



# Stuck Not Sick Policy & Procedures

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## 1 Introduction

The School acknowledges that employees will occasionally need unplanned time away from work. We accept that our employees are sometimes unwell but this is just one reason why they may need time off from work. They may for example have a bereavement in the family and require time off from work and there are already established procedures to deal with circumstances such as these.

Employees should have contingency plans in place should childcare/caring arrangements fail however in certain circumstances where the situation is beyond their control the Stuck Not Sick Procedure may be requested.

The Stuck Not Sick Policy applies to situations which occur with little or no notice, where an employee is not sick, but they are genuinely stuck i.e. the Child Minder lets them down, a child or parent is suddenly admitted into hospital, or the washing machine breaks down and the kitchen is flooded.

## 2 Alternative Arrangements

A number of informal arrangements already exist for employees who are faced with emergencies and require limited time away from work to deal with them. This may involve swapping shifts where possible or taking unpaid leave. Whilst this gives some flexibility around time away from work, it means employees may suffer a reduction in pay.

The Flexible Working Hours Scheme, for those with access to it, provides flexibility around start and finish times providing employees do not exceed the parameters laid down by the Scheme i.e. carrying a debit balance of no more than 10 hours into the next accounting period.

### **3 The Policy**

The Stuck Not Sick arrangements are available to all employees not just those benefiting from flexible working hours arrangements. It is not an extension of the current Flexible Working Hours Scheme and employees will not be allowed to bank hours thus creating a time credit or take additional half or full days.

Hours will be taken and repaid within an agreed time period preferably within 4 weeks. A limit of 15 hours stuck not sick time will be applied for employees (pro rata) therefore the maximum stuck not sick time an employee can owe the School is 15 hours (pro rata). Until some hours are re-paid, no further stuck not sick time will be allowed. For example, someone who owes 15 hours stuck not sick time but has only re-paid 7.5 hours will only be able to take a further 7.5 hours stuck not sick time until they repay some of the hours they owe.

No more than one standard working day will be allowed on any one occasion. Longer periods of time off can be dealt with using other leave procedures. Stuck not sick time is for short term crises only.

When an employee returns to work, they must meet with their Head Teacher and discuss ways in which the stuck not sick hours will be repaid. Where employees are on the computerised Flexible Working Hours Scheme, stuck not sick hours can be recorded as part of the normal debit/credit arrangement. Head Teachers will agree with employees a payback period taking into consideration flexible working accounting periods and allowing excess debits to be carried over between periods. For those on manual flexible working schemes or not on flexi, a paper-based manual recording system has been developed to record stuck not sick time taken, repayment methods and timescales. Copies of the form should be held on the employee's personal file.

Repayment of stuck not sick hours is at the discretion of Head Teachers in consultation with the employee and taking into account school requirements. Options on how to repay stuck not sick time could include:

- Working extra hours to repay stuck hours
- Working additional shifts to repay stuck hours
- Use of annual leave
- Use of flexi leave
- Use of lieu time
- Unpaid leave

For those employees who work fixed hours or shifts, or where the opening times of establishments restricts the ability to work additional hours, alternative arrangements may be considered by agreement between the Head Teacher and employee. This may include working at another establishment, providing work of a suitable kind is available which is of an appropriate grade, the employee is suitably trained and a risk assessment has been carried out.

#### **4 Frequently Asked Questions**

- **Can a Head Teacher question how genuine the “stuck” is?**

Head Teachers will generally take a request on face value. As an employer we trust our employees to act in good faith and use this scheme when they are genuinely in need of some short-term time away from work which is not sickness. Hours taken as stuck not sick will be repaid by agreement between employee and their Head Teacher. Any abuse of the scheme will result in this facility being withdrawn from employees and/or disciplinary action instigated where appropriate.

- **Can we allow employees to use leave from next years’ holiday entitlement to repay stuck not sick hours?**

If an employee has used all of the current year’s holiday entitlement, Head Teachers may use their discretion to allow a limited amount of leave to be brought forward.

- **Must employees contact work by a certain time if they are stuck?**

Employees must contact their Head Teacher as soon as they can to request stuck not sick time and preferably before the time they are due to start work, allowing sufficient time for Head Teachers to arrange cover when required. It is accepted that there may be times when it might not be possible to make contact within these timescales. In such circumstances employees must make contact as soon as they can. Unauthorised absence however will not be allowed.

- **If additional hours cannot be worked to repay stuck not sick hours, can we make deductions from wages?**

With the agreement of the employee, deductions from wages can be made. However deductions from wages should be seen as the last resort unless this is the employee’s preferred option to pay back stuck not sick time. There may be some posts where, due to the nature of the role or the working pattern, it will be impossible for employees to work additional hours either in their own position or an alternative position to repay hours owed.

In such cases if the employee is unwilling to take unpaid leave, then a request for stuck not sick time may be refused.

Where hours owed are not repaid within the timescale agreed with the Head Teacher, the Head Teacher/Governing Body has the right to authorise a deduction in salary to repay the hours owed.

- **If employees work an additional shift at the weekend to repay stuck not sick hours, do we have to pay premium rates?**

No.

- **If someone repays their time on a Sunday when double time applies do they only have to work half of the hours that they owe?**

No, they must work all of the hours they owe.

## **5 Abuses of the Scheme**

Any abuses of this Scheme will be considered as very serious. Action including withdrawal of the Scheme and/or disciplinary action will be taken against employees who abuse this Scheme.

## **6 Equality and Diversity Statement**

The School is committed to promoting equality and valuing diversity. An equality check was carried out in March 2018. No equality implications were identified in this policy.

Policy approved by Governors:	Nov 2020
Date of next review by Governors:	Nov 2021