team member as a true and accurate record of the discussion that took place during the return to work interview.

Director signature: _____ **Date:** _____

Team member signature: _____ **Date:** _____

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